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ECONOMIC COMMISSION
FOR EUROPE

Meeting of the Parties to the Aarhus Convention
Task Force on Access to Justice
Fourth meeting, Geneva, 7-8 February 2011

DECISIONS AND MAJOR OUTCOMES
as agreed by the Task Force at its fourth meeting

Items 1 and 2: Opening of the meeting and adoption of the agenda

The Chair opened the meeting and the Task Force adopted its agenda as set out in the provisional agenda for the meeting

Item 3: Sharing experiences and inclusion of jurisprudence in the Clearinghouse

The Task Force:

- (a) welcomed the development of the database;
- (b) agreed that the database should continue to be populated beyond the fourth session of the Meeting of the Parties, Chisinau, 29 June—1 July 2011 (MOP-4) to ensure sustainability of the project and called upon countries and stakeholders to provide more cases to the database;
- (c) agreed with the processing of the case-summaries by the Chair before their inclusion in the database;
- (d) encouraged individual Parties to make decisions of courts, and whenever possible of other bodies, publicly available, as required by article 9, paragraph 4, of the Convention;
- (e) requested the secretariat to explore whether it is feasible that the Clearinghouse be directly linked to national databases and whether appropriate search functions could be further developed.

Item 4: Capacity building (workshops and training materials) and outreach

The Task Force:

- (a) reiterated that it would be useful to have a sub-regional workshop in Central Asia after MOP-4 and noted that the material for the workshop should benefit from the analytic studies;

- (b) agreed with the Chair that it would be useful for the Task Force experts to be involved in events organized among public interest lawyers and requested the secretariat to explore the possibility of organizing a seminar for public interest lawyers back-to-back with the next meeting of Task Force;
- (c) thanked the two speakers (Ms Aida Iskoyan and Mr Ian Harden) for their presentations, highlighted the importance of judicial education and agreed that more experiences should be shared with agencies/institutions carrying out activities related to the Convention, such as the European Ombudsman.

Item 5: Analytical studies

The Task Force:

- (a) welcomed the progress with the analytic studies (non-EECCA would be finalized after integrating the comments of the Task Force; EECCA study would be presented as advance copy at the MOP-4 and will be finalized after MOP-4);
- (b) decided to build upon the existing material on costs and remedies and develop a set of good practices and analyses on the following priority issues: loser pays principle, legal aid and other methods of funding for public interest lawyers and NGOs and criteria for injunctions; and agreed that the Chair and the secretariat would further explore the modalities of the follow-up work taking into account availability of resources and timing;
- (c) agreed that for other topics to be analyzed in the future, it would look at the challenges on access to justice as identified by the Aarhus Convention Compliance Committee and the analytic studies on costs and remedies; and in the long run at the issues of standing and timeliness;
- (d) agreed that in carrying out these tasks the activities of the Task Force on Public Participation in Decision-making should be taken into account.

Item 6: Future work on access to justice

The Task Force:

- (a) welcomed the text of the draft decision;
- (b) agreed that it is important to ensure that in the future governments nominate experts from the justice sector to participate in the work of the Task Force.

The Chair:

invited participants to join the mailing list for the exchange of ideas on substantive issues related to the work of the Task Force on promoting access to justice.

Items 7 and 8: Other business, approval of outcomes of the meeting and closure

The Task Force agreed on the decisions and outcomes presented by the Chair at the meeting and requested the secretariat, in consultation with the Chair, to finalize the meeting report and incorporate these outcomes and decisions.