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COMMISSION ÉCONOMIQUE
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ECONOMIC COMMISSION
FOR EUROPE

Meeting of the Parties to the Convention on
Access to Information, Public Participation
in Decision-making and Access to Justice
in Environmental Matters

Task Force on Access to Justice

Sixth meeting

Geneva, 17 and 18 June 2013

Item 6 of the provisional agenda

Key outcomes of the meeting

KEY OUTCOMES¹

as agreed by the Task Force on Access to Justice at its sixth meeting

Item 1. Opening and adoption of the agenda

1. The Task Force adopted the agenda as set out in the document AC/TF.AJ/Inf.1².

Item 2. Substantive issues

2. The Task Force:

(a) Thanked Mr. Luc Lavrysen, EU Forum of Judges for the Environment, and Mr. Jonas Ebbesson, the Chair of the Aarhus Convention Compliance Committee, for their addresses to the Task Force meeting;

(b) Welcomed the analytical work undertaken under the Task Force and by the European Commission on the substantive issues;

(c) Agreed to consider the progress in the study on standing in the selected countries of Eastern Europe, the Caucasus and Central Asia and the study on access to justice in South-Eastern Europe at its next meeting;

(d) Expressed its appreciation to Armenia, Azerbaijan, Belarus and the Republic of Moldova for their cooperation in carrying out the study on standing in the selected countries of Eastern Europe, the Caucasus and Central Asia;

¹ This document was not formally edited.

² The presentations and the written statement can be found on the following webpage:
<http://staging.unece.org/index.php?id=31693>

Item 3. Sharing experiences and building capacities

(a) Tools for sharing information and experiences on access to justice

3. The Task Force:

(a) Thanked the experts from Armenia, Belgium, Kyrgyzstan, Lithuania, Spain, Tajikistan and Ukraine and welcomed the progress in further populating the jurisprudence database and Aarhus Clearinghouse;

(b) Encouraged national focal points and other stakeholders to inform judiciary, judicial training institutions, prosecutors, public interest lawyers and other professionals about existing resources and to make available the links to these resources on the relevant webpages;

(c) Welcomed the initiative of the European Union to expand e-justice portal to environmental matters;

(d) Reiterated its concern that in some jurisdictions decisions of judicial and administrative review bodies are still not publicly available. The Task Force encourages individual Parties to make such decisions publicly available through electronic tools, implementing article 9, paragraph 4, of the Aarhus Convention;

(e) Took note that as agreed by the Task Force on Access to Information at its first meeting a questionnaire regarding implementation of decision II/3, including access to the jurisprudence databases, will be circulated before its second meeting (Geneva, 16-17 December 2013);

(f) Invited the secretariat to make the available resources on access to justice better visible on the Convention's webpage and highlighted the importance to upgrade the Aarhus Clearinghouse allowing for better search engine;

(g) Requested the secretariat to explore the possible linkages with other case law databases.

(b) A multi-stakeholder dialogue on access to justice at the national level

4. The Task Force:

(a) Welcomed the experience from Armenia, Belgium, Belarus, Serbia, the Republic of Moldova and the United Kingdom in facilitating national dialogues on access to justice; welcomed also the round tables gathered the key actors in the area of access to justice and trainings for judges and non-governmental organizations in South-Eastern Europe carried out within the two projects of the REC funded by Germany and Finland through the ENVSEC initiative;

(b) Urged using the findings and conclusions of the analytical studies to facilitate multi-stakeholder dialogue;

(c) National reporting

5. The Task Force encourages the Parties, while preparing national implementation reports:

(a) To aim at targeted consultations with experts on access to justice during the preparation of the relevant sections;

(b) To note the new format adopted through decision IV/4 of the Meeting of the Parties at its fourth session (Chisinau, 29 June – 1 July 2011), and report on possible implementation of the relevant recommendations of the Meeting of the Parties;

(c) To consider the issues listed in the annex to the Guidance on reporting requirements developed by the Compliance Committee (ECE/MP.PP/WG.1/2007/L.4) that were not addressed in the previous national implementation reports;

(d) To address the selected issues in a more concise and user-friendly manner, putting an effort to explain plainly the national situation on implementation of the relevant provisions;

Item 4. The way forward

6. The Task Force:

- (a) Welcomed the Chair's Note on the future work of the Task Force on Access to Justice (ACP/WGP-16/Inf.3);
- (b) Took note of the initiative of the European Commission to launch a study covering mediation mechanisms in the Member States (currently – 10 Member States);
- (c) In the light of the discussion on the substantive issues, expressed its interest to explore further the linkages between standing and the scope of the review, effectiveness of the specialised tribunals and administrative review bodies, timeliness, standing of members of the public, including non-governmental organizations, in cases of environmental damage among others, good practices in access to expertise and reducing expert costs, criteria for injunctive relief.

Item 5. Other business

7. No other business was raised.

Item 6. Approval of the key outcomes of the meeting

8. The Task Force:

- (a) Thanked the speakers for their presentations;
 - (b) Agreed on 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.
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