

**General issues considered in the Compliance Committee's previous reports to MOP**

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**1. Report to MOP 5**

- a. Multi-level governance
- b. Materials in the course of completion, raw data and internal communications under article 4, paragraph 3 (c)
- c. Environmental impact assessment screening decisions and determination under article 6, paragraph 1 (b)
- d. Early public participation, when all options are open
- e. Role of private actors/developers in carrying out public participation procedures
- f. Closed group consultations and public participation under the Convention
- g. Label under national law not decisive with respect to access to justice
- h. Access to justice regarding tiered decision-making
- i. Access to justice regarding EIA screening decisions or other determinations under article 6, paragraph 1(b)
- j. Standing under article 9, paragraph 2
- k. Standing under article 9, paragraph 3

**2. Report to MOP4**

- a. Entry into force of the Convention and application of its obligations
- b. International financial institutions and public functions related to provision of information and public participation
- c. Private entities and public functions related to provision of information and public participation
- d. The distinction between decisions under articles 6, 7 or 8 of the Convention
- e. Reasonable time-frames
- f. Private contracts
- g. Public participation and environmental impact assessment
- h. Direct effect of the Convention and national legislation
- i. Reconsideration or change of activities
- j. Access to justice (article 9, paragraph 3)
- k. Access to justice (article 9, paragraphs 4 and 5)

**3. Report to MOP3**

- a. Confidentiality of information
- b. Effective means of notification
- c. Multiple permits
- d. Responsibility for providing for public participation
- e. Time frames for public participation
- f. Implementation of the public participation pillar of the Convention
- g. Access to justice (article 9, paragraph 3)
- h. Financial and other obstacles to access to justice for non-governmental organizations
- i. International financial institutions
- j. Capacity-building and awareness-raising

**4. Report to MOP2**

- a. Clear, consistent and transparent framework to implement the Convention (article 3, para. 1)
  - b. Reliance on direct applicability of the Convention
  - c. Derogation from existing rights
  - d. Need for guidance on implementing the public participation provisions of the Convention with respect to decision-making on projects in border areas that affect the public in other countries but do not require transboundary environmental impact assessment under the Espoo Convention.
  - e. Need for guidance on the scope of the permitting processes in which the public participation procedures set out in article 6 should apply, i.e. the extent to which such processes should be environmental in character and what 'environmental' would mean in this context
  - f. Financial and technical assistance to countries with economies in transition to improve implementation of the Convention.
  - g. Need for awareness-raising among the judiciary and those public authorities dealing with environmental matters only indirectly.
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