

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

**Task Force on Public Participation in Decision-Making**

**Sixth meeting**

Geneva, 10-11 February 2016

Item 2 of the provisional agenda

**SELECTED RELEVANT RESOURCES**

Background paper<sup>1</sup>  
Prepared by the secretariat

This background paper directs participants to selected sections of relevant resources relating to item 2 of the agenda of the sixth meeting of the Task Force on Public Participation in Decision-Making under the Aarhus Convention, specifically: identification of the public concerned/ public and notification of the public concerned, early public participation, decisions on proposed activities not listed in annex 1 of the Convention which may have a significant effect on the environment (article 6 paragraph 1 (b) of the Convention). The selected resources include the Aarhus Implementation Guide 2<sup>nd</sup> edition,<sup>2</sup> the Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters (the Maastricht Recommendations),<sup>3</sup> and the Synthesis report on the status of implementation of the Convention (2014).<sup>4</sup> It is not intended to provide an exhaustive account of every relevant section of these resources, but instead to signal some selected sections which may provide a useful starting point for pre-reading and subsequent discussion under the auspices of the Task Force on Public Participation in Decision-Making.

<sup>1</sup> The document was not formally edited.

<sup>2</sup> 2014. Available at

[http://www.unece.org/fileadmin/DAM/env/pp/Publications/Aarhus\\_Implementation\\_Guide\\_interactive\\_eng.pdf](http://www.unece.org/fileadmin/DAM/env/pp/Publications/Aarhus_Implementation_Guide_interactive_eng.pdf)

<sup>3</sup> (ECE/MP.PP/2014/2/Add.2). Available at

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_eng.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_eng.pdf) (in English)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_fre.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_fre.pdf) (in French)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_rus.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_rus.pdf) (in Russian)

[http://www.unece.org/env/pp/publications/maastricht\\_recommendations](http://www.unece.org/env/pp/publications/maastricht_recommendations)

<sup>4</sup> (ECE/MP.PP/2014/6). Available at

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category\\_II\\_documents/ece.mp.pp.2014.6\\_aec.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category_II_documents/ece.mp.pp.2014.6_aec.pdf) (in English)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category\\_II\\_documents/ECE.MP.PP.2014.6\\_RUS\\_aec.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category_II_documents/ECE.MP.PP.2014.6_RUS_aec.pdf) (in Russian)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category\\_II\\_documents/ece.mp.pp.2014.6\\_Fre\\_as\\_submitted\\_aec.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Category_II_documents/ece.mp.pp.2014.6_Fre_as_submitted_aec.pdf) (in French)

## Introduction

Due to the large quantity of material relevant to the agenda item in the 2014 National Implementation Reports, it was not possible to create a compilation. However, the 2014 National Implementation Reports themselves may be accessed online<sup>5</sup> or through the interactive database.<sup>6</sup>

Participants are kindly advised to ensure that they have a copy of the Maastricht Recommendations<sup>7</sup> with them at the meeting because agenda item 3 will focus on their implementation.

Some relevant sections of resources related to agenda item 2 include (but are not limited to) the following.

### **a. Identification of the public concerned/ public and notification of the public concerned**

See especially Aarhus Convention article 2 paragraphs (4) and (5), article 6 paragraphs (2) and (5), as well as articles 7 and 8.

See especially Implementation Guide pages 55–58, 134–142, 178–180 and 183.

See Maastricht Recommendations, especially heading I, subheading (A) “Definitions” (page 5); subheadings “H. Defining and identifying the public which may participate” and “I. Individual notification” (pages 10–11); and heading II, subheading “D. Adequate, timely and effective notification (article 6, paragraph 2)” (pages 20–24); heading III, subheading (C) “Identifying the public which may participate” (article 7) (pages 43–44).

See 2014 Synthesis Report, especially Section D, the subheadings “Notifying the public (article 6, paragraph 2)” (page 27) and “Encouraging prospective applicants to identify the public concerned (article 6, paragraph 5)” (starting on page 28); Section E, the subheading “Procedures, tools and instruments for public participation” (article 7) (pages 32–33); Section F, the subheading “Procedural stages” (article 8) (starting on page 34).

### **b. Early public participation**

See especially Aarhus Convention articles 6(4), 7 and 8.

See especially Implementation Guide pages 144–146, 178–180 and 182–183.

See Maastricht Recommendations, especially heading I, subheadings “F. Public participation on the zero option” (page 9) and “G. Multi-stage decision-making” (pages 10–11); heading II, subheading “F. Early public participation when all options are open (article 6, paragraph 4)” (starting on page 27);

---

<sup>5</sup> [http://www.unece.org/env/pp/reports\\_trc\\_implementation\\_2014.html](http://www.unece.org/env/pp/reports_trc_implementation_2014.html)

<sup>6</sup> <http://apps.unece.org/ehlm/pp/NIR/index.asp>

<sup>7</sup> (ECE/MP.PP/2014/2/Add.2). Available at

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_eng.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_eng.pdf) (in English)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_fre.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_fre.pdf) (in French)

[http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post\\_session\\_docs/ece\\_mp.pp\\_2014\\_2\\_add.2\\_rus.pdf](http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Post_session_docs/ece_mp.pp_2014_2_add.2_rus.pdf) (in Russian)

heading III, subheadings “Early public participation” and “Zero option” (article 7) (both on page 43); and heading IV (article 8) (starting on page 47).

See 2014 Synthesis report, especially Section D and in particular the subheading “Early and effective public participation (article 6, paragraph 4)” starting on page 28, as well as section E starting on page 31 (article 7), and section F starting on page 33 (article 8).

**c. Decisions on proposed activities not listed in annex 1 of the Convention (article 6 paragraph 1 (b) of the Convention).**

See especially Aarhus Convention article 6 (1) (b).

See especially Implementation Guide pages 132–133.

See Maastricht Recommendations, heading II, subheading “B. Applying article 6, paragraph (1) (b)” (pages 18-19).

See Synthesis report, especially Section D and in particular the subheading “Applying provisions covered by article 6 (article 6, paragraph 1)” (pages 26-27).