

## **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

### **Working Group of the Parties**

#### **Fifteenth meeting**

Geneva, 3–5 September 2012

Item 3 (c) of the provisional agenda

**Substantive issues: access to justice**

## **Report on the subregional meeting “Implementing the Aarhus Convention Today: Paving the Way to a Better Environment and Governance Tomorrow” held in Almaty, Kazakhstan, 22 and 23 May 2012\***

### **Introduction**

1. The secretariat of the United Nations Economic Commission for Europe (ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the Organization for Security and Co-operation in Europe (OSCE), in cooperation with the Government of Kazakhstan organised the subregional meeting “Implementing the Aarhus Convention today: paving the way to a better environment and governance tomorrow”. The meeting was held in Almaty, Kazakhstan, on 22 and 23 May 2012 and hosted by the OSCE.

#### **A. Attendance**

2. The meeting was attended by some 50 participants from the following Parties to the Convention: Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan and from countries that have expressed their strong interest in the Convention’s activities, such as Uzbekistan and Mongolia. The countries’ delegates included representatives of the constitutional courts, supreme courts, supreme economic courts, judicial training institutions and ministries of justice and foreign affairs as well as Aarhus Centres and non-governmental organizations.

3. Also attending were experts from the following international organizations: United Nations Environment Programme (UNEP) and Economic and Social Commission for Asia and the Pacific (ESCAP). Representatives of the Office of the Co-ordinator of OSCE Economic and Environmental Activities as well as OSCE Centre in Ashgabat, OSCE Centre in Astana, OSCE Centre in Bishkek, OSCE Office in Tajikistan, and OSCE Project Co-ordinator in Uzbekistan were present at the meeting. In addition, experts from the following non-governmental and academic organizations attended: European ECO Forum, Association of European Administrative Judges with the support from the German Foundation for International Legal Cooperation, Resource and Analysis Centre “Society

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\* The document was not formally edited.

and Environment”, Ukraine, and Bureau of Environmental Investigation, Ukraine, as well as from the Belarusian State University, Belarus.

4. Mr. Jan Darpo (Sweden), Chair of the Task Force on Access to Justice, and Mr. Philip Kearney (Ireland), Chair of the Task Force on Public Participation in Decision-making, were present at the meeting and chaired the respective sessions. Ms. Heghine Hakhverdyan, Yerevan State University, Armenia, a member of the Compliance Committee, also participated in the meeting.

## **B. Proceedings**

5. To better address the needs of different target groups, the meeting featured several joint sessions and two parallel workshops. The first workshop covered the legal aspects of effective access to justice in environmental matters, while the second focused on the practical implementation of all three pillars of the Convention.

6. The meeting was organized in the following sessions:

Session I: Opening

Session II: Laying the ground

Session III: Parallel workshops

Session IV: Taking stock and looking forward.

7. The programme of the first workshop “Greening Justice and the role of the judiciary in this process” comprised the following thematic items:

(1): Introduction to the workshop

(2): Access to justice in environmental matters: general overview

(3): Access to justice in cases involving access to information and public participation in decision making

(4): Access to justice and public’s right to enforce national law relating to the environment

(5): Remedies, timeliness of procedures and costs

(6): The way forward.

8. The programme of the second workshop “How to implement the Aarhus Convention: learning from practical experiences” comprised the following thematic items:

(1): Introduction to the workshop

(2): Monitoring the Convention’s implementation

(3): Access to environmental information

(4): Public participation in environmental decision-making

(5): Access to justice as guarantee of environmental rights

(6): The way forward.

9. Each session was organized in an interactive format. They included expert presentations and featured either a discussion, in which participants made interventions and posed questions, or a training, in which the experts were requested to solve case-studies. At the meeting, the participants formed two groups in accordance with their professional background to attend parallel workshops. Then the participants of each workshop were divided into two sub-groups to ensure maximum involvement of the participants in the interactions.

10. The documentation resulting from the workshop includes background material and presentations in English and Russian<sup>1</sup> as well as this report. It is expected that the outcomes of the meeting will guide future actions of the Parties towards the full implementation of the Convention and of the non-Parties towards the ratification of the Convention and application of its provisions. The meeting also helped identifying priority needs for the future work of the Convention's Task Forces and for capacity-building activities in Central Asia. Overall, the meeting contributed to a better understanding of the Convention and its framework and the identification of strengths and challenges in its implementation.

## I. Session one: Opening

11. Mr. Jan Darpo (Sweden), Chair of the Task Force on Access to Justice and Chair of the subregional meeting, opened the meeting. Mr. Anatolii Dernovoy, Executive Secretary of the Ministry of Environmental Protection, Kazakhstan, Ms. Jeannette Kloetzer, Deputy Head of the OSCE Centre in Astana, and Mr. Vladimir Borissov, Judge of the Supreme Court, Kazakhstan, delivered welcoming addresses. Ms. Maryna Yanush, ECE Aarhus Convention secretariat, made an introductory statement setting the stage, explaining the framework of the meeting and informing about its practical implications.

## II. Session two: Laying the ground

12. Mr. Jan Darpo delivered a presentation on environmental and human rights, explaining their genesis and interlinkages among multilateral environmental and human rights agreements. The participants were also informed about the judgements from the European Court of Human Rights in cases related to the deterioration of the environment and the recent resolution 19/10 of the Human Rights Council on "Human rights and the environment".

13. Mr. Vadim Ni, Executive Director of the Asian American Partnership and a former Convention's Compliance Committee member, provided an overview of trends and challenges in implementing three pillars of the Convention: access to environmental information, public participation in decision-making and access to justice.

14. The following issues were addressed during the discussion:

(a) Significant progress was noted in implementing the Convention in Central Asian countries since its entry into force, including through increasing transparency, active dissemination of information, establishing of Aarhus Centres and raising the status of NGOs;

(b) The importance of strengthening the linkages of the rights to access to environmental information, public participation in decision-making and access to justice with human rights;

(c) Ease of passive and active access to environmental information, including through wider use of electronic information tools;

(d) The significance of enhanced public involvement in the process of strategic decision-making to prevent further possible controversy over specific activities and projects undertaken within the adopted plans, programmes and policies relating to the environment;

(e) Challenges and subregional particularities in providing effective access to justice in environmental cases and the importance of administrative review procedures in these countries.

15. The following needs were identified in relation to further advancing the implementation of the Convention:

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<sup>1</sup>

Available at <http://www.unece.org/centralasianmeeting2012.html>.

(a) To facilitate better outreach of the Convention, including wider involvement of citizens and citizen groups, local non-governmental organizations, local authorities and other stakeholders in its implementation process;

(b) To further eliminate existing barriers in access to courts and build capacity of state officials carrying out administrative review of challenged decisions, acts or omissions as well as public interest lawyers and advocates in implementation of the Aarhus Convention;

(c) To continue engaging Aarhus Centres as a platform for dialogue between the public, public authorities and business and strengthening further their capacities in inclusive environmental decision-making.

### **III. Session three: Parallel workshops**

#### **1. First workshop: Greening Justice and the Role of the Judiciary in this Process**

16. The workshop was opened and chaired by Mr. Jan Darpo. Ms. Maryna Yanush made an introductory statement highlighting the strategic directions of the Convention's work in the area of access to justice. Ms. Elena Laevskaya, Belarusian State University, Belarus, and Mr. Dmytro Skrylnikov, Bureau of Environmental Investigation, Ukraine, moderated the group discussions.

##### **(a) Access to justice in environmental matters: general overview**

17. Mr. Jan Darpo delivered a presentation with a general overview of the provisions of article 9 of the Convention and emphasized linkages with other Convention's provisions. Ms. Elena Laevskaya informed about the outcomes of the study on impediments in access to justice in the countries of Eastern Europe, the Caucasus and Central Asia<sup>2</sup>.

18. Ms. Barbara Ruis, UNEP, informed participants about the work undertaken by the organization in the area of access to justice, including on the Guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters adopted by the UNEP Governing Council in 2010, UNEP's capacity-building activities for judges, and the development of environmental courts throughout the world. She also informed on the upcoming UNEP World Congress on Justice, Governance and Law for Environmental Sustainability (Rio de Janeiro, 17-20 June 2012).

19. The following issues were addressed during the discussion:

(a) The relationship of the provisions of article 9 with provisions of articles 2, 3, 4-8 and Annex I of the Convention and their interlinkages with principle 10 of the Rio declaration;

(b) The outcomes of work of the Convention's Compliance Committee and the Task Force on Access to Justice related to the area of access to justice;

(c) The main challenges and trends identified in the study on impediments in access to justice in the countries of Eastern Europe, the Caucasus and Central Asia;

(d) The rationale for establishing environmental courts and tribunals.

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Available at  
[http://www.unece.org/fileadmin/DAM/env/pp/a.to.j/AnalyticalStudies/EECCA\\_study\\_AJ/EECCA\\_study\\_EN\\_Final.pdf](http://www.unece.org/fileadmin/DAM/env/pp/a.to.j/AnalyticalStudies/EECCA_study_AJ/EECCA_study_EN_Final.pdf).

**(b) Access to justice in cases involving access to information**

20. Ms. Elena Laevskaya provided detailed overview of legal requirements of the Convention with respect to access to justice in cases involving access to environmental information and public participation in environmental decision-making, their linkages to the provisions of other articles of the Convention and the relevant Convention's Compliance Committee findings and recommendations. The presentations were followed by group discussions on the basis of two topical case studies.

21. The following key issues were addressed during the discussion:

(a) The requirements of a court or another body in accordance with article 9, paras. 1 and 2, of the Convention;

(b) Possible criteria for standing for individual and legal persons, including non-governmental organizations, in cases involving access to justice and public participation in environmental decision-making and the requirement to prove sufficient interest;

(c) The representation of individuals and groups;

(d) The role of the preliminary review procedure and mediation as means to remediate disputes without recourse to judicial procedures;

(e) Means to secure a claim and granting of interim injunctive relief to suspend construction works.

22. The following key problems and needs were identified in relation to access to justice in cases involving access to environmental information:

(a) The interpretation of the definition "environmental information" by the public authorities and the courts as provided in the Convention and/or national legislation (e.g. decision on preliminary land allocation);

(b) The interpretation of confidentiality and criteria for considering environmental information by courts (other bodies) to be confidential;

(c) Different court jurisdiction for individuals and legal persons, including non-governmental organizations, for challenging decisions on access to environmental information (different procedures, costs and deadlines) with the exception of Mongolia and Kyrgyzstan, where these cases are dealt with in the administrative courts.

23. The following key problems and needs were identified in relation to access to justice in cases involving public participation in environmental decision-making:

(a) The difficulty of simultaneously challenging the legality of any decision or act of public authority and requesting for an injunctive relief against a beneficiary of that decision or act due to the impossibility of involving a third party in the procedure against public authority;

(b) Different interpretation of standing concepts with regard to the public concerned (article 2, para. 5, and article 6 of the Convention) and the public having a sufficient interest (article 9, para. 2, of the Convention).

**(c) Access to justice and public's right to enforce national law relating to the environment**

24. Mr. Werner Heermann, Vice-President of the Association of European Administrative Judges, delivered a presentation on the Convention's provisions on access to justice to challenge acts and omissions by private persons and public authorities which contravene provisions of its national law relating to the environment. The presentation was followed by group discussions on the basis of a topical case study.

25. The following key issues regarding the application of article 9, paragraph 3, of the Convention were discussed:

(a) The rank of the Convention in the national legislation of the Parties and the direct effect of article 9, paragraph 3, of the Convention;

(b) The margin of discretion for national legislators to establish criteria for standing for members of the public to challenge acts and omissions by private persons and public authorities;

(c) The act by private persons and public authorities, which can be challenged under article 9, para. 3, of the Convention, can have a form of decision;

(d) The challenging of substantive and procedural legality.

26. The key challenges identified in this regard were national criteria for standing (e.g. the requirement for non-governmental organization to be registered as a legal person, the number of members, the geographical scope or duration of activity) and the requirement to prove a sufficient interest in this type of cases. In this regard, the question was discussed whether a requirement for a non-governmental organization to state objectives of environmental protection in its statute is a self-standing criterion and the organization is required to prove additionally its interest in the case or whether such provisions in the organization's statute demonstrate sufficient interest of the organization for recognizing its standing.

27. It was repeatedly highlighted that standing for non-governmental organizations should be rather a presumption than an exception and any criteria for standing laid down in the national legislation should not preclude effective access to justice of the members of the public. It was also stressed that the Parties should ensure the fulfilment of the Convention's provisions.

#### **(d) Remedies, timeliness of procedure and costs**

28. Mr. Dmytro Skrylnikov provided a detailed overview of legal requirements of article 9, para. 4, of the Convention with respect to remedies, timeliness of the procedure and costs, as well as the relevant Convention's Compliance Committee findings and recommendations. Mr. Jan Darpo shared experiences of other countries in reducing barriers to access to justice with regard to remedies and costs. The presentations were followed by a discussion based on information provided by participants on the costs and other financial factors affecting the judicial practice.

29. The following key issues regarding application of article 9, paragraphs 4 and 5, of the Convention were addressed during the discussion:

(a) Criteria for injunctive relief and when those become barriers to access to justice;

(b) The timeliness of the procedure and periods of limitations for submitting claims and appeals;

(c) Existing financial barriers and ways of eliminating or reducing them;

(d) The accessibility to decisions of courts.

30. The following key problems and needs were identified to ensure the provision of effective remedies as required by the Convention:

(a) The risk for the public of missing the deadline for challenging a decision due to lack of timely access to this decision;

(b) The risk for plaintiffs of missing the deadline for appealing a court decision if such a deadline is short and the text of the decision is not provided in a timely manner;

(c) Court fees for pecuniary claims might constitute a financial barrier in access to justice in the Central Asian countries;

(d) Expert and expertise fees might constitute a financial barrier in access to justice in the Central Asian countries and Mongolia, except for Turkmenistan, where experts or expertise are remunerated by the state;

(e) Different fees applied to individuals and legal persons with the presumption that legal persons might be “richer”;

(f) The application of the “loser pays” principle, including the compensation of losses occurred due to securing a claim by means of the interim injunctive relief;

(g) The lack of legal aid in the Central Asian countries.

31. It was proposed that, subject to their competence and to national legislation, the following measures might be taken by courts to reduce financial barriers:

(a) No fees in the second and subsequent instances (Kazakhstan) or supervisory instance (Kyrgyzstan);

(b) Exemptions from the payment of costs or reducing its amount based on the financial status of the plaintiff;

(c) The payment of court fees and other costs after issuing the ruling (Kyrgyzstan);

(d) The appointment of the formalised expertise procedure at the expense of the state (Kazakhstan and Turkmenistan);

(e) Obtaining expert evidence through issuing summons on individual experts rather than through the formalised procedure of court-appointed expertise;

(f) Taking measures for dispute resolution at the preparatory stage of the judicial procedure.

## **2. Second workshop: How to implement the Aarhus Convention: learning from practical experience**

32. The workshop was opened and chaired by Mr. Philip Kearney. Ms. Heggine Hakhverdyan, Yerevan State University, Armenia, member of the Aarhus Convention Compliance Committee, and Mr. Alexander Peyetchev, Economic and Environmental Officer, OSCE Centre in Astana, delivered introductory statements. Mr. Andriy Andrushevych, Resource and Analysis Centre “Society and Environment”, Ukraine, and Ms. Heggine Hakhverdyan moderated the group discussions.

### **(a) Monitoring the Convention’s implementation**

33. Mr. Andriy Andrushevych provided information on the compliance and reporting mechanisms, taking into account the outcomes of the fourth session of the Meeting of the Parties.

34. The following key issues regarding the monitoring of the Convention’s implementation were addressed during the discussion:

(a) Compliance mechanism under the Aarhus Convention, including procedural aspects and comparative information with other multilateral environmental agreements;

(b) Case law of the Compliance Committee under the Aarhus Convention;

(c) Reporting mechanism and the role of public authorities and Aarhus Centres in preparing national implementation reports.

35. Taking into account the increasing use of genetically modified organisms in the Central Asian countries, the proposal was made to specify the part of the reporting related to genetically modified organisms and bring this matter to the attention of the Task Force on Access to Information.

**(b) Access to environmental information**

36. Ms. Heghine Hakhverdyan provided a comprehensive overview of key provisions of the Convention related to access to environmental information and their practical application based on the case law of the Convention Compliance Committee. In addition, Ms. Gulsara Yeskendiroya, National Aarhus Centre, Astana, shared experiences of the Aarhus Centre in disseminating environmental information through a web-portal and individual consultations and raising awareness on environmental matters among different stakeholders. The presentations were followed by group discussions on the basis of a topical case study.

37. The following key issues regarding access to environmental information were addressed during the discussion:

- (a) The interpretation of the definition of environmental information and the relation of this term with the term “data”;
- (b) The substantive scope of the definition “public authority” and the status of the Board of the construction site;
- (c) Intellectual property rights as a ground for refusal to provide environmental information;
- (d) The adverse effect on national defense as a ground for refusal to provide environmental information;
- (e) Environmental rights as human rights: the relationship between the concepts of “human rights” and “rights of the citizen”.

38. The following key problems and needs were identified regarding effective access to environmental information:

- (a) Public access to raw data of environmental monitoring and its possible confidentiality;
- (b) Access to atlases and maps that contain environmental information and the intellectual property rights of them;
- (c) The confidentiality of personal data and its link with environmental information.

39. It was highlighted that applying the grounds for refusal to provide environmental information should always be preceded by the test on public interest served by disclosure of such information.

40. The following roles of Aarhus Centres were underlined to facilitate access to environmental information:

- (a) Serving as a platform for dialogue between the public, public authorities and business;
- (b) Providing consultations to the public on access to information and assistance in preparing requests to the relevant public authorities for environmental information;
- (c) Providing assistance to the public authorities in replying to citizens’ requests;
- (d) Gathering and disseminating environmental information that is of public interest;
- (e) Bringing environmental concerns to the attention of mass media, e.g. by organizing press conferences;
- (f) Providing assistance to the public in preparing claims for administrative or judicial review or communications for the Convention’s Compliance Committee.



**(c) Public participation in environmental decision-making**

41. Mr. Philip Kearney delivered a presentation on the Convention regarding public participation in decision-making, practical issues of its implementation and the current work under the Task Force on Public Participation in Decision-making. Ms. Mara Silina, European ECO Forum, provided insights into environmental decision-making and the outcomes of the Pan-European Survey on Implementation as well as some general recommendations in this regard. Mr. Kanybek Isabayev, Aarhus Centre in Osh, Kyrgyzstan and Ms. Shynar Izteleuolova, Aarhus Centre in Atyrau, Kazakhstan, presented the outcomes of the activities carried out by these Aarhus Centres. The presentations were followed by group discussions on the basis of a topical case study.

42. The following key issues regarding public participation in environmental decision-making were addressed during the discussion:

(a) The dissemination of environmental information as a prerequisite for participatory decision-making and the role of electronic information tools and social networks in this process;

(b) The practice of carrying out the public ecological expertise. It was noted that its conclusions had to be of advisory nature and that this practice has not received wide dissemination in the Central Asian countries;

(c) The definition of the “public” and “public concerned”, its Russian translation as provided in article 2, para. 5, and the participation of employees’ collectives in the public hearings;

(d) Public participation in decision-making regarding projects financed by international financial institutions and possibility for public participation procedure to take place before the loan agreement or other kind of final financial agreement is approved;

(e) The preparation of effective, adequate and timely notifications, including its form, means and content;

(f) The relationship between the Aarhus Convention and the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention).

43. The following key problems and needs were identified regarding public participation in environmental decision-making:

(a) Poor information flow on decision-making processes hampering timely and effective public participation;

(b) The lack of resources to further build capacity and raise awareness, especially at the local level, among all involved stakeholders to promote inclusive decision-making;

(c) The lack of guarantees ensuring that public authorities take public comments into account when making decisions.

44. The following roles of Aarhus Centres were emphasized to facilitate public participation in decision-making:

(a) Informing the public about the decision-making process;

(b) Organizing the process of public hearings;

(c) Providing access to environmental impact assessment documentation;

(d) Organizing the public ecological expertise;

(e) Providing consultations to stakeholders on this matter;

(f) Playing the role of a mediator in case of controversy on the proposed activities.

**(d) Access to Justice in Environmental Matters**

45. Mr. Andriy Andrusevych provided a detailed overview of the key provisions of the Convention related to access to justice in environmental matters and their practical application. Mr. Dmitriy Prudskikh, Aarhus Centre in Khujand, Tajikistan, shared experiences of the Aarhus Centre in promoting this pillar of the Convention. The presentations were followed by group discussions on the basis of a topical case study.

46. The following key issues regarding access to justice in environmental matters were addressed during the discussion:

(a) Greater attention from the public and human rights activists towards the implementation of the Convention's provisions related to access to justice. However, it was noted that it would be better if access to justice remained as a mean of last resort, making it less costly when access to environmental information and public participation is provided in accordance with the Convention's provisions;

(b) Criteria for standing for non-governmental organizations, including the registration of non-governmental organizations as legal person;

(c) Elements of the definition of "public concerned" and ways to prove its sufficient interest;

(d) Financial barriers to access to justice;

(e) The effectiveness of judicial review and other means of remediating the situation relating to environmental concerns.

47. The following roles of Aarhus Centres were underlined to facilitate public participation in decision-making:

(a) Assisting the public in preparing complaints to the prosecutor's office;

(b) Organizing meetings of stakeholders;

(c) Involving human rights organizations and activists in the Convention's implementation;

(d) Assisting in fundraising for non-governmental organizations;

(e) Requesting the Supreme Court to summarize the existing case-law regarding the implementation of the Aarhus Convention;

(f) Using the network of Aarhus Centres for sharing experiences and providing advice on similar cases.

**IV. Session four: Taking stock and looking forward****1. Strengths, challenges and solutions**

48. At this joint session, the major conclusions of the parallel sessions were presented by Ms. Elena Laevskaya, Mr. Dmytro Skrylnikov, Mr. Andriy Andrusevych and Ms. Heghine Hakhverdyan respectively and were followed by statements by Ms. Esra Buttanri, Environmental Affairs Adviser, Office of the Coordinator of OSCE Economic and Environmental Activities, Mr. Kanybek Isabayev and Ms. Mara Silina.

49. To facilitate effective access to justice, the following issues drawn from the first workshop were proposed to address in the future work under the Convention:

(a) With regard to standing for individuals and non-governmental organizations, sharing best practices of national criteria for standing and of establishing sufficient interest of the public concerned;

(b) Different jurisdiction (except for Kyrgyzstan and Mongolia) of courts for individuals and legal persons, including non-governmental organizations, over cases challenging the legality of decisions lead to uncertainty as to which court a claim is to be submitted, as well as on different procedures, terms and costs for claimants;

(c) With regard to cases involving access to environmental information, there is a difficulty in interpreting the definition of “environmental information” and its transposition in national legislation and establishing grounds for its confidentiality;

(d) The need to ensure timely access to the decisions that can be subject for judicial review in order to meet deadlines for their appeal in court;

(e) The importance of ensuring access to court decisions and sufficient time for their appeal;

(f) The application of the “loser pays” principle, court fees for pecuniary claims, expert and expertise fees in environmental cases may constitute financial barriers in most Central Asian countries;

(g) The system of legal aid should receive further development.

50. It was agreed that judges play a significant role in developing the practice of applying the Convention. In doing so, they are also bound by national legislation. Moreover, the identified above systemic issues that might impede access to justice should be dealt with primarily by the legislator..

51. To facilitate practical implementation of all three pillars of the Convention, the following issues drawn from the first workshop were proposed to address in the future work under the Convention:

(a) With regard to access to environmental information, improving information flows that will facilitate timely and effective public participation in decision-making and criteria for its confidentiality and limitations in access imposed by intellectual property rights;

(b) With regard to public participation in environmental decision-making, recommendations on best practices for identifying the public having an interest in the environmental decision-making and reducing financial implications for the public in environmental decision-making process, continuation of building capacity of all stakeholders involved in the process;

(c) With regard to access to justice, timely access to the decisions taken to ensure effective access to justice, information on best practices for establishing criteria for standing for non-governmental organizations, reducing barriers in access to justice and building capacities of public interest lawyers and other legal professionals.

52. Ms. Esra Buttanri informed about the progress in establishment and functioning of Aarhus Centres both in Central Asia as well as in South Caucasus, Eastern Europe and South Eastern Europe under the leadership of the OSCE and in close partnership with the UNECE, and underlined the support of the Environment and Security (ENVSEC) Initiative. She highlighted Aarhus Centres’ contribution towards implementing the Convention; strengths and challenges in their work as well as next steps towards strengthening their capacity and operational framework. She emphasized the importance of networking among Aarhus Centres at the country and regional levels as well as across regions, and gender mainstreaming in Aarhus Centres activities.

53. The participants agreed that Aarhus Centres can significantly contribute to the implementation of all three pillars of the Convention in the Central Asian countries by providing a dialogue platform for stakeholders, disseminating environmental information, assisting in preparing requests for environmental information and responses to such requests, assisting in dispute resolution and mediation and performing other functions.

54. Ms. Mara Silina underlined strengths of the Aarhus Convention and concluded that the main force of the Convention lies in its implementation. Nevertheless, she noted

challenges in the Convention's implementation, including differences in the legal systems, interpretation by the public authorities and lack of education. She also proposed some potential solutions, including a strategy of implementation and national action plans, awareness raising and building capacity for public authorities and other stakeholders.

## **2. Education and awareness-raising as key tools to develop national capacity**

55. The participants agreed that such subregional meetings are a useful tool in sharing experiences and developing a better understanding in recent trends of the Convention's application. The significance of extending future capacity-building events to other stakeholders such as advocates, public interest lawyers and the business community as well as the positive effect of multistakeholder events were underlined.

56. Some participants highlighted their involvement in conducting seminars at the national and local level, developing courses, training modules and launching online forums dedicated to the implementation of the Aarhus Convention.

57. The participants also discussed the outreach at the local level. The importance of the translation of the Convention's text and other guidance documents in the national language was underscored.

## **V. Closing statement**

58. Closing statement was made by Mr. Jan Darpo. He thanked the organizers of the meeting, speakers and participants and highlighted the benefits of the meeting for capacity development and the contribution of its outcomes to further work carried out under the Convention. Moreover, he underlined the importance of education and awareness-raising in this regard and encouraged the participants to continue to take actions towards the full implementation of the Convention.

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