

**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**

**Twentieth meeting**

Geneva, 15–17 June 2016

Item 5 of the provisional agenda

**Note by the Chair of the thematic session on promoting the application  
of the principles of the Convention in international forums on possible  
future directions for the work<sup>1</sup>**

This note was prepared by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums to facilitate preparation of the draft elements of the future work programme by the Bureau at its 37<sup>th</sup> meeting (Geneva, 25-26 February 2016). The note is expected to assist the Bureau and the Working Group of the Parties in their deliberations on the future work in this area.

**I. The rationale for advancing the application of the principles of the Convention in international forums**

1. There are a number of major international processes ongoing, including those related to the adoption of the 2030 Agenda for Sustainable Development, the Paris Climate Agreement, IFIs, UNEP stakeholders and information policies as well as various international trade negotiations.

2. For some international processes, progress has been achieved in transparency and provision of public access to information, such as formal and informal documents, draft documents, national contributions, positions by Parties and observers through web portals and various electronic information tools (e.g. UNFCCC, WTO). Also public participation was promoted through civil society dialogues (e.g. European Commission), observer participation in the High-level Segments and thematic events (e.g. UNFCCC) and the engagement of major groups at national and international level (e.g. SDGs).

3. Certain challenges and limitations, however, remain at all levels with regard to full implementation of these Aarhus Convention principles:

(a) Application of principles of the Aarhus Convention as well as existing best practices of multilateral institutions when developing engagement and access to information policies (e.g. UNEP);

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

- (b) Provision of tailor-made information (e.g. Trade) to the public as well as late circulation of documents for commenting make it difficult for observers to provide useful, informed input (e.g. UNFCCC);
- (c) Use of the most appropriate means for disseminating information as, for instance, social media may not always be suitable for sharing information of a technical nature;
- (d) Public access to meetings (e.g. WTO);
- (e) Formal rules for stakeholder participation and involvement in decision-making at High-level Political Forums and High-level Segments (e.g. SDGs, UNFCCC);
- (f) Public participation with regard to opportunities for observer interventions in plenary sessions as well as access to informal consultations and documents discussed during informal negotiation session (e.g. UNFCCC).
- (g) Sharing of good practices between international forums to globally improve rules and regulations for public participation rules in international forums.

## **II. The outcomes of the work in the current intersessional period**

### ***Thematic sessions during the Working Group of the Parties***

4. During the current inter-sessional period, the activities of the Working Group of the Parties on promoting the application of the principles of the Convention in international forums is guided by decision V/4, adopted by the Meeting of the Parties at its fifth session (Maastricht, Netherlands 30 June-1 July 2014). Pursuant to this decision, a thematic session on promoting the application of the principles of the Convention in international forums was held during the nineteenth meeting of the Working Group of the Parties (Geneva, 17-19 June 2015). Similar sessions are planned for the twentieth meeting of the Working Group, scheduled to take place on 15-17 June 2016, and for the twenty first meeting scheduled for early 2017.

5. The latest thematic session focused on the following themes:

- (a) Update on the development of the UNEP stakeholder engagement and access to information policies, including the new United Nations Environment Assembly;
- (b) Public participation in the UNFCCC processes and negotiations towards the Paris Climate Agreement;
- (c) Promotion of the Convention's principles through developing, implementing and monitoring implementation of the 2030 Agenda on Sustainable Development;
- (d) Promotion of the Convention's principles in trade negotiations.

6. The thematic sessions are built on the work done: by individual Parties; under the auspices of the Task Force on Public Participation in International Forums (2005-2011); during previous thematic sessions held at the meetings of the Working Group of the Parties.

### ***Support material to facilitate the application of the principles of the Convention in international forums***

7. A checklist of measures to be borne in mind by Parties when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment has been prepared. Checklist is now available in English, French and Russian.

8. A leaflet summarizing the Almaty Guidelines and the promotion of the Convention principles in international forums was finalized in English and translated in French and Russian. It aims at assisting Parties as well as other interested States and stakeholders in understanding and applying the Almaty Guidelines.

9. A survey will be carried out on broader public participation initiatives to learn from various initiatives taken by Parties and civil society on the occasion of COP21 and other major international forums.

#### ***Promotion of principles and provision of expert advice***

10. The secretariat has promoted the principles of the Convention in and provided advisory support to various international forums, including UNEP, the Economic Commission for Latin America and the Caribbean, the United Nations Department of Economic and Social Affairs; other environmental treaty bodies, such as CBD and its Protocol on Biosafety; and other international organizations and financial institutions, inter alia, OSCE, OECD, the World Bank, the European Investment Bank and the European Bank for Reconstruction and Development. Moreover, the secretariat participated in the 2015 International Financial Institutions' Working Group Meeting on information disclosure and stakeholder engagement. At the request of the UNFCCC secretariat, the secretariat provided expert advisory assistance to the UNFCCC secretariat with respect to observer engagement at COP21. The secretariat also took part in the consultation processes regarding UNEP's Access-to-Information policy and the World Bank's proposed new environmental and social framework.

### **III. Future work**

#### ***Issues to be given priority***

11. During the next inter-sessional period, it is proposed to continue the work with respect to international forums focusing on climate change and trade negotiations. Moreover, the progress achieved so far in promoting the Convention's principles in international financial institutions as well as the development of a UNEP stakeholder engagement and access to information policy should be further monitored. A new substantive area to promote the application of the principles of the Convention in international forums during the next inter-sessional period could be the forests sector. In addition, Parties or stakeholders may identify other international forums to be of particular priority.

#### ***Methods of work***

12. For the next inter-sessional period, it is proposed that work in this area should continue through similar to the current intersessional period formats:

- (a) Actions taken by Parties, at the national and international levels.
  - (b) Thematic sessions at the Working Group of the Parties.
  - (c) Expert assistance to international forums and Parties.
  - (d) Collection of good practices on effective public participation in international forums.
  - (e) Workshops and surveys on cross-cutting issues
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