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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

Twenty-second meeting
Geneva, 19–21 June 2018

Report of the Working Group of the Parties on its twenty-second meeting

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I. Introduction

1. The twenty-second meeting of the Working Group of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held from 19 to 21 June 2018 in Geneva, Switzerland.

A. Organizational matters

2. The meeting comprised a general segment (19–21 June) and a special segment (20 June) commemorating the twentieth Anniversary of the adoption of the Convention in Aarhus, Denmark on 25 June 1998. The general segment was largely devoted to a review of implementation based on a note by the secretariat entitled “Report on the implementation of the work programmes for 2015–2017 and 2018–2021” (ECE/MP.PP/WG.1/2018/4). It also included thematic sessions on access to information and on promoting the principles of the Convention in international forums, held on the mornings of 19 and 21 June, respectively.

3. The meeting was attended by representatives of the following Parties to the Convention: Albania, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Republic of Moldova, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, Turkmenistan, Ukraine and United Kingdom of Great Britain and Northern Ireland.

4. Representatives of Guinea-Bissau also attended.

5. Also present were representatives of the Economic Commission for Latin America and the Caribbean (ECLAC) (by video link), the United Nations Environment Programme (UNEP), secretariats of the Basel, Rotterdam and Stockholm Conventions, of the Minamata Convention on Mercury and of the Strategic Approach to International Chemicals Management, the United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Children’s Fund (UNICEF), the United Nations Institute for Training and Research (UNITAR), the World Bank, the European Environment Agency, the European Investment Bank (EIB), the Organization for Security and Co-operation in Europe (OSCE) Programme Office in Dushanbe, Regional Environmental Centers and Aarhus Centres; academic organizations, members of the judiciary, youth delegates to the United Nations and other representatives of youth, members of the public and representatives of international, regional and national environmental non-governmental organizations (NGOs), many of whom coordinated their input within the framework of the European ECO Forum.¹

6. The statements on compliance matter made under agenda items 8 (Any other business) and 13 (Adoption of outcomes) are addressed in section IV (a) of the present report.

B. Opening of the meeting and adoption of the agenda

7. The Chair opened the meeting and informed the Working Group that in order to minimize the use of paper and ensure equal opportunities for English-, French- and Russian-speaking delegations, a list of decisions and outcomes would be projected on the

¹ Information on the meeting, including documentation, a list of participants and copies of the statements provided to the secretariat, is available at <http://www.unece.org/env/pp/aarhus/wgp22#/>.

screen in English at the front of the room before the end of the meeting. The list would also be made available through a weblink and would be presented by the Chair verbally for adoption, thereby allowing for interpretation into the other languages. The adopted list of decisions and outcomes would be distributed to participants by e-mail after the meeting and incorporated into the report.

8. The Chair underlined that the annual High-Level Political Forum, to be held in July 2019, would conduct its thematic review on “Empowering people and ensuring inclusiveness and equality” with a focus on Sustainable Development Goal 16 (Peace, justice and strong institutions) together with several other Goals. The theme of the Regional Forum on Sustainable Development for the Economic Commission for Europe (ECE) region, to be held in March 2019, would be aligned with that of the Forum. She noted that the role of the Aarhus Convention for promoting Sustainable Development Goal 16 in this context would gain global attention.

9. The Working Group took note of the information provided by the Chair and adopted the agenda (ECE/MP.PP/WG.1/2018/1).

II. Status of ratification of the Convention and the Protocol on Pollutant Release and Transfer Registers

10. The secretariat reported on the status of ratification of the Convention, its amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment) and the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs). As at the date of the meeting, there were 47 Parties to the Convention, 36 Parties to the Protocol and 31 Parties to the GMO amendment. Since the sixth session of the Meeting of the Parties (Budva, Montenegro, 11–14 September 2017), Montenegro had ratified the Protocol (on 11 October 2017). There had been no new ratifications of the Convention or the GMO amendment.

11. The Working Group took note of the secretariat’s report on the status of ratification of the Convention, its amendment and the Protocol on PRTRs and welcomed Montenegro’s accession to the Protocol.

III. Substantive issues

A. Thematic session on access to information

12. The Working Group considered section I (A) of the report on the implementation of the work programmes for 2015–2017 and 2018–2021 (Access to information, including electronic information tools, the clearinghouse mechanism and PRTR.net).

13. The thematic session took stock of recent developments with regard to the implementation of articles 4, 5 and other relevant provisions of the Convention. The session also addressed a number of issues raised in decision VI/1 (Promoting effective access to information), adopted at the sixth session of the Meeting of the Parties (ECE/MP.PP/2017/2/Add.1). The session was moderated by Mr. Thomas Schomerus, a professor from Leuphana University of Lüneburg, Germany and included presentations, followed by an interactive discussion in which Parties, NGOs and other stakeholders shared their experience.

14. A representative of the Republic of Moldova, speaking on behalf of the Chair of the Task Force on Access to Information, outlined the outcomes of the work carried out by the

Task Force with regard to the scope of environmental information, its provision and dissemination by different public authorities, application of the grounds for its refusal and other systemic and emerging issues. The Task Force's work also supported Parties and stakeholders in their efforts to achieve target 16.10 of the Sustainable Development Goal 16 and other relevant Goals and targets.

15. A representative of the International Institute for Law and the Environment, speaking also on behalf of the European ECO Forum, stressed the importance of effective implementation of access to information pillar of the Convention with a view to achievement of the Sustainable Development Goals, and particularly Goals 3 (Good health and well-being), 6 (Clean water and sanitation), 12 (Responsible consumption and production). She called on Parties to make a greater effort to facilitate public access to environment-related product information and to seize the potential of modern information and communication technologies to advance implementation of the Convention.

16. During the ensuing discussion, delegates shared information on recent developments in promoting public access to information and on the challenges encountered, including:

(a) The potential of the Convention to contribute to achievement, follow-up to and review of the Sustainable Development Goals;

(b) A new online platform in France to promote public access to information on projects that could have a significant effect on the environment²; a new online unified register in Ukraine³ to provide information on projects that are subject to environmental impact assessment; "Distributed Network for Odour Sensing, Empowerment and Sustainability" project, implemented across nine countries with the support of the European Union's Horizon 2020 Programme; and a project in Germany on best practices in ensuring public access to environmental information;

(c) The need to improve or develop user-friendly online environmental information platforms, expand the use of mobile applications and social media and leverage modern digital technologies for implementing the Convention;

(d) The need to improve communication strategies in order to raise awareness of environmental information and increase public interest in obtaining it;

(e) Opportunities to promote public access to information on environmental, energy and other "footprint" of products;

(f) Gaps in the production, collection and reliability of environmental information, especially in countries that lack the necessary capacities, and the important role of individuals, environmental NGOs and other stakeholders in addressing them.

17. With regard to the scope of environmental information, a representative of Georgia emphasized the need to modernize procedures for collecting environmental information and to improve its quality and reliability. She outlined her country's efforts to widen public access to such information by updating its policy and legislative frameworks, improving its environmental information management system and strengthening inter-agency cooperation. An online portal for environmental information offered links to multiple resources on 18 environmental themes, targeted a variety of stakeholders, including children and teachers and provided several interactive tools. Additional improvements would result from the Shared Environmental Information System project, the Open Government Partnership and other relevant initiatives.

² <https://www.projets-environnement.gouv.fr/pages/home/>.

³ <http://eia.menr.gov.ua/>.

18. On the topic of exceptions to the disclosure of environmental information, a representative of Serbia said that her country's legislation established several principles and guarantees designed to ensure free access to environmental information of public importance in a timely manner and a restrictive interpretation of the grounds for refusal. While several laws governed the confidentiality of certain types of information, it was noted that data on emissions, accident risks, and monitoring and inspection reports should not be classified as commercial, official or state secrets. Improvements were still required in that area. She stressed the importance of the effective review mechanism and the role of the Commissioner for Information of Public Importance in that regard.

19. During the ensuing discussion, the participants considered:

(a) The benefits of adopting and making publicly available policies on data, including information on copyright licenses and terms of access to information received from other providers (see, for example, the European Environment Agency data policy);⁴

(b) The added value for legislation specifying the types of environmental information that must always be disclosed (as adopted, for example, in Serbia and Norway);

(c) The importance of establishing a clear procedure for dealing with the issue of confidentiality of commercial and industrial information relevant for the environment.

20. With regard to the format and timeliness of environmental information, a representative of Kazakhstan outlined her country's current measures for ensuring timely public access to environmental information, primarily in electronic format, including expansion and digitization of the State Environmental Information Fund,⁵ publication of an annual report on the state of the environment, development of a national pollutant release and transfer register and release of a mobile application for monitoring air quality. In the context of decision-making within the established time frame, public notices, other relevant environmental information and the conclusions of the state environmental expert⁶ were normally posted on the websites of local executive authorities in the section on public hearings and disseminated through other channels as well. An upcoming reform of environmental legislation, which would focus on strengthening strategic environmental and environmental impact assessment, environmental control and compliance assurance, would further expand public access.

21. During the ensuing discussion, the participants emphasized the need to improve dissemination of environmental information through stories adapted for the general public, online expert advice and more rapid disclosure of all relevant information at an early stage of environmental decision-making processes in order to ensure effective public participation.

22. Stressing the importance of active dissemination of environmental information, a representative of the European Commission provided an overview of the Commission's current activities. The general initiatives supporting the assessment of progress and further advancement in the provision of environmental information included the 2017 Environmental Reporting Fitness Check,⁷ the 2018 Environmental Compliance and

⁴ <https://www.eea.europa.eu/legal/eea-data-policy>.

⁵ <http://ecogofond.kz/kz/>.

⁶ The environmental assessment systems of the former Soviet countries in Eastern Europe are largely based on the "State environmental review" or "ecological expertise" (*expertiza*) mechanism established in the Soviet Union in the second half of the 1980s.

⁷ See the report of the [European] Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Actions to Streamline Environmental Reporting (COM/2017/312 final), available at <https://eur-lex.europa.eu/legal->

Governance Action Plan⁸ and the 2019 Environmental Implementation Review. Specific activities focused on promoting best practices for national environmental information systems and data harvesting (the Environmental Information Systems (EIS)-data project⁹), the use of national spatial and satellite data and citizen engagement and “citizen science”. Further outputs of the EIS-data project would include guidance on good environmental information systems and country overviews, evaluations and ratings in accordance with the criteria developed and the recommendations on data harvesting.

23. During the ensuing discussion, the participants highlighted:

(a) The need to focus more closely on the implementation of article 5 of the Convention and, in particular, paragraphs 6 and 8 thereof in order to address the issue of chemical substances in products and their release into the environment;

(b) The importance of making best use of remote sensing, blockchain, artificial intelligence and other modern digital technologies with a view to implementation of the Convention;

(c) The benefits of supporting “citizen science” and its potential to underpin implementation of the Convention.

24. The Working Group:

(a) Welcomed the exchange of information, experience, challenges and good practices provided by the representatives of Parties and stakeholders with regard to the scope of environmental information, its provision and dissemination by various public authorities in response to user needs, its timeliness and the application of grounds for refusal in accordance with the Convention;

(b) Noted an increasing focus on the implementation of article 5 of the Convention and the need to match obligations under the Convention with the opportunities provided by modern technologies;

(c) Noted the importance of facilitating effective public access to environment-related product information and its links to implementation of Sustainable Development Goals;

(d) Reiterated that effective public access to environmental information supported the achievement of target 16.10 of the Sustainable Development Goal 16 and contributed to the implementation of other relevant Goals and targets (e.g., Goals 3 (Good health and well-being), 6 (Clean water and sanitation), 12 (Responsible consumption and production) and others);

(e) Welcomed the initiatives of the Parties and stakeholders to promote the active dissemination of environmental information and the use of new technologies and called on Parties, partner organizations and other stakeholders to undertake similar initiatives;

content/EN/ALL/?uri=CELEX:52017DC0312, and its accompanying Commission Staff Working Document on Fitness Check of Reporting and Monitoring of [European Union] Environment Policy (SWD/2017/230), available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52017SC0230>.

⁸ See the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on European Union actions to improve environmental compliance and governance, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0010>, and its accompanying Commission Staff Working Document on Environmental Compliance Assurance, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018SC0010>.

⁹ <http://www.eis-data.eu/>.

(f) Noted the importance of keeping under review any restrictions on access to environmental information and encouraged Parties to continue to take the necessary measures to address existing challenges and to promote effective access to environmental information in accordance with the Convention;

(g) Encouraged Parties and stakeholders to continue to submit case studies on electronic information tools and to populate the Aarhus Clearinghouse with the relevant resources.

B. Public participation in decision-making

25. The Working Group considered section I (B) of the report (Public participation in decision-making). The Chair recalled the Budva Declaration on Environmental Democracy for Our Sustainable Future (ECE/MP.PP/2017/16/Add. 2-ECE/MP.PRTR/2017/2/Add.1)¹⁰, which highlighted the critical importance of effective public participation for achieving the Sustainable Development Goals. The secretariat, on behalf of the Chair of the Task Force on Public Participation in Decision-making, reported on preparations for the eighth meeting of the Task Force (Geneva, 8–9 October 2018).¹¹

26. The participants considered the challenges raised by NGO representatives and informed the Working Group about recent developments, including the creation of a portal on environmental information in Belarus and a recently-approved decree on public participation in environmental impact assessment in Guinea-Bissau.

27. The Working Group took note of the information provided by the secretariat and by delegations and reiterated that effective public participation in decision-making related to environmental matters supported the achievement of Sustainable Development Goals and targets, and particularly target 16.7.

C. Access to justice

28. The Working Group considered section I (C) of the report (Access to justice) and recalled that the Budva Declaration emphasized the important role of the Convention in promoting Sustainable Development Goal 16 in the context of access to justice and the rule of law. The Chair of the Task Force on Access to Justice reported on the key outcomes of the eleventh meeting of the Task Force (Geneva, 27–28 February 2018).¹²

29. The participants considered the challenges raised by NGO representatives and informed the Working Group about recent developments, including trends in several Parties with regard to access to justice and the decision 2018/881 of the Council of the European Union¹³ requesting the European Commission to initiate a study exploring ways and means for the European Union to comply with the Convention in this area.

¹⁰ Available from http://www.unece.org/env/pp/aarhusprtr/mop6mopp3_hls.html

¹¹ For more information, see <http://www.unece.org/index.php?id=47196>.

¹² <http://www.unece.org/env/pp/aarhus/tfaj11.html>.

¹³ See Council Decision (EU) 2018/881 of 18 June 2018 requesting the Commission to submit a study on the Union's options for addressing the findings of the Aarhus Convention Compliance Committee in case ACCC/C/2008/32 and, if appropriate in view of the outcomes of the study, a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1367/2006 available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1539246250213&uri=CELEX:32018D0881>

30. The Working Group took note of the information provided by the Chair of the Task Force on Access to Justice and by delegations on recent developments related to access to justice and reiterated that effective access to justice in environmental matters supported the achievement of target 16.3 and underpinned the implementation of other relevant Goals and targets.

D. Genetically modified organisms

31. The Working Group considered section 1 (D) of the report (Genetically modified organisms). The representatives of several Parties reported on their countries' progress towards ratification of the GMO amendment. The Chair expressed deep regret at the failure to achieve objective II.2 ("The amendment to the Convention on public participation in decisions on the deliberate release into the environment and the placing on the market of genetically modified organisms (GMOs) is approved by a sufficient number of Parties to enter into force by 2015 and is progressively implemented") of the Strategic Plan for 2015-2020 (ECE/MP.PP/2014/2/Add.1, Annex) as the GMO amendment has not been approved by a sufficient number of Parties to enter into force by 2015. At its sixth session, the Meeting of the Parties urged those Parties whose ratification of the GMO amendment would count towards its entry into force to take urgent steps towards ratification of the amendment and called on other Parties to ratify the GMO amendment.

32. A representative of Albania reported that the draft decision of the country's Council of Ministers transposing the European Union Directive 2001/18/EC¹⁴ on the deliberate release into the environment of GMOs had not been adopted as planned but had been included in the national European integration plan, scheduled for adoption in 2018.

33. A representative of Armenia stated that a draft law on GMOs had been rejected by parliament on second reading and that the Government was preparing new draft legislation. A representative of Belarus reported that the process of amending the country's existing law based on the Cartagena Protocol on Biosafety to the Convention on Biological Diversity had begun in May 2018; it was hoped that it would be completed in November 2018.

34. A representative of Kazakhstan stated that with support from OSCE, the country's domestic law was being reviewed with a view to ratification of the GMO amendment. A representative of Kyrgyzstan said that she had no new information on this issue. A representative of Tajikistan reported that the Government was organizing workshops in order to consider GMO products and their impact on the environment.

35. A representative of Turkmenistan said that the country regulated the use and labelling of GMOs in food. It planned to establish a new commission to consider updating the list of activities relevant for the implementation of the Cartagena Protocol with a view to ratification of the GMO amendment.

36. A representative of Ukraine explained that the country had developed new legislation on GMOs and was awaiting the outcome of an expert review before considering ratification of the amendment.

37. Representatives of the European ECO Forum and the Association of Environmental Lawyers of Central and Eastern Europe and Newly Independent States (Guta Association)

¹⁴ See Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1539246459549&uri=CELEX:32001L0018>.

expressed disappointment at the slow progress of ratification. The secretariat informed delegates that a global round table on GMOs, to be held in 2019, would provide an opportunity to share experience and build authorities' capacity to speed up ratification of the amendment.

38. The Working Group took note of the information provided by delegations on recent developments related to the subject area and called on the Parties whose ratification of the GMO amendment would count towards its entry into force – namely, Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine – to take serious steps towards ratification, and requested those Parties to report on their progress in that regard at the next meeting of the Working Group.

IV. Procedures and mechanisms

A. Compliance mechanism

39. The Working Group considered section II (A) of the report (Compliance mechanism). The Chair of the Compliance Committee presented a summary of the Committee's work since 1 June 2017, the date of the report on the implementation of the work programme, including an overview of its caseload and recent developments in the Committee's working methods. He invited the Parties and observers to comment on the draft second edition of the guide to the Committee, which would soon be finalized and issued in English and thereafter, in French and Russian. He informed the meeting that he intended to submit a proposal at the sixty-first meeting of the Compliance Committee (Geneva, 2–6 July 2018) on the effective use of hearings.¹⁵ He concluded his presentation with general observations on ways in which Parties and communicants might ensure that the compliance review process was as positive an experience as possible.

40. With regard to the Chair's planned proposal on the effective use of hearings, a representative of the European Union and its member States emphasized that any decision not to hold a hearing required the prior consent of the Party concerned and that of the communicant. A representative of the European ECO Forum expressed concern at the potential for confusion between the terms "hearings" and "discussions" and stressed that a hearing should take place if the Party concerned or the communicant requested it.

41. The Working Group took note of the statements by the European Union and its member States and by the European ECO Forum.

42. A representative of Ecohome (Belarus) called on Parties to discuss, during the intersessional period, the establishment of a procedure capable of providing prompt protection to environmental activists facing persecution within the scope of article 3, paragraph 8, of the Convention.

43. The Working Group took note of the information by the Chair of the Compliance Committee and by delegations on recent developments and other issues related to the subject area.

¹⁵ Documents for the Compliance Committee's sixty-first meeting are available online at <http://www.unece.org/index.php?id=48282>.

B. Reporting mechanism

44. The secretariat reported on the status of submission of national implementation reports since the sixth session of the Meeting of the Parties. Armenia, the Netherlands, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom had failed to submit their reports for the 2017 reporting cycle by the deadline of 1 November 2017; to date, only the report of Bosnia and Herzegovina had been received.

45. A representative of Armenia stated that the country planned to hold one more public hearing on the final version of the report. A representative of the Netherlands stated that that country's report would be finalized in the near future.

46. A representative of Ukraine reported that a month-long period of public consultation on the country's report would soon begin. A representative of the United Kingdom said that her country's report was being finalized and she hoped to be able to send it to the secretariat in the near future.

47. The Working Group took note of the information, expressed serious concern at the continuing failure of some Parties to submit their reports and urged them to do so without further delay.

C. Capacity-building and awareness-raising

48. The Working Group considered section II (B) of the report (Capacity-building activities).

49. Representatives of Armenia, the European Environment Agency, University College London and the Regional Environmental Centre for Central and Eastern Europe briefed the Working Group on recent capacity-building and awareness-raising activities.

50. A networking event designed to match countries' capacity-building needs with offers of support took place during the lunch break on 20 June. Four break-out group discussions were facilitated by partner organizations: the European Environment Agency (on access to information), the Regional Environmental Centre for Central and Eastern Europe (on public participation), UNEP (on access to justice) and UNITAR (on e-learning and education).

51. During the ensuing discussion, the following issues were highlighted:

(a) On access to information: Updating the relevant legislation, particularly on environmental assessments; developing user-friendly websites; strengthening environmental domain of the e-government and open government data frameworks; and promoting eco-labelling initiatives, the use of "citizen science" and big data;

(b) On public participation: Building Parties' capacities to develop legal frameworks; improve environmental impact assessments, strategic environment assessments and environmental permitting procedures; ensure early public participation; promote youth involvement; and use modern electronic tools;

(c) On access to justice: Developing more structured approaches to building the capacities and raising the awareness of members of the judiciary and prosecutors on environmental matters; sharing experience regarding the establishment of a legal framework enabling environmental NGOs and individuals to bring effectively environmental claims; and analysing relevant quantitative data;

(d) On e-learning and education: The significant potential of e-learning to underpin capacity-building activities, the increased use of online education and training, the

advantages of targeting not only public officials but also members of the public, and the opportunity to develop an online course on the Aarhus Convention.

52. The Working Group took note of the information provided by the delegations and expressed its appreciation for the continuing cooperation of the secretariat on capacity-building activities with other partners. It also took note of the reports by the facilitators of the capacity-building networking event and expressed its appreciation for their work.

V. Accession to the Convention by States from outside the United Nations Economic Commission for Europe region and other relevant developments and interlinkages related to promotion of the Convention and its principles

53. The Working Group considered section III (A) (Awareness-raising and promotion of the Convention and the Protocol on Pollutant Release and Transfer Registers) and III (B) (Promotion of the Almaty Guidelines and other interlinkages with relevant international bodies and processes) of the report.

54. A representative of ECLAC informed the Working Group that the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) had been adopted on 4 March 2018 in Costa Rica and would be opened for signature and ratification by the 33 countries of the region on 27 September 2018 at United Nations headquarters in New York. A representative of the World Resources Institute called on Parties to the Convention to continue to support civil society in the region with a view to helping ratification and implementation of the Agreement. A representative of the Regional Environmental Centre for Central and Eastern Europe thanked the Governments of the Netherlands and Italy for their financial support for capacity-building activities targeting civil society in that region.

55. The Working Group congratulated countries and civil society from Latin American and the Caribbean and ECLAC on the adoption of the Escazú Agreement and reiterated its support for promoting ratification and implementation of this critically important legally binding instrument for the region.

56. The secretariat reported that in accordance with paragraph 4 (c) of decision IV/5 of the Meeting of the Parties to the Convention, the Ministry of Foreign Affairs, International Cooperation and Communities of Guinea-Bissau had submitted a formal written expression of intention to accede to the Convention to the Executive Secretary of ECE on 26 April 2018. In accordance with paragraph 4 (d) of the decision, the secretariat had prepared a note reflecting the information provided by Guinea-Bissau for consideration by the Working Group at its twenty-second meeting (ECE/MP.PP/WG.1/2018/6).

57. A representative of Guinea-Bissau informed the Working Group that the country had concluded the accession formalities, including approval of several relevant regulations.

58. The Working Group took note of the information provided by the secretariat and Guinea-Bissau regarding the formal written expression of intention to accede to the Convention. The Working Group welcomed the progress achieved by Guinea-Bissau and invited its Government to proceed with accession at the seventh session of the Meeting of the Parties in accordance with decision IV/5.

59. A representative of UNEP informed the Working Group about the recently-launched Environmental Rights Initiative, the UNEP's policy for the protection of environmental

defenders¹⁶ and the latest developments related to the United Nations Information Portal on Multilateral Environmental Agreements (InforMEA)¹⁷.

60. The Working Group welcomed the efforts of the Parties and stakeholders to promote the Convention beyond the ECE region and called on the secretariat and relevant organizations to pursue their cooperation and further promote synergies in the area of environmental rights.

VI. Implementation of the work programmes for 2015–2017 and 2018–2021, including financial matters

61. The Working Group took note of the report on the implementation of the work programmes for 2015–2017 and 2018–2021 and of the report on contributions and expenditures in relation to the implementation of the Convention's work programmes for 2015–2017 and 2018–2021 (ECE/MP.PP/WG.1/2018/5).

62. The secretariat informed the Working Group about the contributions and pledges received from Parties after 16 March 2018 and noted an omission in Table 2 of the report on contributions and expenditures in relation to the implementation of the Convention's work programmes for 2015–2017 and 2018–2021 (the 2018 contribution of the United Kingdom had been a joint for both the Convention and its Protocol on PRTRs).¹⁸

63. The Working Group took note of the information provided, called on Parties to make their contributions as soon as possible and expressed concern at the fact that contributions were still arriving late in the year.

64. The Working Group welcomed the synergies with partner organizations that had helped the effective implementation of the work programme. It expressed appreciation for the work done by the secretariat and recognized the difficulties posed by the limited and unpredictable funding.

VII. Preparations for the seventh session of the Meeting of the Parties

65. The secretariat informed the Working Group that no offers to host the seventh session of the Meeting of the Parties had been received to date.

66. The Working Group called on Parties to so inform the secretariat by January 2019, bearing in mind that the session would be held back to back with the fourth session of the Meeting of the Parties to the Protocol on PRTRs, and mandated the secretariat to liaise with potentially interested Parties.

67. In addition, the Working Group mandated the Bureau to take the decision on the hosting prior to the next meeting of the Working Group, as appropriate, and to report to the next meeting of the Working Group accordingly. The Working Group also took note of preliminary dates for the seventh session, namely, the second part of June 2021.

¹⁶ See UNEP's Policy "Promoting Greater Protection for Environmental Defenders" available at <https://www.unenvironment.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/un>

¹⁷ <https://www.infornea.org/>

¹⁸ See Note on contributions and pledges received after 16 March 2018 (AC/WGP-22/Inf.3) for details, available online from <http://www.unece.org/env/pp/aarhus/wgp22#/>

VIII. Any other business

68. The Working Group took note of the information provided by the delegation of Iceland with regard to the national symposium on access to justice that it had organized in April 2018.

IX. Special Segment on the twentieth Anniversary of the adoption of the Aarhus Convention

A. Opening of the Special Segment

69. The Director of the Environment Division of ECE, in a welcoming statement, highlighted achievements under the Convention over the past 20 years. The Convention had opened doors for civil society to engage in decision-making and had become a tool for democracy in the vast majority of countries in the ECE region.

70. Ms. Martine Rohn-Brossard, the representative of Switzerland, reminded delegates not to take the success of the Convention for granted; the Convention had an important role to play in implementation of the 2030 Agenda on Sustainable Development and of large infrastructure projects. She called on young people to continue to build on the strong heritage of the Convention and to witness the progress so patiently achieved by the current generation.

71. Ms. Maria Kolesnikova, the representative of the NGO MoveGreen, shared her experience in improving access to information through mobile devices and enhancing the participation of young people in efforts to reduce air pollution in Bishkek. As a result, the issue had been taken up by the media and parliament in Kyrgyzstan.

72. The Working Group thanked Ms. Rohn-Brossard and Ms. Kolesnikova for their keynote addresses, after which a video on the Aarhus Convention was shown.¹⁹

B. Aarhus storytelling

73. Past and present stakeholders, including Government representatives, experts involved in the negotiation of the Convention, NGOs and others shared their memories from the Convention's early days and subsequent implementation and spoke about its regional and global significance today.

74. The discussion was moderated Ms. Eva Juul Jensen, member of the host country's secretariat at the fourth "Environment for Europe" Ministerial Conference (Aarhus, Denmark, 23–25 June 1998), at which the Convention had been adopted. She highlighted the important role played by the Chair of the negotiations, the late Mr. Willem Kakebeeke of the Netherlands, and drew attention to the unprecedented participation of NGOs, which had made the negotiations more colourful and their outcome both remarkable and unique.

75. Mr. Massimo Cozzone, the representative of Italy, presented key messages from the commemoration of the Rome anniversary event to celebrate 20 years of the Aarhus Convention (Rome, 15–16 May 2018).²⁰ He highlighted the Convention's uniqueness as an instrument of both international environmental law and international human rights law, its

¹⁹ Available at <https://www.youtube.com/watch?v=SV1c36dilb8&feature=youtu.be>.

²⁰ <http://www.unece.org/index.php?id=48986>.

exceptional compliance mechanism and the important role of national focal points in its promotion.

76. Mr. Jit Peters, the representative of the Netherlands, who had participated in the negotiation of the Convention and chaired the fourth session of the Meeting of the Parties, mentioned the innovative character of the negotiated text, the scope of which exceeded that of Dutch legislation. He recalled the Maastricht Declaration: Transparency as a driving force for environmental democracy (ECE/MP.PP/2014/27/Add.1-ECE/MP.PRTR/2014/2/Add.1)²¹, stressed the importance of the Internet and social media in promoting the role of citizens in collecting and sharing environmental information and recognized the role of whistleblowers and the need to protect them.

77. Mr. Jerzy Jendrośka, Vice-Chair of the negotiations on the Aarhus Convention (1996–1998), explained that elements of the Convention that had been considered controversial during the negotiations (such as pollutant release and transfer registers and public participation in GMO-related decision-making) had not attracted as much attention by the public today as expected. On the other hand, the negotiators had not envisaged the challenges encountered in implementing the pillar of the Convention on access to justice.

78. Mr. Jonas Ebbesson, participating expert during the negotiations on the Aarhus Convention compliance mechanism (1999–2002), said that when the Convention had been adopted, the form of its future compliance mechanism had still been unclear. He shared stories related to the development of that mechanism and to the adoption of decision I/7 by the Meeting of the Parties at its first session (Lucca, Italy, 21–23 October 2002). He noted that most of the important elements of the initial proposal on the compliance mechanism made by the NGO coalition in 1999 would ultimately be reflected in decision I/7. He also recalled the strong position taken by the delegation of the United States of America on the draft decision and the forceful support for the draft decision expressed by the European Union and many other delegations.

79. Mr. Jeremy Wates, representative of the European ECO Forum during the negotiations on the Aarhus Convention and former Secretary to the Aarhus Convention (1999–2010), said that stories were more than a series of facts; they were also a series of emotional experiences. To emphasize that point, he shared a number of anecdotes, each associated with an emotion-laden keyword: fun, scandal, defiance, exhilaration, apprehension, dismay, tension, satisfaction and fury. In his view, several elements had led to the successful adoption of the Convention, including (i) a progressive host country that was looking for a progressive outcome, and other progressive countries that supported that process; (ii) opportunities for both new democracies in the East and old democracies in the West to gain something; (iii) a well-organized and -funded NGO campaign; (iv) a supportive secretariat; (v) individuals who made a difference; and (vi) luck.

80. Mr. Jan Dusík, Chair of the fourth session of the Meeting of the Parties, spoke about efforts to expand the Convention's membership beyond the ECE region and the negotiations of a draft decision on that topic during his mandate. As with every Convention, the challenge was to achieve proper implementation nationally and to expand the number of Parties without weakening the standards for implementation or lowering the compliance rate.

81. Mr. Etienne Ballan, former Chair of the Task Force on Public Participation in International Forums and of the thematic sessions on public participation in international forums at meetings of the Working Group, said that the Task Force had become a forum for debate on how public participation in climate change negotiations could be improved. The

²¹ Available at <http://www.unece.org/env/pp/aarhus/mop5&mopp2/hls.html>.

UNFCCC had become a regular and important area of work and the lessons learned from negotiations on climate change were transferable to other forums, including the international financial institutions.

82. Mr. Luc Lavrysen, Judge of the Constitutional Court of Belgium and President of the European Union Forum of Judges for the Environment, explained the ways in which the Convention brought international environmental law into national courtrooms. Considering the number of judgements referring to the Convention, it was the most popular treaty in Belgium courts in addition to treaties related to human rights and European Union treaties. The Convention had become by far the best-known multilateral environmental treaty by judges who were members of the above-mentioned Forum.

83. Mr. Andriy Andrushevych, speaking on behalf of the European ECO Forum and the NGO Resource and Analysis Center “Society and Environment”, emphasized the urgency of addressing the harassment of environmental defenders and the need to offer them protection under the Convention. He also drew attention to the shrinking of democratic spaces due to introduction by governments of restrictive laws which limit operation of NGOs. In addition, he stressed both the added value and the challenge of misuse of social media in relation to access to information. He also underlined the need to mainstream gender considerations within the Convention’s work.

84. The moderator concluded, among other things, that the developments relating to the Protocol on PRTRs, the Compliance Committee and the Convention’s linkages to the Sustainable Development Goals illustrated the Convention’s potential to respond to a variety of needs and modern challenges.

85. The Working Group thanked Ms. Juul Jensen for moderating the session and Mr. Cozzone for delivering the key messages from the Rome anniversary event. The Working Group also expressed its appreciation to the Government of Italy for organizing that event.

86. The Working Group thanked the speakers and took note of the stories shared by Mr. Peters, Mr. Jendroška, Mr. Ebbesson, Mr. Wates, Mr. Dusik, Mr. Ballan, Mr. Lavrysen and Mr. Andrushevych regarding their involvement in the negotiations on and implementation of the Convention.

87. The Working Group also took note of statements of the representative of Finland, the Chair of the Task Force on Access to Justice and the representatives of Guta Association and OEKOBUERO, who shared their experience of the Convention’s promotion and implementation.

88. The Working Group reaffirmed the important role of the Convention, as demonstrated through statements, in the context of its global significance, impact on other international processes and regions, promotion of environmental rights, safeguarding environmental activists, the rule of law and the achievement of Sustainable Development Goals.

C. Youth, Aarhus and the Sustainable Development Goals

89. The session was moderated by Ms Dafina Peci, Secretary General, National Youth Congress of Albania, and opened by Mr. John Knox, Special Rapporteur on human rights and the environment, in a video message presenting the key findings of his report on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and

sustainable environment (A/HRC/37/58)²², which addressed the relationships between children's rights and the environment. He reminded Parties that the concerns of children should be taken into account in decision-making on environmental matters. Children were capable of expressing their views and should be heard on long-term issues such as climate change, from which they would suffer far more than the current generation.

90. Mr. Martijn Visser, Dutch Youth Delegate on Sustainable Development to the United Nations, described youth involvement in reviews of progress towards the Sustainable Development Goals at the international level. Using the example of Dutch climate law, he explained how the participation of a few youth representatives was creating a youth movement across various social media platforms, allowing a far greater number of young people to join the discussion. He encouraged Parties to make a greater effort to involve youth, including through national youth councils.

91. Mr. Ikrom Mamadov, Director, the Youth Group for the Protection of the Environment, Aarhus Centre Khujand, shared the experience of educating children and young people on the Aarhus Convention principles through events, videos, printed materials and practical activities in order to increase their participation in decision-making processes at the national and local levels. A challenge encountered was the fact that youth concerns are not always taken seriously by public authorities.

92. Ms. Liliya Lyubomudrova, Project Coordinator of U-report Ukraine, UNICEF Ukraine, presented the example of U-report, a digital platform run by UNICEF in 40 countries worldwide that enabled young people to participate in decision-making with the help of their smartphones. Short polls requesting their opinion were sent to young people on a weekly basis and the results were shared with decision-makers and other stakeholders. Partners were following up on the poll results in order to respond to concerns raised by youth.

93. A representative of Terre des Hommes recommended that the Working Group consider producing a text of the Convention adapted for easy understanding by children and that the Convention bodies engage in a dialogue with the United Nations Committee on the Rights of the Child as to contribute to the ongoing debate on the relationship between children's rights and the environment.

94. The Working Group thanked Ms. Peci for moderating the session. It also thanked the speakers and took note of the statements and presentations made by the Special Rapporteur on human rights and the environment, the Dutch Youth Delegate on Sustainable Development to the United Nations and the representatives of the Aarhus Centre Khujand and UNICEF Ukraine.

95. It also took note of the statements made by the representatives of Bulgaria, Finland, Guinea-Bissau, the Belgium Youth Delegates for Sustainable Development to the United Nations, a former Swiss Youth Delegate and representatives of the European Investment Bank, the European Youth Parliament Switzerland, Terre des Hommes and Young Sustainable Impact.

96. The Working Group acknowledged the Convention's potential, as was demonstrated through the statements, in the context of the youth involvement in environmental decision-making and of its vision for creating a sustainable future.

²² Available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/37/58.

D. Takeaways from the Special Segment

97. The rapporteurs, Ms. Rebecca Freitag and Mr. Alistair McGlone, presented takeaways from the Special Segment, including their reflections on the discussion.

98. The stories told demonstrated the visionary approach taken during the negotiations, which made the Convention still relevant today, 20 years after its adoption. The Convention had opened doors for civil society to play a role in decision-making and had become a tool for democracy in the vast majority of countries across the pan-European region, regardless of their socioeconomic development or political system.

99. The stories also showed how people could make a difference: the contribution of some individuals during the negotiations had been a key factor in their success and had led to the adoption of the treaty that we have today. Other stories illustrated the way in which national courts and the Court of Justice of the European Union had become important drivers of the Convention's implementation and had contributed significantly to the development of environmental and human rights law.

100. The participants had also emphasized the need to embrace digitization and other technologies developed over the past 20 years. New online platforms should be used more effectively in implementing the Convention, particularly in view of its pillar on access to information.

101. The need to recognize young people as critical agents of change and innovators had been emphasized repeatedly; they should be involved more systematically in environmental decision-making in support of the Convention's vision of creating a sustainable future.

102. The celebration had served as a reminder of the importance of democratic values at a time when many societies were moving away from them. Shrinking democratic spaces in which governments limited the operation of civil society organizations while persecuting and harassing environmental defenders were becoming increasingly common. It was crucial to ensure that people are able to exercise their environmental rights without fear. There is a need for effective response to protect those exercising their rights under the Convention and for spreading its democratic values beyond the ECE region.

103. The Working Group took note of the reflections on the discussion as presented by the rapporteurs.

X. Thematic session on promotion of the principles of the Convention in international forums

A. Introduction

104. A thematic session on promoting the principles of the Convention in international forums was organized under the leadership of France and was chaired by Ms. Laura Michel. Opening the session, the Chair recalled that the promotion of transparency and effective public participation in international decision-making was key to achievement of Sustainable Development Goals. She outlined the key objectives of the session and expressed her appreciation to the 20 Parties that had responded to the secretariat's survey in preparation for the session on promoting the principles of the Convention in international decision-making on chemicals and waste under the Basel, Rotterdam and Stockholm (BRS) Conventions, the Minamata Convention on Mercury (Minamata Convention) and the Strategic Approach to International Chemicals Management (SAICM). The results of the survey had been posted on the web page of the meeting and summarized by the Chair

during the session. Three notes on the rules of procedures and practices for each instrument had been prepared in order to facilitate the discussion.

105. In preparation for the discussion in the thematic session, the Working Group also considered the section (paras. 39–51) of the secretariat's report on implementation of the work programme concerning the promotion of the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines)²³ and other interlinkages with relevant international bodies and processes.

B. Promotion of the Convention's principles in international decision-making on chemicals and waste

1. The Basel, Rotterdam and Stockholm Conventions

106. A representative of the secretariat of the BRS Conventions explained the policies and practices for accessing information, particularly with regard to official documents, the clearinghouse mechanism and the modalities for public participation in meetings of the Bureaux and the subsidiary bodies of the three Conventions. She also provided examples of capacity-building activities.

107. A representative of Albania gave an overview of the implementation of the BRS Conventions through national legislation. She also presented the example of an integrated electronic register for public consultation, through which the public was notified of and consulted on strategic, national and local documents, plans and programs. In 2015–2016, the Ministry of Environment had organized 11 public hearings on chemicals legislation through that portal. While NGOs had been increasingly involved in the preparation of national reports, their expertise on chemicals and waste was often limited owing to the technical nature of the subject matter.

108. A representative of the Arnika Centre for Citizens Support, speaking also on behalf of the European ECO Forum, gave a presentation on public participation in decision-making from the NGO perspective. He illustrated the process of public participation in decision-making process and noted the main challenges for the participation of NGOs in the Conferences of the Parties to the Stockholm Convention, including the fact that some Parties sought to limit NGO participation at regional meetings to NGOs affiliated with that particular region.

2. The Minamata Convention on Mercury

109. A representative of the secretariat of the Minamata Convention summarized the Convention's provisions relevant for public access to information and the modalities for public participation during the Conference of the Parties and meetings of the Bureau, intersessional processes and the Implementation and Compliance Committee. She stressed the important role that civil society plays during the entire process, e.g. from the negotiations to the implementation of the Convention.

110. A representative of Slovakia presented the country's experience in promoting the Aarhus Convention principles during the drafting of, accession to and implementation of the Minamata Convention. She explained that four different ministries were the competent authorities on mercury and how they made information on mercury available to the public.

²³ Adopted through decision II/4 by the Meeting of the Parties to the Convention (Almaty, Kazakhstan, 25–27 May 2005). See document ECE/MP.PP/2005/2/Add.5 available at http://www.unece.org/env/pp/aarhus/almaty_guidelines.html

She stressed the important role of NGOs during the preparation of the Convention's text. At the national level, a ministerial working group, including representatives of NGOs and the private sector, had been set up through which NGOs could influence the preparation of the text and implementation of the Minamata Convention, and preparation of the country's legislation on mercury.

111. A representative of the European Environmental Bureau's Zero Mercury Campaign, speaking also on behalf of the European ECO Forum, described the Campaign's capacity-building activities for NGOs in the context of the Minamata Convention. She encouraged Parties to promote principles of the Aarhus Convention in their work on the Minamata Convention and to improve the dissemination of information online and through consultation processes at the national and European Union levels. She also suggested that a formal procedure for requesting documents and ensuring that NGO statements were posted online during meetings of the Conference of the Parties be introduced.

3. The Strategic Approach to International Chemicals Management

112. A representative of the SAICM secretariat summarized the rules governing access to information on the Strategic Approach and public participation in meetings and presented the timetable for the SAICM intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020.

113. A representative of Germany explained how NGOs had been involved in preparations for the second meeting of the intersessional process and said that opportunities for public participation under SAICM were well-established; NGOs participated in meetings of the Bureau, funding for their involvement in the intersessional process was available and all position papers and draft decisions were publicly accessible prior to the meetings. However, cooperation among NGOs should be improved and resources for the SAICM at all levels should be increased.

114. A representative of Earthjustice, speaking also on behalf of the European ECO Forum, said that access to information, public participation in decision-making relating to hazardous substances and waste, and access to effective remedies were the main pillars of effective management of chemicals and hazardous substances. The SAICM should build on the lessons learned from public engagement in the activities under the Aarhus Convention, particularly with a view to SAICM processes beyond 2020. He proposed that a seminar on the Aarhus Convention be organized during the 2019 Conferences of the Parties to the BRS and during the preparations for the fifth session of the International Conference on Chemicals Management (ICCM5).

4. The Chair's summary of the session

115. The Chair emphasized the impact of chemicals and waste on the environment and on human health. The fact that they also represented major economic and global interests and that producers held the information on products, their trade and related technology made the regulation of chemicals and waste particularly difficult.

116. The BRS Conventions and the Minamata Convention represented major breakthroughs in providing information on products and transparency in their trade. SAICM, in its turn, was helping to improve the international management of those products in order to minimize their impact.

117. The survey and the speakers had highlighted good practices and challenges in promoting access to information and public participation and many of the presentations had stressed the secretariats' efforts to disseminate information and to build capacity through clearing-houses, online training tools and workshops.

118. However, the governance of chemicals and waste was a highly technical and complex issue that was difficult for the public to understand. Some Parties had pointed out that even the existing participatory mechanisms for stakeholders were little-used. This might be because public feels incompetent to discuss these issues. Although, it is a real challenge for promoting environmental democracy, enabling public debate on those technical subjects should be encouraged. Also, because they are linked to the human right to benefit from a healthy environment. As early as the 1970s, the environmentalist Ralph Nader had denounced the technicalization of legislation in the United States of America as a risk to environmental democracy. Therefore, more efforts should be made as to enable the public to participate effectively in decision-making on technical issues and to ensure equitable processes and balanced representation of members of the public and private stakeholders.²⁴

119. Other overall remaining challenge was to increase transparency. The potential of electronic information tools such as clearing houses, databases and registers to promote the implementation of paragraph 21 of the Almaty Guidelines could be explored and formal procedures for on-demand access to environmental information and grounds for refusal established. Moreover, the wider dissemination of working documents and find ways to allow the public to comment on them could be explored.

120. Regarding the functioning of certain bodies, the possibility for NGO participation in the Bureaux of the Conventions could also be explored. Furthermore, the practice of informing how stakeholders' input was addressed in the outcomes of decision-making should be encouraged. In addition, NGOs should be able to participate in different contact groups and given more opportunities to take the floor at meetings.

121. NGOs needed to develop relevant expertise in order to engage effectively with Parties and other stakeholders, especially industries. In this regard, it was also important to seek financial support for their participation in meetings, including those representing "members of the public who [were], or [were] likely to be, most directly affected"²⁵.

122. Broadening public participation through involvement of general public in international decision-making on chemicals and waste was even more problematic. It would be advisable to build capacities of and encourage the use of electronic tools by the public. However, tools alone would not suffice; more inclusive forms of public participation, such as citizens' conferences and forums (e.g. regional and local meetings combined with online seminars) could be used for training and to enable broad participation in international forums.

123. Lastly, a major challenge in promoting public participation in international negotiations was the need to convince negotiators to apply the requirements of the Aarhus Convention. The NGO proposal that seminars on the Aarhus Convention be organized during meetings of the Conferences of the Parties to the BRS Conventions and of the SAICM Open-ended Working Group in 2019, as had been done with the Conferences of the Parties to the UNFCCC, could be considered.

C. Update on items considered at previous thematic sessions

124. Mr. Tomasz Chruszczow, Special Envoy for Climate Change of Poland's Ministry of Environment, updated the Working Group on preparations for and, in particular, opportunities for public participation in the twenty-fourth session of the Conference of the

²⁴ See the Almaty Guidelines, para. 15.

²⁵ See the Almaty Guidelines, para. 30.

Parties to the UNFCCC to be hosted by Poland. The statement was in response to concerns expressed by several NGOs regarding the planned by Poland security measures, which, according to NGOs, will not be in line with the requirements of the Aarhus Convention.²⁶ The Special Envoy emphasized his Government's commitment to promoting the Convention's principles in the lead-up to and during the Conference. The Chair informed the Working Group that the UNFCCC secretariat and the European ECO Forum are planning to submit written statements, which will be made available online on the meeting's website when received.²⁷

125. The Chair informed participants that written updates had been provided by (i) UNEP, on stakeholder engagement in the United Nations Environment Assembly and UNEP access to information policies; (ii) ECE, on promotion of the principles of the Aarhus Convention while pursuing and monitoring achievement of the Sustainable Development Goals; and (iii) the Asian Infrastructure Investment Bank (AIIB) and the EIB, on promotion of the principles of the Aarhus Convention in the processes of international financial institutions.²⁸ The European ECO Forum would submit a written statement on the United Nations Environment Assembly, which would be posted on the meeting website.

126. The Chair said that unfortunately, owing to a lack of time, it would not be possible to discuss the written updates on progress with regard to items discussed at previous thematic sessions and cross-cutting issues.

127. In her concluding remarks, she emphasized the remaining challenges in this area of work as evidenced, for example, by the failure of the United Nations Environment Assembly to agree on a new stakeholder policy or the concerns expressed by NGOs regarding Poland's legislation on the organization of the twenty-fourth meeting of the Conference of the Parties to the UNFCCC.

D. Conclusions of the Working Group

128. The Working Group:

(a) Thanked Parties that had replied to the survey on the promotion of the principles of the Convention in international decision-making on chemicals and waste and noted the good examples shared;

(b) Expressed its appreciation to the representatives of Albania, Germany, Poland and Slovakia; the secretariats of the BRS Conventions, the Minamata Convention and SAICM; and the representative of European ECO Forum for their presentations;

(c) Took note of the background documents prepared by the secretariat on the compatibility of the rules of procedure and practices of the Basel, Stockholm and Rotterdam Conventions (AC/WGP-22/Inf.7), the rules of procedure and practices of the Minamata Convention on Mercury (AC/WGP-22/Inf.8) and the rules of procedure and practices of the Strategic Approach to International Chemicals Management (SAICM) (AC/WGP-22/Inf.9) with the Almaty Guidelines;

(d) Noted the need to strengthen cooperation between national focal points for the Aarhus Convention, the BRS Conventions, the Minamata Convention and SAICM in

²⁶ See the correspondence between NGOs, the Bureau of the Aarhus Convention, Poland and the Bureau of the UNFCCC, available at <http://www.unece.org/env/pp/bureau.html> (under "Correspondence").

²⁷ Available at <http://www.unece.org/env/pp/aarhus/wgp22#/> (Under "PIIF thematic session").

²⁸ Available at <http://www.unece.org/env/pp/aarhus/wgp22#/> (under "PIIF thematic session").

order to promote the principles of the Aarhus Convention in the respective processes effectively;

(e) Expressed its appreciation to the UNFCCC secretariat for its continuous cooperation;

(f) Expressed its appreciation to the UNEP secretariat, the ECE secretariat, the AIIB and the EIB for their written updates;

(g) Encouraged Parties to continue to promote the Convention's principles in chemical- and waste- related processes, in UNEP and the international financial institutions processes and climate-related negotiations and when pursuing achievement of the Sustainable Development Goals;

(h) Welcomed the progress in promoting the Convention's principles in international forums but recognized that further efforts to promote transparency and effective public participation in international environment-related decision-making were needed;

(i) Encouraged Parties to continue fulfilling their obligations under article 3, paragraph 7, of the Convention and to consider the results achieved at the next meeting of the Working Group;

(j) Reiterated that the promotion of transparency and effective public participation in international decision-making on environmental matters was key to achievement of the Sustainable Development Goals, and particularly Goals 16 and 17.

XI. Adoption of outcomes

129. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting and requested the secretariat, in consultation with the Chair, to finalize the report, incorporating the adopted outcomes and decisions.
