

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

Twenty-second meeting

Geneva, 19-21 June 2018

Item 3 (a) of the provisional agenda:

Substantive issues: Thematic session on access to information

Access to Information¹
Thematic session

to be held on Tuesday, 19 June 2018, from 10.30 a.m. to 1 p.m.

Provisional programme

Moderator: Mr. Thomas Schomerus, Leuphana University, Germany

Introduction

A thematic session on access to information aims to draw on recent developments with regard to the implementation of articles 4 and 5 and other relevant provisions of the Aarhus Convention and to promote the accessibility of environmental information to support the achievement of Sustainable Development Goals and in particular Goal 16 and its target 16.10.

The session will be organized in the format of introductory statements followed by interactive discussion on the basis of several selected questions. Discussion will be focused on a number of subjects based on: (a) decision VI/1 on promoting effective access to information (see ECE/MP.PP/2017/2/Add.1) adopted by the Meeting of the Parties at its sixth session (Budva, Montenegro, 11–13 September 2017); (b) the key outcomes of the work of the Task Force on Access to Information; and (c) issues of a systemic nature addressed through the work of the Compliance Committee.

The topics for discussion include: (a) the benefits of providing public access to environmental information and the challenges encountered; (b) the scope of environmental information; (c) the providers of information; (d) exceptions to the provision of information and grounds for refusal; (e) the format of the information to be provided and timeliness; and (f) dissemination of real-time, up-to-date, accurate and functional environmental information in forms and formats meeting the needs of different users.

¹ This document was not formally edited.

Discussion will address in this regard the following questions:

- (a) What are the benefits of providing public access to environmental information, what access to information policies can maximize them and the challenges encountered;
- (b) How to ensure that the scope of environmental information is interpreted broadly and applied by providers of environmental information in accordance with the Convention;
- (c) How to ensure that the possible grounds for refusal are interpreted in a restrictive way, taking into account the public interest served by the disclosure and the aims and objectives of the Convention;
- (d) How to meet effectively the different public needs with regard to the format of the information to be provided and timeliness, especially in the context of environmental decision-making process;
- (e) What legislative, regulatory, technological and other measures could support dissemination of real-time, up-to-date, accurate and functional environmental information.

I. Setting the scene

Timing: 10.30–11.00 a.m.

Delegates will be invited to consider what are the benefits of providing public access to environmental information, what access to information policies can maximize them, the challenges encountered and the way forward. Introductory statements will be delivered by Ms. Valentina Tapis, the Chair of the Task Force on Access to Information, (by video-link) and Ms. Ana Barreira, Director, IIDMA; European ECO Forum.

II. The scope of environmental information and its providers

Timing: 11.00–11.20 a.m.

Speaker: Ms. Nino GOKHELASHVILI, Head of Sustainable Development Division, Ministry of Environmental Protection and Agriculture of Georgia

Delegates will share the experience and lessons learned from legislative, policy and other developments aimed to ensure that the scope of environmental information is interpreted broadly and this information is provided by different providers in line with the Convention.

Coffee break: 11.20-11.35 a.m.

III. Ensuring restrictive interpretation and the consideration of the public interest when applying grounds for refusal

Timing: 11.35–12.00 a.m.

Speaker: Ms. Gordana PETKOVIC, Head of Department of EU Integration and International Cooperation in the Field of Environmental Protection, Ministry of Environmental Protection of Serbia

Delegates will discuss measures that should be taken at the national level to ensure that the possible grounds for refusal are interpreted in a restrictive way, taking into account the public interest served by the disclosure and the aims and objectives of the Convention and to keep grounds for refusal under continuous review.

IV. The format of the information to be provided and timeliness

Timing: 12.00–12.20 a.m.

Speaker: Ms. Saule TASHKENBAEVA, Director of the Department of Ecological Monitoring and Information, Ministry of Energy of Kazakhstan

Delegates will discuss how to meet effectively the different public needs with regard to the format of the information to be provided and timeliness, especially in the context of decision-making process.

V. Dissemination of environmental information

Timing: 12.20–12.50 a.m.

Speaker: Ms Angelika WIEDNER, Administrator, Aarhus Team Leader and Focal Point, European Commission

Delegates will share the experience and lessons learned from legislative, policy, technological and other developments aimed to promote the dissemination of real-time, up-to-date, accurate and functional environmental information in forms and formats meeting the needs of different users.

VI. Conclusions

Timing: 12.50–13.00 a.m.

The moderator of the thematic session will make concluding remarks.

Documentation and background material

Decision VI/1 on promoting effective access to information (document ECE/MP.PP/2017/Add.1) available from http://www.unece.org/env/pp/aarhus/mop6_docs.html (tab post session docs)

Background documents, presentations and outcomes of the Task Force on Access to Information with regard to the the scope of environmental information and its provision of environmental information by the different public authorities, the application of restrictions on access to environmental information, and active dissemination of environmental information as addressed at:

- the third meeting available from <https://www.unece.org/env/pp/aarhus/tfai3.html>
- the fourth meeting available from <https://www.unece.org/env/pp/aarhus/tfai4.html>
- the fifth meeting available from <https://www.unece.org/env/pp/aarhus/tfai3.html>

2017 Synthesis Report on the status of implementation of the Convention (ECE/MP.PP/2017/6; see paras. 78-117, 140, 252-259 and 269 (b)) available from http://www.unece.org/env/pp/aarhus/mop6_docs.html (tab Category II documents) and 2017 national implementation reports available from https://apps.unece.org/ehlm/pp/NIR/listnr.asp?YearID=2017&wf_Countries=WL&Quer_ID=&LngIDg=EN&YearIDg=2017

Note “Your Right to Build a Sustainable Future: the Aarhus Convention, its Protocol on PRTRs and the Sustainable Development Goals” (ECE/MP.PP/2017/18-ECE/MP.PRTR/2017/4; see paras. 29-37 and 82 (D) a-j)) available from http://www.unece.org/env/pp/aarhusprtr/mop6mopp3_hls.html

Recommendations of the Meeting of the Parties on electronic information tools (decision II/3, document ECE/MP.PP/2005/2/Add.4) available from <http://www.unece.org/env/pp/tfai.html>

Report on the implementation of the Recommendations of the Meeting of the Parties on electronic information tools (ECE/MP.PP/WG.1/2017/4, Annex, and AC/WGP-21/Inf.2) available from http://www.unece.org/env/pp/aarhus/mop6_docs.html (tab post intersessional docs)

A collection of case studies on electronic information tools:
http://www.unece.org/env/pp/aarhus/tfai/case_studies.html

Maastricht Recommendations on Public Participation in Decision-making (ECE/MP.PP/2014/2/Add.2; paras. 21, 52-70, 85-107, 114-115, 135-143, and 174-177) available from <http://www.unece.org/index.php?id=41803&L=0>

Relevant resources in [the Aarhus Clearinghouse](#)
