
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

Sixteenth meeting

Geneva, 19–21 June 2013

Item 3 (a) of the provisional agenda

Substantive issues: access to information

Note by the Chair of the Task Force on Access to Information on possible future directions for the work¹

This note was initially prepared by the Chair of the Task Force on Access to Information to facilitate preparation of the draft elements of the future work programme by the Bureau at its 30th meeting (Geneva, 26 February 2013). The note expects to assist the Working Group of the Parties in its deliberations on the future work in the area on access to information.

The rationale for advancing the implementation of the access to information pillar of the Convention by Parties

It seems that although the progress was made by the Parties in accomplishing the objectives I.7 and III.2 of the Strategic Plan 2009-2014, the state-of-play varies across the UNECE region and challenges still exist. Furthermore, noting the increasing use and rapid development of electronic tools such as web services, databases and mobile services, the further technical development is necessary to be constantly monitored in order to assist the Parties to the Convention to better address the information needs of their citizens. To this extend, the participants of the first meeting of the Task Force on Access to Information decided to look closer at the status of the implementation of Decision II/3 and disseminate an updated questionnaire for this purpose.

In addition, the paragraph 14 of the Astana Ministerial Declaration (2011) refers to a decision to develop the Shared Environmental Information System across the region.

And in the outcome document of the Rio+20, the need for integrated social, economic and environmental data and information to support decision-making processes was underlined (paras 98 and 251). The need for access to reliable, relevant and timely data in areas related to the three dimensions of sustainable development, building on existing mechanisms, as appropriate; in this regard, strengthen participation of all countries in international sustainable development processes and capacity-building especially for developing countries, including in conducting their own monitoring and assessments was highlighted in the document (para. 76 (g)).

¹ This document was not formally edited.

The existing mandate of the Task Force

The current mandate of the Task Force was set out through decision IV/1 of the Meeting of the Parties and its activities are expected to be built on the outcomes of the work done by the Task Force on Electronic Information Tools:

- Exchange of information, experiences, challenges and good practices with focus on the identified substantive issues;
- Identify capacity-building needs, barriers and solutions;
- Monitor and support the implementation of decision II/3 of the Meeting of the Parties and review as deemed appropriate the draft Guidance for National Nodes of the Clearinghouse mechanism;
- Monitor relevant technical developments that can facilitate;
- Contributing to further developments of the Aarhus Clearinghouse and PRTR.net.

The substantive issues to be given particular priorities

At its first meeting of the Task Force on Access to Information (Geneva, 7-8 February 2013), the Task Force deliberated on the possible priorities for the future work and agreed that the following issues, which were supported by vast majority of participants, should receive a particular priority for the future work of the Task Force:

- (i) The scope of environmental information and public access to environment-related information held by public authorities other than responsible for environmental protection;
- (ii) Provision of sufficient environmental information with regard to products;
- (iii) Access to raw data and primary statistical data related to environmental information;
- (iv) Improving dissemination of priority categories of information in accordance with decision II/3 adopted by the Meeting of the Parties at its second session.

In addition, the following issues, which were supported by many participants, should receive also priority for the future work:

- (a) Access to environmental information in relation to copyright protection;
- (b) Protection of a legitimate economic interest through protected by law confidentiality and of commercial and industrial information related to the environment and the public interest served by disclosure of such information.

At the workshop on product information organised under auspices of the Task Force on Access to Information in order to address the implementation of article 5, paras. 6 and 8, of the Convention, it was proposed that the Task Force could address further the scope of the definition of environmental information on products and criteria for sufficiency of environmental information as well as prepare an overview of the practice of the Parties, Signatories and other countries in order to identify gaps and best practices and the further work to be done taking into account the on-going work of other relevant international forums.

These issues were continuously reported by a number of findings and reflected in the Compliance Committee findings.

To address these identified substantive issues, the Task Force will continue to provide forum for exchange of information, sharing good practices and preparing analytical and training material on the selected above issues.

Electronic Information Tools

The Task Force should continue to look at the further development of national nodes (websites), new technical developments such as mobile services and interactive platforms as lots of initiatives were reported at the first meeting of the Task Force and further improvement of the Aarhus Clearinghouse mechanism that can provide a platform for systematic exchange of information and access to good practices. The cooperation with the United Nations Information Portal on Multilateral Environmental Agreements (Informea) supported by UNEP and other similar platforms.

Cooperation with other forums

It should be noted that there are various international forums dealing with the issues related to public access to environmental information: UNEP, WHO, HRC, UNITAR, WTO, and IPCC. Most of them already participated in the first meeting of the Task Force and expressed their willingness to continue cooperation. Thus, the Task Force might explore the possibilities to strengthen cooperation with relevant international forums in order to build synergies in the activities at the international level, facilitate the cooperation between focal points to these forums at the national level and enhance the capacity-building efforts related to public access to environmental information.
