



17th Working Group of the Parties to the Aarhus Convention (WGP 17)
(Geneva, 26-28 February 2014)
Agenda item 8(f): Maastricht Declaration

Contribution by the EU and its Member States.

The EU and its Member States thank the Chairs of the Meetings of the Parties for preparing in consultation with the Bureau members these draft elements for the Maastricht Declaration.

We welcome the opportunity for a second commenting round on the draft elements for the Maastricht Declaration prior to its submission to the joint high-level segment of the next Meetings of the Parties (Maastricht, the Netherlands, 2 July 2014) for adoption.

We welcome the fact that the draft Declaration reflects in an appropriate manner the commitments of the Convention's and Protocol's Parties to transparency for furthering environmental democracy, sustainable development and improving the state of the environment.

This being said, we suggest the following amendments to the text of the draft Declaration in order to improve and clarify the political messages that it should convey:

- Title: we realize that transparency constitutes a driving force not only for the environmental governance but also for enhancement of environmental consciousness. Taking into consideration this, we suggest the replacement of the word "*multivitamin*" with the words "*driving force*" in the title of the Declaration.
- Paragraph 2: we recognize that the promotion of effective access to environmental information to the public has positive impact on access to justice. In order to highlight this link we suggest the deletion of the phrase "*need to seek*".
- Paragraph 3: we suggest the addition of the phrase "*in respect of environmental information*" in the end of the 1st sentence. Additionally, in the 2nd sentence, we suggest adding the phrase the words "*environmental*" and "*effective*" before the words "*information*" and "*judicial*" accordingly. We suggest these amendments in order to clarify that this concerns environmental information. Furthermore, in the 3rd sentence we suggest to delete "*commitment*" at the beginning and to insert "*better*" before "*decision-making*".
- Paragraph 4: We suggest the amendment of the Paragraph with the addition of the words "*the principles of*" after the word "*promotion of*".

- Paragraph 5: we suggest a number of amendments in order to better highlight the active role of citizens. The text should read as follows: “We recognize close links between the effective implementation of the Convention and its Protocol **and the importance of protecting** environmental activists and whistle-blowers, freedom of speech and the safe participation of citizens in decision-making affecting their lives. **In any case**, governments should recognize the important role played, as well as the risks faced, by such activists and whistle-blowers, and ensure that they enjoy adequate protection. On the other hand, to reduce the need for whistle-blowers, Governments must ensure transparency as well as remove barriers and overcome challenges to accessing justice. Furthermore, nowadays the **organized actions of the citizens, including those related to the environment, have more impact on Governments than ever**. We urge Governments in their turn to exercise openness and transparency in environmental matters, thus providing **citizens** a solid basis for public participation”.
- Paragraph 6: the text should read as follow: «Access to environmental information is a precondition for participatory and transparent governance. Especially in times of economic crisis, the efforts made to improve governance are investments in democracy; the economic crisis should not be seized as an excuse to cut down on environmental protection and procedural rights. In times of economic crisis, access to information, participation and access to justice are even more important, as the focus on solving the crisis has **sometimes** led to increased pressure to weaken measures aimed at protecting the environment. Openness and transparency not only create a foundation for sustainable development leading to an attractive investment climate, but also support policies **to ensure** that all persons are provided with information and can engage meaningfully in decision-making that affects them. Transparency with regard to environmental information is also an important instrument to support innovation, as well as to promote best available techniques and good practices towards the implementation of green economy. In addition, pollutant release and transfer registers (PRTRs) help to evaluate progress in the implementation of green economy».
- Paragraph 7: we request a number of amendments in the last sentence so that the text should read as follow: “in this regard, in implementing the Protocol we will strive to contribute to enhancing consistency with other relevant reporting obligations”.
- Paragraph 8: We suggest the amendment of the paragraph to read “We acknowledge and encourage increased use of new opportunities offered by modern communication tools, Internet-based and other social media, which are becoming increasingly important for the fast distribution of environmental information to and by the public with instant Internet access, thereby contributing to the promotion of transparency. Another recent trend has demonstrated that the public can play an essential role **in drawing attention on potential environmental damages**”.
- Paragraph 9: we request the inclusion of the word “horizontal” to read “the only legally binding **horizontal** international instruments”. Furthermore, we suggest the deletion of “such as the international financial institutions and trade related organizations”. At the end of the paragraph we suggest the addition of the words “relating to the environment or whose decisions may have a significant effect on the environment.” in order to reflect what was agreed under the Almaty Guidelines.

- Paragraph 10: we suggest the inclusion of the words “ *and resolution*” in front of the word “*conflicts*”.
 - Paragraph 11: we request the addition of the phrase “*but also to improve their cost efficiency*” at the end of the paragraph.
 - Paragraph 12: we suggest replacing it with the following text: “*We warmly welcome the initiative on developing a regional instrument on environmental rights in the region of Latin America and the Caribbean as well as the establishment of PRTR systems around the globe, and we encourage similar initiatives intending to replicate the achievements of the Aarhus Convention and its Protocol. We also call upon countries that are interested in doing so to join the Aarhus family, since the Aarhus Convention and its Protocol are open to accession by countries outside the ECE region*”.
 - Paragraph 13: we request the deletion of the text after "Protocol".
 - Paragraph 14 (new): We suggest the addition of a new paragraph as follows: *We also call upon the countries within the ECE Region having not yet ratified or acceded to the Protocol to do it at the earliest opportunity and to apply its principles and provisions. We recognize the importance of promoting capacity-building in countries with economies in transition as well as the important role of Aarhus Centres and international organizations in facilitating implementation of the Convention and its Protocol in these countries*
 - Paragraph 17(new 18) : we suggest to amend this paragraph as follows: “*We recognize that products can significantly impact the environment throughout their lifecycle and when they have reached the end of their lifetimes. We therefore consider that promoting greater transparency in relation to information about products and product-related decision-making is **an important activity***”.
 - Paragraph 19 (new 20): we request to amend this paragraph as follows: “ *In addition, greater transparency concerning the pollutants stored onsite transfers of waste **helps** the public to be better aware of the scale of the risk from accidental releases ”*
 - Paragraph 20 (new 21): we request the replacement of the word “*should*” with the phrase “*may need to*”.
 - Paragraph 21 (new 22): we suggest the replacement of the words “*an essential minimum*” by “*solid*”.
 - Whole document: the text should be renumbered accordingly.
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