

Agenda item 3.a Access to justice

ECO Forum statement by Magda Tóthné dr. Nagy, Guta Environmental Law Association

ECO Forum welcomes the report and the note prepared by the Chair of Access to Justice. We support the proposed broad mandate and for the next intersessional period and the focus on topics such as energy projects including energy plans and policies, chemicals management, biodiversity protection and climate litigation as well. We believe that flexibility is needed, as from the work in the current period on cases on access to information and air quality there also could be some lessons and conclusions or implications which would need to be addressed later. We should keep an eye on the developments regarding the implementation of Aarhus rights in the region too, as there could be other urgent issues arising which could also be needed to be dealt with. (E.g. the impact of the COVID-19 pandemic on Aarhus rights.)

We welcome the proposed tools, guidelines, analytical materials, capacity building and dialogue among the different Aarhus stakeholders on access to justice, and are especially pleased that in addition to parties, judges and judicial training institutions, more attention is given to public interest lawyers. We appreciate the thematic session to be held in the October Aarhus Parties Working Group meeting on the challenges, successes and lessons of public interest litigation. We look forward to the outcome of this session and hope to take it up in the next Access to Justice Task Force meeting in 2021.

We strongly support the proposal to return to the annual meetings of the Access to Justice Task Force. Though the thematic sessions during Working Group meetings may be noteworthy, they cannot bring the same benefits, results and impacts as the annual Task Force meetings, which can keep the momentum of dialogue and of providing more effective support to the Aarhus Parties, the public, CSOs and other stakeholders on the implementation of the third pillar.