

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-fourth meeting**

Geneva, 1–3 July 2020

Information sessions

Item 10 of the provisional agenda

Adoption of the outcomes

DRAFT LIST OF MAJOR OUTCOMES
of the information sessions of the twenty-fourth meeting of the Working Group of the Parties¹

Item 1. Adoption of the agenda

The Working Group of the Parties:

- i. took note of the information provided by the Chair on e.g. a new organization of work for the meeting due to the impact on meeting's organisation of the measures linked to coronavirus disease (COVID-19) pandemic and on the related technical challenges associated with the provision of interpretation, stressing, at the same time, that multilingualism is the key for the work of the Convention's bodies and requesting the secretariat to ensure the interpretation for the future Convention's meeting;
- ii. took note of the statement of the European Union and its Member States² calling e.g. to avoid rolling-back from environmental democracy priorities and to assure that recovery measures do not undermine ongoing efforts to ensure environmental rights and improve the environmental health;
- iii. adopted the provisional agenda of the meeting (ECE/MP.PP/WG.1/2020/1) with the mentioned modifications as reflected in the Organization of Work (AC/WGP-24/Inf.13).

Item 2. Status of ratification of the Convention and the Protocol on Pollutant Release and Transfer Registers

The Working Group:

- i. took note of the information on the status of ratification of the Convention, its amendment and the Protocol on Pollutant Release and Transfer Registers (PRTRs), provided by the secretariat;
- ii. welcomed the accession of Kazakhstan to the Protocol on PRTRs.

¹ This document was not formally edited.

² Statements and presentations for the meeting are being uploaded on this webpage as soon as they become available to the secretariat: <https://www.unece.org/index.php?id=54526>

Item 3. Substantive issues**(a) Access to justice**

The Working Group:

- i. took note of the information provided by the Chair of the Task Force on Access to Justice and of his Note (AC/WGP-24/Inf.3), expressing a general support to the suggestions outlined in the Chair's Note as a good basis for the discussion;
- ii. expressed its appreciation to the Chair and to the Task Force for the work done and acknowledged the important role it played in the implementation of the Convention;
- iii. took note of comments by delegations concerning the future work in this area, including with regard to the promotion of the use of ICTs, modalities of the work of the Task Force, key subjects to be considered in the next intersessional period and the need to prioritise them;
- iv. took note of the information provided by delegations on recent developments and other matters linked to the subject area, including on the issue of access to justice in relation to the European Union.

(b) Access to information

The Working Group:

- i. took note of the information provided by the Chair of the Task Force on Access to Information and of her Note (AC/WGP-24/Inf.1), expressing a general support to the suggestions outlined in the Chair's Note as a good basis for the discussion;
- ii. expressed its appreciation to the Chair and to the Task Force for the work done and acknowledged the important role it played in the implementation of the Convention;
- iii. took note of comments by delegations concerning the future work in this area, including with regard to the promotion of the use of ICTs, modalities of the work of the Task Force, key subjects to be considered in the next intersessional period and the need to prioritise them;
- iv. took note of the draft updated Recommendations on the more effective use of electronic information tools (ECE/MP.PP/WG.1/2020/14 and Add.1) and of the comments to the document;
- v. invited Parties, Signatories, other interested States and stakeholders to provide comments on the draft updated Recommendations (ECE/MP.PP/WG.1/2020/14 and Add.1) by 30 September 2020 as to facilitate preparation of the next draft for the upcoming meeting of the Task Force on Access to Information (Geneva, 16-17 November 2020);
- vi. took note of the information provided by delegations on recent developments and other matters related to the subject area, including the issue of the privacy in the context of digitalisation.

(c) Public participation in decision-making

The Working Group:

- i. took note of the information provided by the Chair of the Task Force on Public Participation in Decision-making and of her Note (AC/WGP-24/Inf.2), expressing a general support to the suggestions outlined in the Chair's Note as a good basis for the discussion;
- ii. expressed its appreciation to the Chair and to the Task Force for the work done and acknowledged the important role it played in the implementation of the Convention;

iii. took note of comments by delegations concerning the future work in this area, including with regard to the promotion of the use of ICTs, modalities of the work of the Task Force, key subjects to be considered in the next intersessional period and the need to prioritise them;

iv. took note of the information provided by delegations on recent developments and other matters linked to the subject area, including with regard to challenges associated with the COVID-19 pandemic in relation to public participation in general, and for vulnerable and marginal groups, in particular.

(d) Genetically modified organisms

The Working Group:

i. took note of the Report on the third Joint Global Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms (ECE/MP.PP/WG.1/2020/6) and of the event's key outcomes presented by the Chair of the Round Table;

ii. expressed its appreciation to the Chair for the work done and to the secretariat of the Convention on Biological Diversity for its long-standing cooperation;

iii. reiterated its serious concern that although objective II/2 of the Strategic Plan 2015-2020 (ECE/MP.PP/2014/2/Add.1) envisaged that the GMO amendment of the Convention was to be approved by a sufficient number of Parties to enter into force by 2015, the objective had not been achieved;

iv. took note of the information provided by Albania with regard to its plans to ratify the GMO amendment by the end of 2020;

v. reiterated its call upon the following Parties, whose ratification of the GMO amendment would count towards its entry into force: Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan and Ukraine, to take serious steps towards ratification and requested the above Parties to report at the next meeting of the Working Group on the progress achieved;

vi. urged the above Parties to submit the updates in writing to the secretariat prior to the sessions in October as to inform the Working Group about their plans with regard to ratification;

vii. took note of the information provided by delegations on matters related to the subject area, including on challenges linked to lack of technical capacity and of support to civil society in countries with economies in transition.

Item 4. Procedures and mechanisms

(a) Compliance mechanism

The Working Group of the Parties

i. took note of the information provided by the Chair of the Compliance Committee on the outcomes of the Compliance Committee's sixty-fourth, sixty-fifth and sixty-sixth meetings (ECE/MP.PP/C.1/2019/5; ECE/MP.PP/C.1/2019/8; ECE/MP.PP/C.1/2020/2) and other developments, including with regard to the request by Kazakhstan to the Compliance Committee to provide advice on the application of the Convention during COVID-19 pandemic; the need for more legal secretariat's support to the Committee; the caseload and measures to manage it; and a proposal to establish a rapid response mechanism to deal with cases related to article 3 (8) of the Aarhus Convention (ECE/MP.PP/WG.1/2020/13) in the context of the Committee's work;

ii. expressed its appreciation to the Chair and to the Compliance Committee for the work done and acknowledged the important role it played in furthering the Parties' compliance with the Convention;

iii. took note of comments provided by delegations with regard to the information presented by the Chair and other matters related to the subject area, including on the challenges in exercising the rights

under the Aarhus Convention due to restrictions associated with COVID-19 pandemic and a proposal on establishing a rapid response mechanism to deal with cases related to article 3 (8) of the Aarhus Convention (ECE/MP.PP/WG.1/2020/13).

(b) Reporting mechanism

The Working Group:

- i. took note of the information provided by the Chair and by delegations;
- ii. recalled its serious concern over the continuing failure of Republic of Moldova to submit a report on the implementation of the Convention for 2017 reporting cycle;
- iii. urged Parties to proceed with the preparations of the national implementation reports for 2021 reporting cycle without any delay.

(c) Capacity-building and awareness-raising

- i. took note of the Section II (B) on Capacity-building activities of the Report on the implementation of the work programme for 2018–2021 (ECE/MP.PP/WG.1/2020/4) and the information provided by the secretariat with regard to recent developments and plans concerning capacity building;
- ii. took note of the information provided by the representatives of the Organisation for Security and Cooperation in Europe and the European Environment Agency; and expressed its appreciation to these and other partner organizations for supporting the implementation of the Convention;
- iii. reiterated its call to national focal points to continue reaching out to authorities responsible for development assistance and technical cooperation to explore the possibility of integrating the Aarhus Convention in these programmes; and of supporting its implementation through the United Nations Sustainable Development Cooperation Framework; and strengthening the nexus approach to the environment, human rights and good governance;
- iv. took note of the information provided by delegations on other matters related to the subject area, including with regard to the promotion of the use of ICTs whenever it is possible for capacity-building and for awareness-raising activities.

Item 5. Promotion of the Convention and relevant developments and interlinkages

The Working Group:

- i. took note of the Section III (A) on Promotional activities of the Report on the implementation of the work programme for 2018–2021 (ECE/MP.PP/WG.1/2020/4);
- ii. took note of the information provided by the representatives of UNEP and OHCHR with regard to relevant recent developments and future opportunities for cooperation and expressed its appreciation to these organizations for promoting synergy in assisting countries to further access to information, public participation in decision-making and access to justice in environmental matters;
- iii. took note of the information provided by delegations on other matters related to the subject area, such as the developments with regard to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) and the work of the Eastern Partnership Civil Society Forum.

Item 6. Implementation of the work programme for 2018–2021, including financial matters

The Working Group:

- i. took note of the Report on the implementation of the work programme for 2018–2021 (ECE/MP.PP/WG.1/2020/4); the Report on contributions and expenditures in relation to the implementation of the Convention’s work programme for 2018–2021 (ECE/MP.PP/WG.1/2020/5) and of the information provided by the secretariat about editorial changes required in Table 3 of this report; and of the Note on contributions and pledges received after 1 April 2020 (AC/WGP-24/Inf.14);
- ii. took note of the statements by delegations, including with regard to making use of ICTs to the extent possible, the need to ensure adequate funding despite challenges associated with the COVID-19 pandemic and plans regarding future funding;
- iii. welcomed the synergies with partner organizations that helped the effective implementation of the work programme and encouraged to promote further synergies;
- iv. reiterated its call upon the Parties to proceed with financial contributions as soon as possible and expressed its concern over the fact that contributions are still arriving late in the year;
- v. urged Parties that did not yet contribute to communicate their plans in writing to the secretariat and encourage them to increase contributions in view of the upcoming session of the Meeting of the Parties;
- vi. expressed appreciation for the work done by the secretariat and recognized the difficulties posed by limited and unpredictable funding.

Item 7. Preparations for the seventh session of the Meeting of the Parties

The Working Group took note of the statement regarding substantive preparations for the seventh session of the Meeting of the Parties with regard to future financial arrangements.

(c) Accession by States from outside the United Nations Economic Commission for Europe region

The Working Group:

- i. took note of the document on Expression of intention by Guinea-Bissau to accede to the Convention (ECE/MP.PP/WG.1/2020/12);
- ii. took note of the written statement by the representative of Guinea-Bissau and welcomed the country’s willingness to accede to the Convention.

(e) Agenda of the seventh session of the Meeting of the Parties

The Working Group took note of the Draft elements of the provisional agenda of the seventh session of the Meeting of the Parties to the Aarhus Convention (ECE/MP.PP/WG.1/2020/10) and of comments regarding the document, supporting in general its structure, substantive scope and themes of the High-level segment, highlighting at the same time the need to focus on the strategic dimension of future activities in this context.

(f) Hosting of the seventh session of the Meeting of the Parties

The Working Group:

- i. took note of dates for the seventh session of the Meeting of the Parties and the fourth session of the Meeting of the Parties to the Protocol on PRTRs to be held back to back – during the week of 18 October 2021;

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- ii. reiterated its appreciation to the Government of Georgia for the offer to host the next sessions of the Convention's and Protocol's Meeting of the Parties, and took note of the information provided by the host country regarding its preparations;
 - iii. requested the secretariat to continue liaising with Georgia on the hosting matter and to report on the developments as required.

Item 8. Promotion of the principles of the Convention in international forums

The Working Group:

- i. took note of the information provided by the Chair of the thematic session on the promotion of the principles of the Convention in international forums and of her Note (AC/WGP-24/Inf.4), and expressed its appreciation to the Chair for the work done;
- ii. took note of the information provided by representatives of non-governmental organisations with regard to e.g. recent developments and challenges arising in the context of the COVID-19 pandemic; the shrinking opportunities for environmental NGOs' participation, including during the UN Environment Assembly and in the High Level Political Forum of the Sustainable Development Goals-related processes; the lack of transparency of the International Civil Aviation Organisation (ICAO); the lack of advocacy from Parties to the Aarhus Convention in the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, established at the 26th session of the Human Rights Council (A/HRC/RES/26/9); and the need for promotion of the principles of the Convention in the context of processes linked to geoengineering.

Item 9. Other business

The Working Group took note of the information provided by the European Union and its member States regarding its intention to submit written comments with regard to items 7 (a), (b) and (d).

Item 10. Adoption of outcomes

The Working Group took note of draft outcomes presented by the Chair as contained in this document. The draft outcomes will be considered at in-person sessions of the Working Group on 29-30 October 2020.
