

## **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-eighth meeting**

Geneva, 2–4 July 2024

Item 5 of the provisional agenda

##### **Thematic session on the promotion of the principles of the Convention in international forums**

### **Note by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums on possible future directions for the work<sup>1</sup>**

This note was prepared by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums to facilitate the discussion on the future work in this area and preparation of the draft elements of the future work programme by the Bureau at its 52<sup>nd</sup> meeting (Geneva, 28 March 2024) and by the Working Group of the Parties at its twenty-eighth meeting (Geneva, 2-4 July 2024).

#### **The outcomes of the work in the current intersessional period**

##### ***Thematic sessions during the Working Group of the Parties***

1. During the current inter-sessional period, the activities of the Working Group of the Parties on promoting the application of the principles of the Convention in international forums is guided by decision VII/4<sup>2</sup>, adopted by the Meeting of the Parties at its seventh session (Geneva, 18–21 October 2021). Pursuant to this decision, thematic sessions on promoting the application of the principles of the Convention in international forums were held during twenty-sixth<sup>3</sup> and twenty-seventh<sup>4</sup> meetings of the Working Group of the Parties to the Aarhus Convention (22-23 June 2022 and 26-28 June 2023). Similar sessions are planned for twenty-eighth and twenty-ninth meetings of the Working Group, scheduled to take place on 2-4 July 2024 and in 2025.

2. The latest thematic sessions in 2022 and 2023 focused in-depth on the promotion of transparency and effective public participation in international decision-making, through panel presentations and round table discussion regarding procedures and practices of relevant forums and experiences of Parties, NGOs and other stakeholders with regard to a number of topics, including:

<sup>1</sup> This document was not formally edited.

<sup>2</sup> See: <https://unece.org/environment/documents/2022/03/pp-aarhus-convention-mop7-decision-vii4-public-participation>.

<sup>3</sup> See (section VIII): <https://unece.org/environment/documents/2022/10/report>.

<sup>4</sup> See (section VI): <https://unece.org/environment/documents/2023/09/reports/report-meeting>.

(a) Plastics, including legally binding instrument on plastics under the auspices of UNEP (e.g., with regard to the marine environment and air pollution), also involving the secretariat of the legally binding instrument;

(b) Business and human rights, including the related processes under the Human Rights Council, also involving a representative of the Office of the High Commissioner for Human Rights;

(c) Environmental impact assessment in a transboundary context, also involving representatives of the secretariats of the Convention on Environmental Impact Assessment in a Transboundary Context and of the Mekong River Commission for Sustainable Development;

(d) International trade-related decision-making, also involving a representative of the World Trade Organisation;

(e) The issue of balanced and equitable participation and different modalities for engaging stakeholders in international decision-making, also involving a representative of the secretariat of the UN Environment Programme /Mediterranean Action Plan Coordinating Unit, Barcelona Convention.

3. In addition, progress was reviewed in promoting the principles of the Convention in a COVID-19 context; in the processes under the United Nations Environment Assembly; in the context of 2030 Agenda on Sustainable Development processes; in environmental-related processes under the General Assembly, such as the Sustainable Development Goals Summit (New York, 18-19 September 2023), and the Summit of the Future (22-23 September 2024) and under the Convention on Biological Diversity, with the focus on the post-2020 global biodiversity framework. Lessons learnt regarding climate-related processes with the focus on the sessions of the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) were considered regularly.

4. During the thematic sessions, representatives of the secretariats of the above instruments, Parties to the Convention and stakeholders shared their diverse experiences.

5. A survey was carried to gather relevant information from Parties and stakeholders in preparation of the thematic session during the twenty-seventh meeting of the Working Group of the Parties to explore good practices and modalities contributing to ensuring balanced and equitable participation of members of the public as defined in the Almaty Guidelines on Promoting the Application of the Aarhus Convention in International Forums<sup>5</sup> as well as relevant challenges.

6. In addition to the useful and very lively discussions led to sharing knowledge among Parties and stakeholders, valuable material has been produced through the work, including presentations that illustrate different good practices, challenges and lessons learnt, and reports on the sessions that include Parties' commitments and Chair's summaries, outlining achievements, key trends, gaps and required actions.

7. In line with decision VII/4, the next thematic sessions are expected to focus on themes such as stakeholder engagement in climate change- and energy-related processes; carbon trading and other market-based mechanisms; and new or emerging technologies including geoengineering (at WGP-28 in 2024) and in forums dealing with such topics as deforestation and degradation of forests; and the environmental effects of agriculture, land use and land-use changes (at WGP-29 in 2025). In addition, progress will be reviewed in promoting the principles of the Convention in the context of sustainable

---

<sup>5</sup> See: <https://unece.org/environment-policy/publications/almaty-guidelines-promoting-application-principles-aarhus>

development processes; with regard to access to information and stakeholder engagement within the framework of the United Nations Environment Assembly and IFIs. Such important cross-cutting issue as the conflicts of interest that permeate public participation in international negotiations and other meetings will also be addressed.

***Support material to facilitate the application of the principles of the Convention in international forums***

8. The two following material produced under the Convention continued to facilitate the application of the principles of the Convention in international forums:

- A [checklist of measures](#) to be borne in mind by Parties when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment, available in English, French and Russian.
- A [leaflet](#) (snapshot) summarizing the Almaty Guidelines and the promotion of the Convention principles in international forums, available in English, French and Russian.

9. The above materials aim at assisting Parties, interested States and stakeholders in understanding and applying the Almaty Guidelines.

***Promotion of principles and provision of expert advice***

10. The secretariat has promoted the principles of the Convention<sup>6</sup> through encouraging synergies and providing advisory support to various international forums, including UNEP, OHCHR, the Department of Economic and Social Affairs, UNDP, UN-Habitat, the World Health Organization, the Economic and Social Commission for Asia and the Pacific, UNESCO, the United Nations Institute for Training and Research UNFCCC, the Economic Commission for Latin America and the Caribbean, the Food and Agriculture Organization of the United Nations, the United Nations Centre for Trade Facilitation and Electronic Business, the Inter-Organization Programme for the Sound Management of Chemicals, the Minamata Convention on Mercury, the Convention on the Transboundary Effects of Industrial Accident, the Convention on Environmental Impact Assessment in a Transboundary Context, Convention on the Protection and Use of Transboundary Watercourses and International Lakes Convention on Biological Diversity and its Cartagena Protocol on Biosafety, Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, the Organization for Economic Cooperation and Development; OSCE, processes under the Human Rights Council, the Council of Europe, the Group on Earth Observations, the Union for the Mediterranean, UNEP Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (UNEP/MAP) Coordination Unit, the European Court of Human Rights, and financial institutions, inter alia the World Bank, the European Investment Bank, the Inter-American Commission on Human Rights and the European Bank for Reconstruction and Development.

***Conclusions***

11. Outcomes of the work demonstrated that progress has been achieved by many Parties and international forums. This was demonstrated through good practices they shared at the meetings and through the survey. At the same time, a number of challenges remain in relation to both: international forums that have been regularly reviewed (e.g., UNFCCC) and new forums brought to Parties' attention (e.g. legally binding instrument on plastics, International Seabed Authority (ISA), International Atomic Energy Agency (IAEA)).

---

<sup>6</sup> See (sections III): <https://unece.org/environment/documents/2022/04/item-7-report-implementation-work-programmes-2018-2021-and-2022-0> and <https://unece.org/environment/documents/2023/05/item-8-report-implementation-work-programme-2022-2025>

12. New challenges emerged through the COVID-19 pandemic as it reshaped many of the ways in which government institutions, civil society, the public and other stakeholders interacted. Recovery from the pandemic must be undertaken in a way that restored and fostered environmental democracy, particularly in international decision making that would shape the path to recovery from those interconnected. With regards to effective stakeholder engagement in international forums, this includes ensuring as much physical participation as possible, without neglecting the potential of online participation and the importance of supporting vulnerable groups generally underrepresented in public participation processes.

13. Another issue is to how integrate the obligations under article 3 (7) into different decision-making processes and to apply the Almaty Guidelines effectively as to engage civil society representatives in meetings under various international forums. Other forums could not be considered in isolation. The implementation of article 3 (7) implied that States should engage the public early on in the process and that international organizations should organize the decision-making process taking into consideration the obligations under article 3 (7). There is also a need to consider enhancing collaboration between legally binding instruments adopted in different regions, noting the encouragement for cooperation between Aarhus Convention Parties and Escazú Agreement Parties.

14. Regarding the participation of youth and children, the discussion had shown that many initiatives had been taken by States and civil society to involve children and youth in international forums, including educational and awareness-raising events on environmental issues. The importance of involving children and youth in international forums, not only as passive observers but as active participants should be promoted.

15. Also, several key measures shall be still furthered by Parties, including to strengthen expert capacity of staff in authorities to effectively engage public in international decision-making process in countries; promote cooperation between national focal points for the Aarhus Convention and for other international forums; strengthen expert capacity of staff in authorities in relation to hosting international events; undertake awareness-raising and capacity-building activities to promote public' understanding of and engagement on complex issues considered by forums; and promote to negotiators at different forums the requirement to apply the Aarhus Convention's principles to that forums' proceedings. In addition, understanding and awareness of obligations of the Convention's article 3 (7) in relation to specific forums requires further promotion among Parties, stakeholders and relevant forums.

16. Promotion of the principles of the Convention in international forums has a far-reaching effect. It brings a positive change through strengthening transparency and effective public participation in international decision-making on critical environmental subjects. Due to a vast cross-cutting scope of the activities, they support Governments' efforts to achieve many Sustainable Development Goals related to specific forums and, in particular, Goals 16 and 17.

## **Future work**

### ***Issues to be given priority***

17. During the next inter-sessional period, it is proposed to focus the work on several new substantive areas, such as minerals and metals and management of marine resources. In addition, Parties or stakeholders may identify other international forums to be of particular priority.

18. Moreover, the progress achieved in promoting the Convention's principles in IFIs, climate change-, energy-, plastics, business and human rights, and sustainable development- related decision-making, as well as in UNEP and UNEA processes, should be further monitored.

19. All Parties should be encouraged to engage in surveys on specific subjects as this tool allows to share diverse experiences and identify common challenges.

***Methods of work***

20. For the next intersessional period, it is proposed that work in this area should continue through formats similar to those used in the current intersessional period:

(a) Actions taken by Parties, at the national and international levels, this may include thematic workshops.

(b) Thematic sessions at the meetings of the Working Group of the Parties.

(c) Expert assistance to international forums and Parties, including through trainings and workshops at the relevant events.

(d) Collection of good practices on effective public participation in international forums.

(e) Surveys on specific issues.

***Support material to facilitate the application of the principles of the Convention in international forums***

21. To address challenges identified through the above-mentioned activities, for the next intersessional period it is suggested to develop the following material that could not be prepared during the current intersessional period:

(a) Guide on hosting international events to assist host countries in applying relevant good practices as regards access to information and public participation.

(b) Guiding material explaining obligations related to article 3 (7) tailored to each specific forum (dealing with e.g., chemicals; climate change; trade; health matters etc.) as to assist Parties, interested countries, stakeholders and relevant forums.

---