Economic and Social Council

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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 4 (b) of the provisional agenda
Substantive issues: access to information

Report of the Task Force on Access to Information on its eighth meeting*

Summary

   The Task Force on Access to Information under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was established by the Meeting of the Parties to the Convention at its fourth session (Chisinau, 29 June–1 July 2011) through decision IV/1.[a] At its seventh session (Geneva, 18–21 October 2021), the Meeting of the Parties renewed the mandate of the Task Force to carry out further work under the authority of the Working Group of the Parties.[b]

   Pursuant to the above-mentioned mandates, the present report of the Task Force on its eighth meeting (Geneva, 9–10 November 2023) is being submitted for the consideration of the Working Group of the Parties at its twenty-eighth meeting.

[a] ECE/MP.PP/2011/2/Add.1, decision IV/1, paras. 8–11.
[b] ECE/MP.PP/2021/2/Add.1, decision VII/1, paras. 13–16.

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* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control, as more time was required to finalize it.

Introduction

1.   The eighth meeting of the Task Force on Access to Information under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held in Geneva, on 9–10 November 2023.

2.   The meeting was attended by the representatives of the following Parties to the Convention:[1] Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Czechia, Finland, Georgia, Greece, Guinea-Bissau, Ireland, Italy, Kazakhstan, Latvia, Malta, Montenegro, North Macedonia, Portugal, Republic of Moldova, Romania, Serbia, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland. The representatives of Canada and Tunisia also participated in the meeting. Representatives of the European Commission attended the meeting on behalf of the European Union. Representatives of the European Environment Agency, the European Investment Bank and the European Ombudsman were also present.

3.   Representatives of the United Nations Economic Commission for Europe (ECE) Economic Cooperation and Trade Division, the United Nations Conference on Trade and Development (UNCTAD), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Environment Programme (UNEP) and the One Planet Network, the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Trade Centre (ITC) were present.

4.   Representatives of Aarhus Centres, international financial institutions and business, professional, research and academic organizations were present, as were representatives of international, regional and local non-governmental organizations (NGOs), many of whom coordinated their input within the framework of the European ECO-Forum.

I.   Opening of the meeting and adoption of the agenda

5.   The Task Force Chair, Ms. Iordanca-Rodica Iordanov (Republic of Moldova), opened the meeting.

6.   The Task Force adopted its agenda as set out in information document AC/TF.AI-8/Inf.1.[2]

7.   The Task Force took note of the statements by the Chair and a representative of the European ECO-Forum emphasizing: the importance of access to environmental information for individuals and groups in vulnerable situations, especially for children and youth; the need to improve access to reliable and timely information to estimate, prevent and mitigate environmental damage and support recovery actions during disasters and armed conflicts; and the benefits of advancing public access to environment-related product information.

II.   International Workshop "Advancing public access to environment-related product information: Challenges and opportunities"

8.   The Task Force meeting featured an international workshop entitled "Advancing public access to environment-related product information: Challenges and opportunities", organized in cooperation with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), UNEP, the One Planet Network and the European Environment Agency.

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[1]   The list of participants was made available on the meeting web page. Participants who attended online are indicated.

[2]   All meeting documents, including background documents, statements and presentations, are available at https://unece.org/environmental-policy/events/Aarhus_PP_8TFAI_API_workshop .

9. The Chair opened the international workshop. The welcoming remarks were delivered by the Directors of the ECE Environment Division, the ECE Economic Cooperation and Trade Division and UNEP/One Planet Network.

10. The workshop provided an opportunity to explore good practices regarding and possible means to improve access to product information, including instruments aimed at ensuring that sufficient product information was made available to the public in a manner that enabled consumers to make informed environmental choices.

11. The Task Force:

(a) Expressed appreciation to UN/CEFACT, UNEP, the One Planet Network, the European Environment Agency and panellists;

(b) Took note of information shared through presentations and statements.

12. The outcomes of the workshop were included in the Chair's summary provided in annex to the present report.

III. Public access to environmental information

A. Scope of environmental information

13. Opening the session, the Chair highlighted the importance of accurate, comprehensive and up-to-date environmental information to address the current triple environmental crisis of climate change, biodiversity loss and pollution, and recalled paragraph 6 of decision VII/1 of the Meeting of the Parties (ECE/MP.PP/2021/2/Add.1) urging a broad interpretation of the scope of environmental information in line with the Convention's requirements.

14. A representative of Latvia said that public demand for environmental information had increased noticeably due to more frequent extreme weather events and water stress. Therefore, in 2022, the Government had adopted a regulation setting out the procedure for establishing and maintaining the greenhouse gas inventory system, forecasting system and climate change adaptation reporting system, as well as mandating the disclosure of cross-industry environmental information to the public. Public authorities continued to improve the hydrometeorological warning system, maintain municipal climate profiles operating under a three-level risk system providing historical, current and predictive hydrometeorological information, and widen public access to the greenhouse gas inventory, climate change forecasts and adaptation measures.

15. A representative of Guinea-Bissau emphasized the importance of environmental information for biodiversity protection, environmental awareness-raising among the public, business and local communities and prevention of illegal logging, hunting, fishing and other environmental violations. Several institutions had been mandated to disseminate various types of information – through, among other things, the Internet, social media, radio, television, cinemas, video streaming and printed and promotion material – on the state of biological resources, protected areas and nature conservation measures, and to organize events to inform the public and business about nature conservation. Further measures were needed to improve the legal framework by defining both the meaning and the scope of the term "environmental information".

16. A representative of the European Ombudsman explained the entity's mandate and identified several systemic issues in the handling of environmental information requests by European Union institutions and bodies. In particular, in several complaints submitted to the European Ombudsman, European Union institutions and bodies had refused to acknowledge that the requested document contained environmental information, or failed to address applicants' arguments that the requested documents contained environmental information. The European Ombudsman had also noted unjustified refusals to disclose environmental information, delays in information disclosure and failure to proactively disclose environmental information in a timely manner, and had addressed those challenges, among other things, by submitting a special report to the European Parliament. The Ombudsman was also commissioning an independent study on proactive disclosure of environmental

information by international financial institutions. It was recommended that the respective institutions and bodies should dedicate more resources to dealing with information requests, engage constructively and openly with anyone requesting documents, and anticipate public-interest topics so that information could be proactively disclosed.

17. A representative of the European ECO-Forum/Environmental Justice Network Ireland underscored the importance of public access to information related to national energy and climate plans in the European Union, as envisaged by the Regulation on the Governance of the Energy Union.[3] However, some ambiguity in the legal framework had led to systemic deficiencies in disclosure of environmental information by some European Union member States in that regard. The alleged deficiencies related to failures to meet established deadlines, omissions to provide draft updated plans, lack of public access to draft plans prior to submission to the European Commission or lack of timely access to said plans, including in a transboundary context, failures to provide strategic environmental assessment reports to the public during consultations on draft plans and a lack of specificity in plans regarding implementation. The European Union was encouraged to take stronger action to address said deficiencies and improve the relevant legal framework in accordance with the Convention.

18. Subsequently, representatives of NGOs highlighted further measures needed to widen access to environmental information by providing such information in child- and youth-friendly ways, disclosing metadata and systematically improving digitization of historical data, and shared the experience of carrying out a comprehensive survey on the state of freedom of environmental information in Armenia.

19. The Task Force subsequently:

(a) Thanked the speakers and took note of the developments, lessons learned and challenges as presented by the speakers;

(b) Highlighted the increased demand for environmental information, including for historical data, in the context of climate change mitigation and adaptation, biodiversity protection, disaster risk reduction and energy-related matters;

(c) Welcomed the initiatives of the Parties and stakeholders to widen open access to environmental information, including through greenhouse gas registers, other electronic public registers and other electronic information tools;

(d) Called on Parties to identify and address the needs of different users, including children, youth and other groups in vulnerable situations, provide necessary guidance and adjustments to access-to-information procedures and establish effective user feedback mechanisms;

(e) Acknowledged the key role that access to environmental information in climate planning played in building social consensus for a just transition;

(f) Called on Parties to take measures to improve timely access to environmental information in the context of decision-making procedures in environmental matters, in particular to draft decisions, plans, programmes, policies and legislation in a climate context, and to establish effective review mechanisms should access to information be denied within those procedures.

B. Access to information on emissions into the environment

20. The Chair recalled the seventeenth preambular paragraph of the Convention stating that public authorities held environmental information, including information on emissions, in the public interest. In most cases, public authorities did not generate said information, relying instead on mandatory systems established in accordance with article 5 (1) (b) of the Convention to provide an adequate flow of information on emissions from business operators and other third parties.

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[3] Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R1999-20231120 .

21.   A representative of Croatia shared information on the legal basis, reporting obligations and practical measures to ensure collection of and public access to reliable information on emissions in the country routinely and in case of emergencies. The Croatian Information System for Environment and Nature had proved to be crucial in implementing said obligations. It helped to maintain, connect and further upgrade individual data sets, 93 databases, portals, browsers and applications. Content was defined through environment-related thematic areas and subareas (e.g., sectoral pressures – industry and energy, waste management). Information related to emissions from industry and energy was made publicly accessible under that subarea through the Environmental Pollution Registry (pollutant release and transfer register of Croatia), the Register of Establishments where Dangerous Substances are Present/Register of Reported Major Accidents, the Register for Environmental Permits and the Registry of Polluters. The Registry of Polluters consolidated sets of data from the Environmental Pollution Registry, integrated environmental permits, Seveso operators, co-incineration, emission trading schemes and inspection. Other positive examples included a discarded waste locations record application and a waste prevention portal, which respectively supported the increased removal of illegally discarded waste and the implementation of numerous projects and activities to minimize wastes.

22.   A representative of Belgium highlighted the country's efforts to ensure public access to information on environmental monitoring of per- and polyfluoroalkyl substances (PFAS), pesticides and biocides. That information, in high demand by various stakeholders, including the media, the public and environmental NGOs, had been made available through collaborative work by the respective authorities and institutions. To enhance coordination and communication regarding substances of high concern, the Government of the Flemish Region had appointed a PFAS Commissioner, who produced publicly accessible reports detailing the state of chemical contamination in the Flemish Region and measures needed to remediate pollution and minimize exposure. Additionally, the regional authorities had established dedicated points of contact to address public enquiries and compiled frequently asked questions on the matter. The authorities of both the Flemish Region and the Brussels-Capital Region maintained interactive maps[4] indicating potential pollution sites under investigation and measures to be taken to prevent or mitigate harm from pollution. Furthermore, the Brussels-Capital Region authorities had provided a map[5] depicting the results of monitoring of pesticides, biocides and per- and polyfluoroalkyl substances in the region's groundwater and surface waters. The Walloon Region had also contributed to that effort by providing general information on pesticides and per- and polyfluoroalkyl substances, as well as by sharing results from biomonitoring through the respective websites. That information would be further integrated into a forthcoming environmental portal currently in development in the Walloon Region.

23.   A representative of the European ECO-Forum/NGO EcoContact and the Aarhus Centre of the Republic of Moldova shared relevant findings from the project "Enhancement of Pollutant Release and Transfer Registers (PRTRs) in the Western Balkan countries and the Republic of Moldova". The project aimed at improving the capacities of public authorities, operators and NGOs in quality-assured reporting and the use of pollutant release and transfer registers. The project had confirmed the benefits of regular use of registers to inform the public of potential risks and impacts of emissions into the environment and transfers of wastes. It had also identified several challenges in operating the national register of the Republic of Moldova regarding technical issues of data access, limitations in the scope of accessible information, low levels of compliance with reporting obligations, a lack of awareness about the register, and insufficient financial and human resources to upgrade the register. Further steps should be taken to continue developing the national digital environmental information system and the register itself, collecting and regularly updating reliable environmental data and information, carrying out information campaigns and other activities to raise environmental awareness, implementing capacity-building activities for public authorities, operators and NGOs, and updating curricula of educational institutions

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[4] See, respectively, www.vlaanderen.be/en/pfas-in-flanders and
     https://geodata.environnement.brussels/client/view/13e9e42d-6172-4255-a925-a61cbb14a695 .
[5] See https://geodata.environnement.brussels/client/bruwater/index .

and regular specialist training courses regarding the digital environmental information system and, in particular, the register.

24. Participants discussed several critical issues related to public access to information on emissions, in particular experiences in communication of estimated emissions values, the need to tailor communication on risks of and exposure to emissions to the needs of children, youth and other persons in vulnerable situations who could be disproportionally affected by lead, carbon and other pollutants, and challenges and public initiatives in establishing a pollutant release and transfer register in Bosnia and Herzegovina. Some additional challenges were highlighted in a transboundary context regarding the lack of transparency and access to raw data related to radioactive wastewater releases from the Fukushima Daiichi nuclear power plant (Japan) into the Pacific Ocean and regarding the island of Ireland that concerned ammonia pollution, water pollution and other environmental violations in border areas.

25. The Task Force then:

(a) Thanked the speakers and took note of the positive developments, lessons learned and challenges, as presented by the speakers;

(b) Highlighted the important role of pollutant release and transfer registers in promoting public access to environmental information on emissions and the regular updating of the information contained in and infrastructure of said registers;

(c) Encouraged Parties to strengthen public access to environmental information regarding radioactive substances, biocides, lead, per- and polyfluoroalkyl substances and other chemicals of emerging concern, and carbon and ammonia emissions, also consistently taking into account the needs of children, youth and other groups in vulnerable situations in relation to such access and the need for information on the transboundary effects of the above-mentioned emissions;

(d) Recalled the related obligations under the Aarhus Convention and encouraged Parties thereto to cooperate on the collection and dissemination of information on emissions to air and water in a transboundary context, acknowledging the challenges that could arise in that area, particularly in post-conflict societies;

(e) Welcomed initiatives undertaken by the Parties and stakeholders to promote public access to information on emissions using electronic information tools, capacity-building and environmental education, and encouraged other Parties to implement similar initiatives and partner organizations to support them.

C. Provision of information to the public authorities by third parties

26. Opening the discussion on the item, the Chair highlighted the relevant obligations set out in article 5 of the Convention, the implementation of which should be underpinned by measures to improve the flow of information from third parties on the environmental, health and safety impact of their activities and products using modern and emerging digital technologies routinely and in case of emergencies. That approach was particularly important for establishing effective multi-hazard early warning systems capable of providing the public with understandable and actionable warning messages to prevent or mitigate harm to human health and the environment.

27. A representative of the European Investment Bank shared experiences in proactive disclosure of documents and communication with third parties. Access to documents was guided by the Bank's Group Transparency Policy, which was based on principles of non-discrimination and equal treatment and presumption of disclosure. The Bank's Public Register contained documents prepared by the Bank and project-related environmental information received from third parties, whose environmental performance obligations were determined by the Bank's environmental and social standards, including on resource efficiency and pollution prevention. In particular, promoters should have control measures in place to ensure prevention of, preparedness for and adequate response to major accidents. In the case of accidents, near-misses, dangerous occurrences, breaches of relevant health and safety legislation, injuries, permanent disability, ill-health, or fatalities occurring in relation

to projects, promoters should investigate, document and analyse the findings and take due actions to prevent reoccurrence. Furthermore, the Bank had established an environmental management scheme in accordance with the European Union Eco-management and Audit Scheme. Accordingly, the Bank communicated to third parties its sustainable purchasing, green procurement, health and safety commitments, as well as the established operating procedure for managing communication with third parties.

28. A representative of a supply chain traceability and transparency platform spoke about the potential and challenges of employing digital technologies for monitoring product sustainability and environmental performance throughout the value chain. On the one hand, consumer trust in products suffered due to insufficient transparency in supply chains and product information. On the other hand, an increasing number of countries had set out regulatory requirements to proof the end-to-end due diligence of supply chains. Consequently, global companies were compelled to enhance transparency in order to demonstrate compliance, support their environmental, social and governance framework, avoid exposure to irresponsible practices of suppliers and differentiate themselves in the market. To support those trends and facilitate business-to-business and business-to-consumer communication, blockchain technology was leveraged to connect suppliers, collect data, enable control and analysis, and generate digital product passports. The speaker provided case studies demonstrating how the platform worked. However, further measures were needed to overcome business actors' reluctance to share data by increasing digital awareness, promoting digital product passports, and establishing fair incentives to promote transparency in supply chains and product information.

29. A representative of the European ECO-Forum/Pokret Tvrđava highlighted challenges in access to public information concerning air quality and emissions from a steel plant in the town of Smederevo (Serbia). Community concerns had escalated following a significant increase in exposure to emissions from the steel plant, allegedly after its acquisition by a Chinese investor and its subsidiary registered in Serbia, and following an explosion at the plant in March 2023. Additionally, a reported surge in the number of cases of cancer within the town had prompted public interest in obtaining further details regarding the emissions from both public authorities and the plant operator. Despite the legal framework in Serbia guaranteeing public access to environmental information, the presence of an air quality monitoring station in the town and the existence of a pollutant release and transfer register, the requests for information on emissions remained unanswered by the component public authorities and the plant operator. The public authorities were called on to take immediate measures to ensure: transparency and effective public access to information on emissions and pollution levels upon request; and the regular updating of the pollutant release and transfer register by operators.

30. Representatives of Canada shared their experience in managing the National Pollutant Release Inventory[6] to promote transparency and accountability of industrial facilities. They stressed the importance of industry actors reporting complete and accurate information to the Inventory, which served as Canada's pollutant release and transfer register. The speakers also emphasized the benefits of compliance promotion activities to address identified data gaps and enforcement mechanisms to deter non-compliance. Single Window,[7] a key component of the Environment and Climate Change Canada reporting system, supported interoperability of the Inventory with other reporting programmes. Currently used by 24 partners, Single Window integrated information and data through federal and provincial reporting programmes, including the Inventory, into one streamlined system. This enabled users to explore linkages to other national datasets, including the Greenhouse Gas Reporting Program and the Canadian Nuclear Safety Commission on radionuclides. Canada also shared its support for international reporting and harmonization through the Commission for Environmental Cooperation North American Pollutant Release and Transfer Register initiative.

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[6] See www.canada.ca/en/services/environment/pollution-waste-management/national-pollutant-release-inventory.html .

[7] See www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/report.html .

31.   A representative of Bosnia and Herzegovina highlighted that the right to access to information remained crucial for fostering democracy, accountability and transparency within public authorities. Although a law on freedom of access to information, which had undergone amendments over the years, was in place in the country, challenges persisted in its application, including issues related to accessing information from third parties and seeking legal remedies in cases of obstruction. Efforts to strengthen access to information included proposed changes to legislation aimed at supporting and protecting environmental defenders, thereby enhancing transparency and public participation in decision-making processes.

32.   In the subsequent discussion, participants highlighted challenges in collecting data and information concerning the environmental impacts of activities managed by foreign investors from non-Parties to the Convention and public access to that information.

33.   The Task Force then:

         (a)   Thanked the speakers and took note of challenges, lessons learned and good practices, as presented by the speakers;

         (b)   Highlighted the importance of effective mandatory systems ensuring an adequate flow of information to public authorities about proposed and existing activities that might significantly affect the environment routinely and in the case of imminent threat to human health and the environment;

         (c)   Noted that such mandatory systems should be regularly reviewed to: meet the needs of evidence-based decision-making and policy development relating to environmental matters; enhance early notification measures; support measurement and reporting of progress towards the achievement of relevant internationally and nationally agreed goals and targets; identify emerging environmental risks and vulnerabilities; support a multi-hazard early warning system; and promote environmental awareness among the public and other stakeholders;

         (d)   Welcomed initiatives of Parties and stakeholders to promote effective public records systems and transparency and traceability of environment-related product information;

         (e)   Called on Parties to establish clear legal obligations for third parties, including foreign investors, to provide environmental information to public authorities, effective enforcement mechanisms and sanctions for non-compliance, and incentives to inform public authorities and the public about the environmental impacts of their activities and products throughout the life cycles;

         (f)   Decided to continue the exchange of information regarding developments in legislation and practice concerning the establishment of mandatory systems ensuring the adequate flow of information to public authorities.

IV.   Stocktaking of recent and upcoming developments

34.   In a discussion on recent and upcoming developments, participants shared their experiences regarding implementation of the Updated recommendations on the more effective use of electronic information tools (ECE/MP.PP/2021/2/Add.2) adopted by the Meeting of the Parties at its seventh session (Geneva, 18–21 October 2021) through decision VII/1.

35.   A representative of Albania highlighted the country's commitment to transparency and digital transformation through its adoption of the respective legal framework, approval of digital policies and establishment of the e-Albania portal. The portal, designed to offer e-services, was linked to the Governmental Interoperability Platform, facilitating the interconnection of electronic registers, and enabling real-time data and document exchange. The e-Albania portal offered various environmental services, including applications for environmental impact assessment, applications for unique codes for waste transfer and environmental permits for hazardous activities. The Ministry of Tourism and Environment website provided online access to reports, bulletins, legislation, organizational matters and

other information relevant to its functions. Albania had also established a unique portal[8] for public consultations during the preparation of legislation, plans, programmes and strategies, the adoption of which depended on proper documentation and addressing the outcomes of public consultations through the portal. Efforts were underway to improve environmental reporting in Albania, focusing on establishing a national environmental information management and monitoring system, along with a pollutant release and transfer register.

36.   A representative of Kazakhstan presented developments related to a national environmental portal[9] and modern digital solutions to promote environmental transparency in decision-making in the country. The environmental portal served as a national node for the Aarhus Clearinghouse and encompassed a new module granting access to announcements, of, protocols on and video recordings of public hearings. The portal was reinforced by the national databank on the state of the environment and natural resources, which included cadastres, automated monitoring systems, environmental impact assessments and public hearings, environmental inspection documents and an interactive map. The map depicted the locations of public hearings, secondary raw materials reception points, waste disposal sites and other pertinent information. Digitalization of environmental information collection and management had proved to be a worthwhile investment and enabled the broadening of the publication of environmental information as open data, using the "single window" principle, real-time collection and analysis of data, and the enhancement of environmental safety and preparedness for adverse events.

37.   A representative of Aarhus Centre Yerevan shared experience regarding collection, processing, analysis and dissemination of environmental monitoring data and information in Armenia. The website[10] of the "Hydrometeorology and Monitoring Centre" of the Ministry of Environment of Armenia provided access to information regarding the state and monitoring of the air and atmosphere, surface waters and groundwater, forests and soils, climate analysis, and management of hazardous wastes. It also included a page about the Aarhus Centre, with information related to the work under the Convention,[11] which could also serve as a national node for the Aarhus Clearinghouse. EcoPortal Armenia,[12] supported by several public authorities and institutions, was currently under development to incorporate data, information and assessments on water resources of the country, notably focusing on Lake Sevan. Further development of the national environmental information system would take into account the Updated recommendations on the more effective use of electronic information tools, including with regard to the development of portals, open data, mobile applications and short message service notifications.

38.   A representative of the European ECO-Forum/European Environmental Bureau/ European Citizen Science Association provided insights into the latest developments in the use of citizen science data for addressing pressing environmental challenges, collecting crucial environmental information, and supporting the achievement of the Sustainable Development Goals. In recent years, significant efforts had been made to identify relevant Sustainable Development Goal indicators that could benefit from citizen science input. For example, a case study in Ghana showcased the potential of citizen science in monitoring Tier II indicator 14.1.1.b (plastic debris density). Moreover, citizen science also could enhance the enforcement of environmental laws[13] and furnish evidence during investigations and legal proceedings related to environmental cases. While interest in the use of citizen science was growing in many countries, legal and policy frameworks in that area were still evolving. To facilitate the exchange of experience, good practices and lessons learned, the European Union had conducted a mutual learning exercise[14] on citizen science initiatives and supported the establishment of a platform[15] to share, initiate and learn about citizen science in Europe.

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[8]   See https://konsultimipublik.gov.al/ .

[9]   See https://ecoportal.kz/ .

[10]   See www.meteomonitoring.am/ .

[11]   See http://meteomonitoring.am/page/965 .

[12]   See ecoportal.am/wp/home/ .

[13]   See https://joint-research-centre.ec.europa.eu/scientific-activities-z/innovations-public-governance/civic-monitoring-environmental-enforcement_en .

[14]   See https://projects.research-and-innovation.ec.europa.eu/en/statistics/policy-support-facility/psf-challenge/mutual-learning-exercise-citizen-science-initiatives-policy-and-practice .

[15]   See https://eu-citizen.science/ .

39.   In the subsequent discussion, a representative of the European ECO-Forum expressed concern over the impact of the ongoing war launched by the Russian Federation against Ukraine on the issue of transparency regarding environmental matters, in particular online access to the environmental impact assessment register in Ukraine.

40.   Following the discussion, the Task Force:

(a)   Thanked the speakers and noted the work undertaken to implement the Updated recommendations on the more effective use of electronic information tools (ECE/MP.PP/2021/2/Add.2);

(b)   Welcomed the initiatives by the Parties and stakeholders to modernize nationwide digital environmental information systems and the use of citizen science data in accordance with the above-mentioned Updated recommendations;

(c)   Encouraged Parties to use and further develop existing schemes for the transfer of technology and expertise through bilateral and multilateral projects or partnerships to digitalize environmental information systems and promote digital inclusion, especially in remote areas, and gender and intergenerational equality;

(d)   Thanked the Parties that had designated national nodes for the Aarhus Clearinghouse[16] and requested other Parties to inform the secretariat about progress in that regard;

(e)   Requested Parties to submit new and update existing case studies on electronic information tools;[17]

(f)   Decided to continue the exchange of information regarding the implementation of the Updated recommendations on the more effective use of electronic information tools, and called on Parties to report on progress through the Convention's reporting mechanism and the Aarhus Clearinghouse.

V.   Activities under other international forums

41.   The Chair invited the representatives of other international forums to share information about their activities to promote public access to environmental information and the transparency of public authorities on environmental matters and to explore opportunities for building synergies. She highlighted that implementation of the information pillar of the Convention could support the achievement of the environmental dimension of target 16.10 of the Sustainable Development Goals (ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements), which was subject to in-depth review in 2024.

42.   A representative of UNESCO provided an overview of the organization's work in promoting access to information and freedom of expression. Emphasizing the pivotal role of UNESCO as the custodian organization for Sustainable Development Goal indicator 16.10.2, the speaker highlighted the significant progress made in adopting and implementing right to information laws in 137 countries. To collect the necessary data for that indicator, a survey comprising eight questions, including subquestions, was regularly circulated to countries. Notably, the upcoming survey would include a subquestion related to access to environmental information. Furthermore, UNESCO also promoted cooperation and provided training to information commissioners, law enforcement officials and judicial actors in different regions to enhance the enforcement of the right to access to information. World Press Freedom Day 2024 (Santiago, 3–4 May)[18] would be dedicated to acknowledging the importance of freedom of expression and access to information in order to face the environmental crisis and to promote sustainable development. That event presented a valuable opportunity to promote synergies with the work undertaken under the auspices of the Aarhus Convention.

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[16]   See https://aarhusclearinghouse.unece.org/national-nodes .
[17]   See https://unece.org/env/pp/eit-case-studies .
[18]   See www.unesco.org/en/days/press-freedom .

43.   A representative of the Office of the United Nations High Commissioner for Human Rights (OHCHR) presented key relevant provisions of the Convention on the Rights of the Child, its organizational structure and its pertinent work. Drawing attention to Committee on the Rights of the Child General Comment No. 26 (2023)[19] on children's rights and the environment, with a special focus on climate change, the speaker emphasized the timeliness of the Committee's authoritative guidance, which had been prepared through an extensive consultation process. The General Comment affirmed the child's right to a clean, healthy and sustainable environment and explained how children's rights, under the Convention, should apply to environmental protection, thus empowering children to fully exercise their rights. In particular, the General Comment stated that: "Procedural elements, including access to information, participation in decision-making and child-friendly access to justice, with effective remedies, have equal importance to the empowerment of children, including through education, to become agents of their own destiny."[20] The General Comment also stressed the importance of the child's right to access to accurate and reliable environmental information, highlighting the obligation of States to ensure accessibility of environmental information through dissemination methods appropriate to children's age and capacities. States should also encourage the media to disseminate accurate information regarding the environment accordingly. Building upon the insights provided by the General Comment and harnessing the synergies with the Aarhus Convention, Parties and stakeholders were encouraged to advocate for children's rights-based access to environmental information, monitor the progress of its implementation, and actively involve children in decision-making processes concerning environmental issues.

44.   In the subsequent discussion, the participants discussed the need to enhance child education on climate change mitigation and adaptation and the potential role of Aarhus Centres in that area.

45.   The Task Force then:

(a)   Expressed its appreciation to the representatives of UNESCO and OHCHR for reporting on the relevant activities related to access to information and invited them to explore potential opportunities for synergies with the activities under the Aarhus Convention in promoting public access to environmental information;

(b)   Welcomed the exchange of information on recent and upcoming activities with regard to the implementation, measurement and monitoring of progress towards Sustainable Development Goal target 16.10 (ensure public access to information and protect fundamental freedoms);

(c)   Highlighted that measures adopted by countries to implement Sustainable Development Goal target 16.10 could support progress towards other environment-related Sustainable Development Goals and targets;

(d)   Welcomed the adoption of General Comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change (CRC/C/GC/26) by the Committee on the Rights of the Child under the Convention on the Rights of the Child;

(e)   Encouraged Parties to develop a child-friendly version of the Aarhus Convention;

(f)   Encouraged Parties to ensure that access to environmental information, including health-related information on pollution, was guaranteed in child-friendly formats;

(g)   Invited Parties to consider the establishment of child and youth advisory councils tied to national ministries or Aarhus Centres, and urged all Parties to mandate the integration of information on environmental rights, climate change mitigation and adaptation measures into environmental education within school curricula;

(h)   Called on respective Parties, other interested States, Aarhus Centres and other stakeholders to take additional measures to promote environmental education and awareness-

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[19] CRC/C/GC/26, available from https://www.ohchr.org/en/documents/general-comments-and-recommendations/crccgc26-general-comment-no-26-2023-childrens-rights .

[20] Ibid., para. 66.

raising and advance the fulfilment of the right of children to access to environmental information in accordance with the Aarhus Convention and the Convention on the Rights of the Child;

(i)   Encouraged Parties to collect relevant data and information regarding public access to environmental information (e.g., statistics available on the number of requests made, the number of refusals and the reasons for such refusals) and to provide the respective information in the national implementation reports (Question IX) for the 2025 reporting cycle.

VI.   Key outcomes and closure of the meeting

46.   The Task Force requested the secretariat, in consultation with the Chair, to finalize the report and incorporate the agreed key outcomes as presented by the Chair at the meeting (AC/TF.AI-8/Inf.3). The Chair thanked the speakers, the participants, the secretariat and the interpreters, and closed the meeting

Annex

International workshop "Advancing public access to environment-related product information: Challenges and opportunities"

Chair's summary

Introduction

1.   The eighth meeting of the Task Force on Access to Information (Geneva, 9–10 November 2023) featured an international workshop entitled "Advancing public access to environment-related product information: Challenges and opportunities", organized in cooperation with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), the United Nations Environment Programme (UNEP), the One Planet Network and the European Environment Agency in Geneva, on 9 November 2023. The event was organized pursuant to decision VII/1 on promoting effective access to information of the Meeting of the Parties to the United Nations Economic Commission for Europe (ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) (ECE/MP.PP/2021/2/Add.1).

2.   The international workshop was chaired by Ms. Iordanca-Rodica Iordanov (Republic of Moldova), the Chair of the Task Force on Access to Information.

3.   Opening the workshop, the Chair underscored the pivotal role of information in shaping consumer choices. Heightened environmental concerns and increased public awareness of environmental matters were driving a shift towards more environment-friendly choices. The Director of the ECE Environment Division highlighted that ECE, together with partner organizations, provided a number of tools and platforms that could facilitate the widespread transition to green, circular and digital economy and sustainable use of natural resources. The Director of the ECE Economic Cooperation and Trade Division underscored the low level of transparency of global value chains and the potential of advanced digital technologies to increase trust in products and materials, enhance business-to-business and business-to-consumer communication, and improve access to reliable information on compliance with regulatory requirements, especially for developing economies and economies in transition. The Director of the One Planet Network, UNEP, emphasized the huge potential of emerging technologies such as artificial intelligence and blockchain for enhancing the traceability and management of materials, resources and components across supply chains so that positive environmental interventions could take place, and consumers could be better informed to make sustainable consumption choices. He also highlighted progress in establishing the first Government-backed regional eco-label in Latin America and the Caribbean.

4.   The meeting further addressed challenges and opportunities in advancing public access to environment-related product information, including legal and policy developments, the use of product passports and other digital tools, means to encourage operators to inform the public and measures against greenwashing.

I.   Legal and policy developments in access to environment-related product information

5.   Through their legal and policy frameworks, States should effectively address the critical challenges of continuously increasing pressures on the environment and people linked to pollution, climate change and biodiversity crises. Those challenges were often driven by unsustainable consumption and production (e.g., chemicals in textile products). Information had become a pivotal factor in shaping consumer choices. Simultaneously, the ongoing digital transformation presented opportunities to inform consumers and enhance transparency

on a level playing field. However, the prevalence of deceptive environmental claims, commonly referred to as "greenwashing", remained a cause for concern.

6.   The Aarhus Convention provided Parties with a first international legally binding and valuable tool to advance the transparency of product information. Specifically, in accordance with article 5 of the Convention, Parties were obligated to establish mechanisms that ensured the availability of sufficient product information to the public, enabling consumers to make informed environmental choices. Furthermore, Parties were prompted to encourage operators whose activities and products had a significant impact on the environment to inform the public regularly of said impact, where appropriate within the framework of voluntary eco-labelling, eco-auditing schemes, or by other means.

7.   The effective implementation of article 5 (6) and (8) of the Convention remained essential for attaining many Sustainable Development Goals, in particular Goals 12 (sustainable consumption and production) and 16 (peace, justice and strong institutions), and supporting the transition towards green, circular and digital economy.

8.   Through the 2021 national implementation reports, most Parties to the Aarhus Convention had reported on advancing the application of their legislative and regulatory frameworks for implementing the above-mentioned obligations, as reflected in information document AC/TF.AI-8/Inf.2. Given that legal and policy changes in that area were continuously evolving, the Parties were encouraged to report new developments in the 2025 national implementation reports.

9.   A new proposal for the European Union Eco-design for Sustainable Products Regulation[1] aimed at extending an eco-design approach to a wider range of products, clarifying existing obligations, introducing horizontal product requirements in addition to product-specific ones, and increasing focus on product information. Key aspects of eco-design of products would include durability, reliability, reusability, upgradability, reparability, possibility of maintenance and refurbishment, presence of substances of concern, energy use or energy efficiency, resource use or resource efficiency, recycled content, possibility of remanufacturing and recycling, possibility of recovery of materials, environmental impacts, including carbon and environmental footprints, and expected generation of waste materials. The Regulation would enable green public procurement and prevention of destruction of unsold consumer goods, as well as introducing market surveillance and customs controls.

10.   Several international standards and guidelines – including the UNEP/ITC Guidelines for Providing Product Sustainability Information,[2] the UNEP Guidance on providing voluntary chemical-related sustainability information for products,[3] the United Nations Guidelines for Consumer Protection[4] and ECE Policy Recommendation No. 46 on enhancing traceability and transparency of sustainable value chains in the garment and footwear sector[5] –also facilitated the work in advancing access to environment-related product information. ITC provided access to the Standards Map database,[6] with more than 300 sustainability standards, codes of conduct and audit protocols.

11.   Civil society initiatives such as the Fashion Transparency Index[7] were also instrumental in identifying challenges in public access to environment-related product information and monitoring of industry transparency initiatives to be further addressed through legal and policy frameworks.

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[1] See https://commission.europa.eu/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/sustainable-products/ecodesign-sustainable-products-regulation_en .

[2] See https://wedocs.unep.org/handle/20.500.11822/22395 .

[3] See www.oneplanetnetwork.org/knowledge-centre/resources/communicating-product-sustainability-information-related-chemicals .

[4] See https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection .

[5] See https://thesustainabilitypledge.org/toolbox.html .

[6] See https://standardsmap.org/en/home .

[7] See www.fashionrevolution.org/about/transparency/ .

12.   Further measures should be taken to ensure effective communication of product sustainability information related to chemicals.

13.   The discussion helped to identify several legislative and other measures required to address existing challenges and further promote effective public access to environment-related product information. Those measures related to special awareness-raising, education and trainings programmes, establishing digital product passports and other digital tools, adjusting nationwide digital environmental information systems, promoting eco-labelling, eco-audit and green public procurement schemes, introducing legal requirements for green claims based on a life cycle approach, strengthening legal sanctions, investigation into unfair competition, promoting collective redress and adopting other measures against greenwashing.

14.   The European Union intended to launch a digital product passport system designed to be potentially used by any legislation that would require the provision of digital information. By February 2027, the first digital product passports for e-vehicle batteries should be operational and the respective legal framework would be enforceable. The system would include digital product passport registry, standards and protocols to be developed horizontally for all product groups and types of legislation. Identified through the dedicated legislation, information in the digital product passport would be product-group specific (e.g., technical performance, environmental sustainability performance, circularity performance, legal compliance and product-related information) with three levels of granularity (model, batch and item). The system would be based on a decentralized approach to data storage, accessible through a data carrier and linked to existing data already provided digitally whenever technically possible.

15.   Further standardization, preferably at the international level, regarding the use of digital product passports and other digital tools, would be required to overcome existing barriers and promote trade in green products. Harmonized standards to support the implementation of the digital product passport system should cover unique identifiers, data carriers and links between physical product and digital representation, access rights and confidentiality management, information security, interoperability, data processing, exchange protocols, formats, storage, archiving, persistence, authentication, reliability and integrity, as well as an application programming interface for digital product passport life cycle management and searchability.

II.   Product passports and other digital tools to enhance transparency, traceability and monitoring

16.   The session took stock of experiences in developing digital product passports and other digital tools to enhance transparency, traceability and monitoring of product environmental performance. The participants shared case studies and identified current trends, lessons learned and measures to promote such tools.

17.   While an increasing number of consumers receptive to environmental claims and of product environmental claims or labels themselves were reported in several studies, the majority of consumers still found it difficult to trust provided product information and make environmentally friendly choices. Thus, measures promoting traceability and monitoring of product environmental performance remained crucial.

18.   Nationwide digital environmental information systems could play a crucial role in promoting transparency of product information, sustainable consumption and production and the transition towards circular economy. Such a transition should cover safe and sustainable product design, efficient production, sustainable consumption, longer and better use of products and increased use of secondary raw materials derived from waste.

19.   The Updated recommendations on the more effective use of electronic information tools (ECE/MP.PP/2021/2/Add.1) supported the above-mentioned work by urging Parties to make publicly accessible, preferably through a one-stop web access point, environment-related product-specific data and information, such as those on material and energy efficiency, toxicity, material composition, durability, environmental impact, repairability and

recycling, to enable consumers as well as other actors in value chains (e.g., market surveillance and waste management) to improve their environmental performance. Examples included product databases, digital product passports, eco-labelling, energy efficiency and eco-auditing schemes and environmental product declarations.

20. Some Parties had already reported on the extended scope of national digital environmental information systems for raising awareness of cleaner manufacturing, eco-design, environmentally friendly public procurement, sharing-economy models, product service systems and sustainable lifestyles (see AC/TF.AI-8/Inf.2).

21. Having potential in promoting a circular economy, the development of a digital product passport was already reflected in several European Union legal and policy documents and ongoing initiatives carried out by the European Environment Agency and other organizations. The product passport might represent an electronically recorded and processed set of data specific to a product regarding its durability, reparability, recycled content, or the availability of spare parts. Being static or dynamic, it could be made easily accessible to various actors across the value chain by scanning a data carrier. Digital product passport information could help to make informed decisions, support product maintenance and repairability and facilitate recycling and monitoring of product environmental performance throughout the value chain. Further work in that area should overcome several barriers related to data accessibility and confidentiality, data quality, harmonization and governance.

22. Legal and institutional frameworks for providing access to environmental information had been established in North Macedonia and the country was further improving a national environmental information system capable of supporting monitoring, processing, reporting and dissemination of all environmental data tailored to the needs of different users. The system provided access to air quality monitoring data, water information, environmental indicators and statistics, reports on the state of the environment, legislation and policy frameworks.

23. Despite the war launched by the Russian Federation against Ukraine, in order to widen public access to environmental information, Ukraine had continued to develop a national environmental information system by introducing a mobile application providing information about air, water and radiation pollution and establishing a pollutant release and transfer register. The country was also interested in implementing a digital product passport system integrating information related to eco-labelling and was committed to restoration efforts meeting environmental standards. For example, Buchansky Lyceum No. 9, rebuilt in 2023, was the first certified institution to meet the necessary requirements in using environmentally certified construction materials, installing all energy-consuming devices meeting the requirements for eco-design and eco-labelling standards and establishing an effective waste collection system.

24. Armenia had established an online platform to promote transparency regarding ownership in the mining sector, which was a valuable source of information for journalists and non-governmental organizations (NGOs) covering relevant environment-related issues. The Freedom of Information Centre of Armenia had examined progress in ownership transparency reform in the country, identified challenges and called for action to address existing technical issues, increase user feedback in the platform upgrade and establish effective data verification mechanisms.

25. To improve national environmental information systems overall, further measures should focus on developing comprehensive monitoring networks for all environmental media, improving quality assurance of environmental and product data and information, securing human resources, building their capacities and sustainable financial allocations, and providing effective reporting and communication.

26. The public would benefit from harnessing the potential of digital product passports that could harmonize different labelling schemes, promote durability, repairability, recyclability, environmental performance, transparency in the use of hazardous substances, energy use efficiency and social data related to due diligence and fair-trade certification.

27.   Those new developments highlighted the need to ensure that the nationwide digital environmental information systems of the Parties to the Aarhus Convention were prepared to harness the potential of digital product passports and related big data.

28.   Opportunities for further work to promote a harmonized approach to digital product passports by developing a new protocol to the Convention, or an amendment to the Protocol on Pollutant Release and Transfer Registers or recommendations were raised by NGOs. They proposed that Parties to the Convention leading the work in that area could be recognized as champions of "a product passport initiative". NGOs noted that those suggestions would allow Parties to promote green product markets and become leaders in the transition towards green, circular and digital economy.

III.   Means to encourage operators to inform the public

29.   During the session, the participants discussed the application of various means to encourage operators to inform the public within the framework of eco-labelling, eco-auditing, environmental, social and governance solutions or by other means, as provided for in article 5 (8) of the Aarhus Convention.

30.   International initiatives had proved to be instrumental in encouraging operators to implement sustainable environmental, social and governance frameworks for their activities having a significant impact on the environment and to inform the public regularly about said impact. In particular, the ECE Economic Cooperation and Trade Division, UN/CEFACT and key stakeholders had launched a project for an international framework initiative to enhance transparency and traceability for sustainable value chains in the garment and footwear industry.[8] The initiative had resulted in the creation of a toolbox that included policy recommendations, traceability and transparency information exchange standards, blockchain pilot use cases, capacity-building and an ongoing call for action to submit a sustainability pledge.

31.   Most Parties also continued to encourage operators to inform the public regularly of the environmental impact of their activities and products, where appropriate within the framework of voluntary eco-labelling, organic labelling or eco-auditing schemes, or by other means.

32.   Efforts had continued in Serbia to inform consumers about the environmental impact of products and business activities by promoting eco-labelling, eco-certification of tourist facilities, environmental rating of mobile telephones, the pollutant release and transfer register and the national register of pollutant sources. The Serbian eco-label covered 26 product groups based on 26 criteria and could only be awarded to products made in the country. The system did not cover food and beverages, agricultural and other products obtained in accordance with the regulations related to organic production, pharmaceutical products and medical equipment. Experience showed that the national eco-labelling scheme should be supported by the continuous raising of consumer awareness about its advantages, the increased competitiveness of businesses awarded the label, and its connection to the public procurement system. Product-related information from the established pollution and polluters registers could also be used to support verification of environmental claims. The lessons learned included the importance of flexibility in managing the national eco-labelling scheme through, for example, public-private partnership, the need to adjust criteria for tourist accommodation and the use of new digital technologies for widening access to environmental data on sources and levels of pollution.

33.   In Italy, the Eco-management and Auditing Scheme environmental certification, overseen by the EcoLabel-EcoAudit Committee, acknowledged organizations for their consistent environmental improvement, meeting environmental performance standards and pollution prevention efforts over three-year cycles. The Italian Institute for Environmental Protection and Research supported the Committee by providing technical assistance and maintaining a list of qualified environmental verifiers. Training programmes offered by nationally recognized Eco-management and Auditing Scheme and EcoLabel schools helped

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8   See https://unece.org/trade/traceability-sustainable-garment-and-footwear .

equip professionals to assist small and medium enterprises in complying with the European Union Eco-management and Audit Scheme Regulation[9] and obtaining the European Union Eco-label, fostering environmental education and information through events and initiatives.

34. Aarhus Centres and NGOs promoting environmental and consumer protection could also play a crucial role in promoting eco-labelling and awareness-raising of the public regarding sustainable consumption and production.

35. In Georgia, a new legal framework related to sustainable public procurement would enter into force in 2025. The Environmental Information and Education Centre (the Aarhus Centre Georgia) had developed several assessments and information materials and carried out multi-stakeholder training sessions and workshops for competent public authorities, business operators at all levels, NGOs, students and other stakeholders to promote eco-labelling, sustainable public procurement schemes and other important topics supporting the transition towards green and circular economy. That work was underpinned by the further development of a nationwide environmental information portal[10] and improved access to information on public hearings.[11]

36. Ukraine had gradually developed legal and institutional frameworks and training programmes to promote a State organic product labelling scheme following the standards and experience of the European Union. The process had been initiated by NGOs in autumn 2014 under the aegis of the Ministry of Agrarian Policy and Food of Ukraine, with an open competition to develop a logo for labelling certified organic products. By September 2023, the organic product labelling system had engaged a steadily growing number of participating companies and products, despite the adverse impact on organic agricultural areas and challenges faced by producers due to the war against Ukraine launched by the Russian Federation. However, that process underlined the importance of engaging all possible stakeholders in the legal and policy process of establishing a labelling scheme, following European Union and international standards in that field, transparency and awareness-raising, international cooperation and donor support and the required support for organic producers, especially during wartime.

37. Kyrgyzstan had also recently developed a legal and institutional framework for organic production and its labelling. It remained important to increase awareness of the new system among the public and farmers. Thus, NGOs supported increasing farmers' awareness of organic production and environmental protection, monitoring of consumer behaviour in terms of purchasing certified organic and other products and trust in the labelling system, improving traceability of environmental performance, promoting public awareness-raising and training sessions. Further measures were also foreseen to widen public access to information and knowledge about organic agriculture.

38. In Hungary, the Association of Conscious Consumers promoted sustainable lifestyle choices and facilitated behavioural change through campaigns, information dissemination and product testing, reaching approximately 650,000 users annually. Additionally, the Association supported local, sustainable and fair food supply chains through community-supported agriculture and other local, solidarity-based food systems under which farmers and consumers provided mutual support and shared risks and benefits of food production. Regular training sessions helped those communities to operate, enabling farmers to start their own initiatives, maintain long-term financial sustainability, and educate engaged consumers for more democratic participation in their food communities.

39. The participants furthermore underscored the benefits of promoting environmental awareness and education among the public, especially children, youth and other groups with special needs. Access to sufficient product information in that regard was critical in enabling those consumers to make informed environmental choices and in supporting sustainable consumption and production.

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[9] Available at https://eur-lex.europa.eu/eli/reg/2009/1221/oj .
[10] See https://ei.gov.ge/ .
[11] See https://eiec.gov.ge/ .

IV. Green claims and measures against greenwashing

40. To promote the attainment of Sustainable Development Goal 12 (sustainable consumption and production) and the transition towards green, circular and digital economy, green claims and measures could play a pivotal role in shaping consumer choices, corporate value chains and regulatory frameworks. As environmental concerns continued to grow, consumers were seeking products and services that aligned with their environmental awareness and values, while businesses strove to showcase their commitment to environmental protection. However, international organizations, public authorities, NGOs and consumers remained concerned at increasing greenwashing whereby businesses misrepresented the environmental benefits or footprint of their products or services. The majority of green claims found on products were vague, misleading and lacked evidence or reliable verification.

41. The report "Regulatory Frameworks to Combat Greenwashing",[12] released in 2023 by UNEP, the Consumer Information Programme of the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, with the International Climate Initiative and the Federal Ministry of the Environment, Nature Conservation, Nuclear Safety and Consumer Protection of Germany within the One Planet Network, focused on 11 studied countries across different regions. The countries had adopted different levels of legislation regulating environmental claims. General laws framing misleading or false claims could be complemented by non-binding interpretive guidance on environmental claims, forbidding the use of overly vague environmental assertions, banning the publicity of products the consumption of which damaged the environment or establishing mandatory sharing of products' environmental and sustainability attributes. To strengthen anti-greenwashing regulations, countries should raise the level of regulations suited to the national context, promote strong eco-labelling, facilitate access to companies' environment-related data and methodologies used, require claims to be based on a life cycle approach, strengthen national authorities to apply administrative sanctions, develop a structured, proportionate and diversified system of sanctions, and encourage inclusive multi-stakeholder participation. The One Planet Network, as a multi-stakeholder platform, continued to focus on provision of information on product sustainability, product life extension, Type I eco-labels and biodiversity communication.

42. The United Nations Guidelines for Consumer Protection[13] established principles for setting out the main characteristics of effective consumer protection legislation, enforcement institutions and redress systems and for assisting interested States Members of the United Nations in formulating and enforcing domestic and regional laws. Promoting sustainable consumption, the Guidelines encouraged Member States to provide consumers with access to information about the environmental impact of products and service, take measures regarding misleading environmental claims, and develop appropriate advertising codes and standards for the regulation and verification of environmental claims. As the focal point for competition and consumer protection policies, UNCTAD had developed the Consumer Protection World Map,[14] which provided an up-to-date and comprehensive picture of consumer protection worldwide, to identify trends, benchmarks and challenges and to inform discussion on future work. The information received demonstrated that sustainable consumption was increasingly addressed by countries through consumer protection law, policymaking powers, enforcement powers, cooperation agreements and education initiatives. Cooperation between public authorities responsible for competition, consumer protection and environmental policies could be beneficial in promoting anti-greenwashing measures.

43. The forthcoming ECE Guidelines on Sustainability Claims aimed to support the Sustainability Pledge initiative, which promoted traceability, transparency and circularity in

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[12] See www.oneplanetnetwork.org/knowledge-centre/resources/regulatory-frameworks-combat-greenwashing .

[13] See https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection .

[14] See https://unctad.org/topic/competition-and-consumer-protection/consumer-protection-map .

the garment and footwear sector. That work had become timely in the light of upcoming changes in European Union legislation addressing sustainability claims, challenges in regulating sustainability claims across different jurisdictions and the role of ECE in promoting compliance assurance. While the Guidelines would focus on business and policymakers, they would be also beneficial for consumers, NGOs and other stakeholders. The Guidelines would explain how to make sustainability claims covering economic, social and environmental dimensions by establishing a clear objective to set out the purpose of tracing, defining sustainability requirements to be met in order to achieve the purpose, identifying the traceable assets for the proposed claim, describing the proposed claim and defining the verification criteria. Guiding principles would include claim clarity, truthfulness, relevance, reliability and disclosure. Case studies had been used to test the approach employed in the Guidelines.

44.   To promote access to transparent and consistent product information and address greenwashing, Switzerland used general legal tools on unfair competition, foodstuffs or contract law, alongside voluntary tools provided by the Commission for Fairness as a non-governmental institution, self-regulating advertising and various recommendations by federal offices. In particular, Switzerland had established a legal requirement that all information relating to foodstuffs, consumer articles and cosmetics should correspond to the facts and their presentation, labelling and packaging should not mislead consumers. The Federal Council had also issued its position on greenwashing prevention in the financial sector and mandated a working group under the leadership of the Federal Department of Finance to examine how best to implement said position. Additionally, the Federal Office for the Environment had: published a study that defined quality requirements for environmental information about products and companies; helped to improve existing methodologies for calculating environmental footprint; and provided data and expertise for life cycle assessments.

45.   The United Kingdom of Great Britain and Northern Ireland promoted public access to product information and prevention of greenwashing through the Green Claims Code[15] and the Green Claims Code for Shoppers,[16] published by the Competition and Markets Authority in 2021 in alignment with other guidance by international bodies and other national consumer authorities worldwide. The Code, based on six principles, aimed to provide accurate information to consumers, guide businesses in complying with consumer protection laws, and foster confidence in the sharing of environmental information. Additionally, the Authority had carried out compliance reviews and enforcement action to ensure compliance with consumer law in environmental matters, and fostered international collaboration to promote a consistent approach to consumer protection and prevention of greenwashing across borders.

46.   The European Union had developed several important measures, including the Green Transition Directive,[17] the Green Claims Directive[18] and the European Union International Organization for Standardization (ISO) 14024 Type I Eco-label. The new measures addressed generic green claims, sustainability labels and rules when advertising future environmental performance. Those measures would promote information disclosure on products' durability and reparability and strengthen eco-labels and green claims verification. The measures were linked tighter to the European Eco-label, certification and verification requirements. Incorporating the public's input in developing product criteria, the European Union Eco-label had shown itself to be a reliable scheme promoting compliance with green claims and eco-design rules and having potential to support eco-modulation of extended producer responsibility fees.

47.   In North Macedonia, NGOs promoted the use of green public procurement by encouraging municipalities to implement green criteria in their procurement processes. While there was readiness to adopt green criteria among some municipalities, it remained crucial to combat greenwashing by carefully examining environmental claims of suppliers and

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[15]   See www.gov.uk/government/publications/green-claims-code-making-environmental-claims .

[16]   See www.gov.uk/government/publications/green-claims-code-for-shoppers .

[17]   Available at https://eur-lex.europa.eu/eli/dir/2024/825/oj .

[18]   Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A0166%3AFIN

promoting transparency, accountability and education to ensure the effectiveness of green procurement initiatives in North Macedonia and beyond.

48.   Participants highlighted the importance of spotting trends in product and services greenwashing claims, monitoring the effectiveness of the adopted measures, strengthening international cooperation and using capacity-building tools and technical assistance to the programme countries in the field in question based on forthcoming developments such as digital product passports, due diligence and other similar innovative measures, rather than on out-of-date legislation.

49.   Environmental awareness and education among the public, especially children and youth and other groups with special needs, and their access to sufficient product information in that regard were critical in preventing greenwashing and supporting sustainable consumption and production.

V.   Conclusions

50.   It was noted that the effective implementation of article 5 (6) and (8) of the Aarhus Convention remained essential for attaining Sustainable Development Goal 12 (sustainable consumption and production) and supporting the transition towards green, circular and digital economy.

51.   The participants highlighted the crucial value of sharing experiences, good practices and peer learning in promoting public access to environment-related product information, and welcomed the possibility to continue the discussion on those matters at the next meeting of the Task Force on Access to Information.

52.   The Chair thanked UN/CEFACT, UNEP, the One Planet Network and the European Environment Agency for their crucial support to the workshop, the outcomes of which would be included in the Chair's summary and reported to the Working Group of the Parties at its twenty-eighth meeting (Geneva, 2–4 July 2024).