Thank you Madame Chair

I talk on behalf of the Icelandic Environment Association, a national NGO in Iceland.

Iceland’s National implementation report is now for the first time reflected on in the Synthesis report. In 2014, our organization submitted an alternative report. This year, we did not. We, however, find ourselves in disagreement with Iceland on several issues reported by our country, despite our efforts to participate in the consultation process.

According to the Synthesis report, Iceland appears to be in full conformity with the Convention on access to justice issues, having established the Environmental and Natural Resources Board of Appeal, an impartial body. We strongly disagree with this as our experience in challenging large scale projects like electricity infrastructure and hotels in a Ramsar protected area tells us a different story.

Now. First, regarding Article 9(2) there is no possibility provided by Icelandic law for the impartial body to review acts and omissions challenged – the body can only review limited types of decisions. The EFTA Surveillance Authority, which is sort of the sister organization of the EU Commission, has in fact an ongoing infringement case against Iceland on the EU secondary legislation in relation to Article 9(2). We regret that this infringement is neither reflected in Iceland’s NIR nor in the Synthesis report, despite the fact that our organization specifically requested Iceland to report on this.

Second, regarding Articles 9(2) and (3), Iceland does not at all provide for a review procedure for NGOs before the courts. The interpretation of the courts on the legal standing of NGOs in cases covered by Article 6 of the Convention is clear. There is no standing. Clearly, access to justice for NGOs is not equivalent to access to justice for individuals considered to have interest. So, there is a breach in terms of equivalence and effectiveness. Iceland’s NIR and the Synthesis report do not reflect this at all.

At last, while our points regard access to justice, they bring up the question of effective and accurate reporting.

Thank you Madame Chair