

## **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

### **Task Force on Public Participation in Decision-Making**

#### **Eighth meeting**

Geneva, 8–9 October 2018

#### **Key outcomes**<sup>1</sup>

as agreed by the Task Force on Public Participation in Decision-making at its eighth meeting

#### **Item 1. Opening of the meeting and adoption of the agenda**

##### 1. The Task Force:

- a) Took note of the information provided by the Chair, including about the upcoming UNECE Regional Forum on Sustainable Development (March, 2019), which will be devoted to Sustainable Development Goal 16 along with other Goals. This will provide an opportunity to highlight the outcomes of the Task Force's work at the regional and global levels.
- b) Highlighted, in this regard, that the effective public participation in decision-making in environmental matters supports the achievement of Sustainable Development Goals and targets, in particular, target 16.7 (Ensure responsive, inclusive, participatory and representative decision-making at all levels) of Goal 16.
- c) Adopted the agenda as set out in the document AC/TF.PP-8/Inf.1.

#### **Item 2. Ensuring effective public participation**

##### 2. The Task Force

- a) Thanked the facilitator, Mr. Skrylnikov, and presenters, Mr. Cozzone, Ms. Liaska, Ms. Guillemot, Ms. Sierova, Ms. Malkova, Ms. Berglund, Ms. Dumitru, and Mr. Peev, and took note of the insights and examples shared by them in relation to the issue of effective public participation.
- b) Took note of issues addressed by speakers and participants, including:
  - i. On current trends, such as several Parties recently revised or in the process of revision of their legislation aimed at improving public participation procedures. Also, different practical tools and arrangements made in place to make the procedures more effective.

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

- ii. On existing challenges, such as the need to present information relevant for decision-making in a user-friendly way as to encourage broader public participation.
- c) Reiterated the need for Parties to ensure that practical arrangements for public participation procedures are designed in a way to ensure truly effective participation and allocate the required resources for this.
- d) Welcomed further steps taken by the Parties to establish online platforms for notification and access to all relevant information, which is critical for effective participation of the public in decision-making and called to continue sharing and learning from these experiences as to improve functionality of the portals.
- e) Highlighted the importance of involving the public in developing the above-mentioned platforms as to address the needs of different users.
- f) Highlighted, at the same time, the need for using other (non-digital) means for notification and access to information to overcome existing digital divide.
- g) Encouraged Parties, international organizations, Aarhus Centres and other stakeholders to initiate or continue trainings of public officials responsible for designing and carrying out procedures on public participation in decision-making, especially at the sub-national and local levels.

### **Item 3. Protection of persons exercising their rights in conformity with the provisions of the Convention**

#### 3. The Task Force:

- a) Thanked presenters, Mr. Ebbesson, Mr. Lador, Ms. Osleja, Mr. Isabaev, Mr. Williamson, Mr. Gaziyeu, Ms. Duer and Mr. Siarhei Mahonau, and took note of the insights, good practices, experiences and challenges shared by them.
- b) Took note of issues addressed by speakers and participants, including:
  - i. On serious situation regarding environmental rights defenders, and even their killing.
  - ii. On existing challenges, such as fear to report such cases, impunity and difficulty to uncover who are behind of ordering and conducting such acts.
  - iii. The crucial importance of establishing and maintaining safe and enabling environment that empowers members of the public to exercise their rights in conformity with the Convention.

- iv. Different mechanisms dealing with such cases established under the Office of the United Nations High Commissioner for Human Rights and the United Nations Environment Programme.
- v. The suggestion to consider establishing an arrangement under the Aarhus Convention that would allow for rapid reaction in such cases; and creating “environmental defenders shelters” in countries which are Parties to the Aarhus Convention.
- c) Underscored that lack of effective and inclusive public participation in decision-making on environmental matters can serve as a trigger of escalating potential conflicts.
- d) Called on Parties to review their legal frameworks and practical arrangements in line with the obligation of the Convention and to address other systemic challenges as reported by speakers to ensure that persons exercising their rights in conformity with the Convention’s provisions are not penalized, persecuted or harassed in any way for their involvement.
- e) Noted that the implementation of article 3, paragraph 8, of the Aarhus Convention could support the target 16.10 of Sustainable Development Goal 16 dedicated to the protection of fundamental freedoms.
- f) Called on Parties to continue efforts in raising awareness about the obligations under article 3, paragraph 8, of the Aarhus Convention among, in particular, officials of public authorities, law enforcement agencies, prosecutors, members of judiciary, providers of private security services and developers.
- g) Welcomed initiatives by Parties, Aarhus Centres, non-governmental organizations, international organizations and other stakeholders to promote safe, inclusive and effective participation of the public in decision-making without persecution and harassments, as reported by speakers, and invited them to raise further awareness and peer learning of these initiatives, as well as conduct trainings and other capacity building activities for relevant target groups.
- h) Invited Parties, non-governmental organizations, Aarhus Centres, international organizations and other stakeholders to further populate, disseminate and use the Aarhus Clearinghouse with systemic resources about initiatives, mechanisms and tools dedicated to the protection against persecution and harassment in order to facilitate knowledge exchange and peer-learning.

#### **Item 4. Thematic focus: chemicals- and product-related decision-making**

##### 4. The Task Force:

- a) Thanked presenters, Ms. Petkovic, Ms. Gokhelashvili and Ms. Stock, and took note of the experiences shared by them.

- b) Reiterated that effective public participation in chemicals- and product – related decision-making remains crucial to ensure environmental protection, safe management of chemicals and wastes and sustainable consumption and production.
- c) Took note of issues addressed by speakers and participants, including:
  - i. On current trends, such as several Parties recently revised or in the process of revision of their legislation and promoted synergy with other intentional instruments dealing with chemicals as to enhance public participation procedures in this field.
  - ii. On existing challenges, as the subject is highly complex and rather technical, there is a need to present information relevant for decision-making in a complete and comprehensive way, including on the composition of substances and their possible impact on the environment and health.
  - iii. On possible suggestions, to reach out and engage authorities responsible for health matter; and to initiate in countries a multistakeholder dialogue with the involvement of authorities and different stakeholders, including producers, researchers, NGOs, and health and environmental specialists.
- d) Underscored that transparency and public participation in chemicals- and product – related decision-making can support Governments’ efforts in implementing a number of Sustainable Development Goals, in particular, Goal16 (Peace, justice and strong institutions)and Goal 12 (Responsible Production and Consumption).
- e) Welcomed initiatives of Parties and stakeholders, as reported by speakers, to further promote transparency and public participation in chemicals- and product – related decision-making and called to continue sharing experience in this regard.
- f) Called on Parties to ensure that public participation in chemicals- and product – related decision-making is effectively provided in relation to all types of decision-making in accordance with articles 6,7 and 8 of the Aarhus Convention.

#### **Item 5.Maastricht Recommendations**

##### **5. The Task Force:**

- a) Thanked the presenter, Ms. Dauletyarova, and took note of the experiences shared by her in relation to the use of the Maastricht Recommendation on promoting effective public participation in decision making in environmental matters (Maastricht Recommendations) in Kazakhstan.
- b) Welcomed the initiatives in promoting the Maastricht Recommendations.

- c) Reiterated its call on Parties, international organizations, Aarhus Centres, and other stakeholders to further promote the application of the Maastricht Recommendations, translate them into national languages and provide the translations to the secretariat.
- d) Called on Parties, international organizations, Aarhus Centres, and other stakeholders to continue documenting good practices for Aarhus Good Practice database.

**Item 6. Any other business**

6. Participants exchanged views on how to measure effectiveness of public participation.

**Item 7. Closing**

7. The Task Force thanked the speakers for their useful presentations and participants for their important contributions, and agreed on the outcomes presented by the Chair at the meeting, which will be incorporated in the meeting report.

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