

28 November 2016

**21st Working Group of the Parties to the Aarhus Convention (WGP 21)
(Geneva, 4-6 April 2017)**

**Documents subject to consultation prior to the thirty-ninth Bureau meeting
1st round (13-14 December 2016)**

Draft decision on public participation in decision-making

Contribution by the EU and its Member States

The EU and its Member States would like to thank the Secretariat and especially the Bureau for preparing the draft decision on promoting effective public participation in decision-making.

We appreciate and welcome the development of the draft decision on promoting effective public participation in decision-making.

We also appreciate the work done by the Task Force so far on Public Participation in Decision-making.

We could support the draft decision on promoting effective public participation in decision-making, provided that this text be amended as follows:

1. In our view para 2 should be formulated in a more neutral way. We propose to include the words **"in a number of contracting parties"** between "Recognises the valuable role" and "of the Maastricht recommendations" and we also propose to replace the word "encourages" with "invites". This is due to provide consistency with paragraph 2 of decision V/2, in which the Parties took note of the Maastricht Recommendations.
2. At the end of the chapeau of para 11, we propose the same words as in para 14 letter a) the Draft decision on promoting effective access to justice, concretely: *"Requests the Task Force, subject to the availability of resources and taking into account, inter alia, the national implementation reports, the findings of the Compliance Committee of a systemic nature, other relevant assessments and the experiences of the public, to continue working to strengthen the implementation of the public participation provisions of the Convention, **with special attention to:**"*.
3. In para 11 letter a) we do not see the need to mention "monitoring". We propose to replace it by a formulation used in Decision V/2 and the suggested remaining text to read: *"gathering experiences from Parties and stakeholders regarding the application of the Maastricht Recommendations where it has been chosen to apply them"*.
4. In para 11 letter d) in accordance with the previous EU+MS contribution to the Draft elements of the work programme for 2018 – 2021 (ECE/MP.PP/WG.1/2016/7) we propose to include the word "that" between "ensuring" and "greater" and we also propose to delete the words at the end of the para beginning with "and the provision of feedback...", concretely: "and the provision of feedback on how the public's comments have been taken into account in the decisions;"



5. In the first part of para 11 letter e) we propose to delete the text referring to issues not tackled by the Task Force in the current intersessional period. The suggested remaining text to read: "In collaboration with relevant partner organizations, as appropriate, focus its deliberation on **the following** subjects, **in priority order**: public participation...".
 6. We welcome the suggestions for substantive issues to be given priority in the next intersessional period, taking into account, where appropriate, relevant parts of the Maastricht Recommendations.
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