

7 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 promoting effective public access to information

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 access to information.

We appreciate and welcome the development of the draft decision on promoting effective public access to information including the EU and its Member States proposed elements for the future work programme for 2018-2021.

We also appreciate the work done by the Task Force so far on Access to Information and for the identification of global, regional and sub-regional processes and good practices of relevance.

We could support the draft decision on promoting effective public access to information provided that the text be amended as follows:

1. In preamble we propose to add at the end of the sentence "*Recognising* that effective public access to environmental information is critical for the successful implementation of a number of Sustainable Development Goals and for supporting the work on a data revolution." the following words "**and is specifically targeted by SDG 16.10.**".
2. After para 2 we propose to add the following paragraph: "**Welcomes initiatives by Parties, Signatories, partner organizations, and other stakeholders to create single web access points, conceived to be user-friendly, that aggregate data and information resulting from different reliable sources.**"
3. In para 5 we propose to add the words "**the requirements of**". The suggested text to read: "...interpreted broadly in line with the requirements of the Convention...".
4. [In para 6, we propose to replace the phrase "maximum disclosure of information on emissions from all sources" by "... and disclosure of information on emissions in accordance with the Convention". The notion of "emissions into the environment" is not defined in the Convention.]¹
5. We propose to add in para 6 the word "**continuous**" (to keep under continuous review) to mark the importance of frequently assessing why certain information should be kept from the public and if these exceptions are still valid.

¹ This EU and its Member States proposal is preliminary and will be finalised in due course and in the light of the EU Court of Justice decision in Case C-673/13, to be delivered on 23 November 2016. The Court is expected to clarify a number of points that are essential for the EU+MS to finalise their proposal.

6. At the end of the chapeau of para 12, 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 on Access to Information, subject to the availability of resources, to promote the exchange of information, case studies and good practices, as well as to discuss possible further developments and strengthening of public access to environmental information, **with special attention to:**".
 7. In para 12 letter e) we propose to add at the end of the sentence "Application of restrictions on access to environmental information in accordance with the Convention" the following words "**, specifically including internal communication within the public administration in order to have a better awareness of specific competences and facilitate public access to required information.**"
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