



Report on the 8th meeting of the Task Force on Public Participation in Decision-making

(Geneva, 8-9 October 2018)

**Mr. Massimo Cozzone, Italy
on behalf of the Chair of the Task Force**



Topics for Discussion

Two key systemic issues

- **Ensuring effective public participation in the full chain of decision-making**, including:
 - Meaningful and early participation
 - The availability of all relevant documents to the public
 - Effective notification and time frames
 - Taking greater account of the comments from the public and provision of feedback
- **Protection of persons exercising their rights in conformity with the provisions of the Convention**

Critical for all UN Member States: SDG 16, targets 16.7 (responsive, inclusive, participatory and representative decision-making at all levels) and 16.10 (protection of fundamental freedoms)



Topics for discussion

- **Thematic session on chemicals- and product- related decision-making**
- **Use of the Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters**



Key outcomes

Ensuring effective public participation in the full chain of decision-making procedure

- Good practices and challenges were shared by Italy, France, Romania, Sweden, Ukraine, and NGOs - Hellenic Society for the Protection of the Environment and the Cultural Heritage, “Green Dossier” and Bluelink Foundation
- Revision of legislation to improving public participation procedures; practical tools and arrangements to make such procedures more effective
- Presentation of information relevant to decision-making in a user-friendly way, so as to encourage broader public participation is a challenge



- Need for Parties to ensure that practical arrangements ensure truly effective participation and to allocate the necessary resources in that regard
- Importance of online platforms for notification and access to relevant information
- The need for using other (non-digital) means for notification and access to information, in order to overcome the existing digital divide
- Training courses for public officials responsible for designing and carrying out procedures on public participation in decision-making, especially at the subnational and local levels



Protection of persons exercising their rights

- Introduction by the Chair of the Compliance Committee on the Committee's work
- NGOs perspective on systemic challenges encountered regarding this challenging subject, presented by Earthjustice
- Good practices and challenges were shared by Latvia, Morocco, Information Aarhus Centre, Osh, Kyrgyzstan, the International Code of Conduct for Private Security Providers' Association and NGO Ecohome
- Mechanisms and tools available under OHCHR and UNEP to address the issue of environmental defenders



Protection of persons exercising their rights

- The serious situation regarding environmental rights defenders
- Challenges, such as fear of reporting cases, impunity and difficulty in uncovering persons behind the ordering and carrying out of such acts
- The crucial importance of a safe and enabling environment for the public to exercise their rights
- The proposal to establish an arrangement under the Aarhus Convention for rapid reaction and creation of “environmental defender shelters” by Parties
- Lack of effective and inclusive public participation in decision-making could serve as a trigger for potential conflicts



Protection of persons exercising their rights

- Need to review legal frameworks and practical arrangements to address systemic challenges as to ensure that persons were not penalized, persecuted or harassed in any way
- Need to raise awareness of article 3 (8) among e.g., public officials, law enforcement agencies, prosecutors, members of the judiciary, providers of private security services and developers
- Importance of initiatives to promote safe, inclusive and effective participation of the public in decision-making free from persecution and harassment
- Importance of peer-learning, trainings, other capacity-building activities for relevant target groups



Thematic session on chemicals- and product-related decision-making

- Presentations were made by Serbia, Georgia and Women Engage for a Common Future
- Revision of legislation and the promotion of synergy with other intentional instruments dealing with chemicals
- Complexity and technical nature of the subject, need to present information in a complete and comprehensive way, including on substances and their impact on the environment and health



Thematic session on chemicals- and product-related decision-making

- Initiating a multi-stakeholder dialogue involving health and other authorities and different stakeholders, including producers, researchers, NGOs, and health and environmental specialists
- Effective public participation in chemicals- and product- related decision-making is crucial to ensuring environmental protection, safe management of chemicals and wastes and sustainable consumption and production
- Transparency and public participation in chemicals- and product- related decision-making support implementing SDGs, in particular, SDG 16 (peace, justice and strong institutions) and SDG 12 (responsible production and consumption)



Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters

- Experiences were presented by Kazakhstan and Italy
- Call to promote the application of the Maastricht Recommendations, translate them into national languages
