Public participation in transboundary context

Working Group of the Parties
Thematic Session on Public Participation
Geneva, 26 June 2019
Key legal requirements

• National procedures
  – Non-discrimination principle
  – Identification of the public concerned
  – Effective notification of the public concerned

• Transboundary procedure
  – Notification under Espoo and assisting the public in the transboundary context under article 3.2
Key systemic challenges

• Identification of „transboundary context”
• Application of Espoo intergovernmental procedure vs Aarhus procedure
• Legal administrative tradition
• Practical problems (translation etc)
• Lack of effective notification
• No sufficient time-frames
Key positive trends

• Appreciation of transboundary context
• Clear non-discrimination provisions
• Means to assure effective notification
• Practical application
Key systemic actions to be taken by Parties to improve the situation

- Introducing mechanisms to assure sufficient time-frames for foreign public
- Providing effective means of notification of foreign public
- Enhancing access to „all relevant information” for foreign public
- Assuring possibilities for public participation in case of notification under Espoo