

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

Working Group of the Parties

Twenty-third meeting

Geneva, 26–28 June 2019

Item 3 (a) of the provisional agenda:

**Substantive issues: Thematic session on public participation
in decision-making**

Public Participation in Decision-making¹

Provisional programme for the thematic session

to be held on Wednesday, 26 June 2019, from 10.20 a.m. to 4 p.m.

Moderator: Mr. Attila Tanzi

Introduction

A thematic session on public participation in decision-making aims to draw on recent developments with regard to different types of decision-making within the scope of articles 6, 7 and 8 of the Convention; public participation in a transboundary context and protection of persons exercising their rights in conformity with the provisions of the Convention. Overall, discussions at this session contribute to promoting public participation in decision-making to support attainment of Sustainable Development Goals and in particular Goal 16 (peace, justice and strong institutions) with its targets 16.7 (responsive, inclusive, participatory and representative decision-making at all levels) and target 16.10 (protection of fundamental freedoms).

The session will be organized in the format of introductory statements followed by interactive discussion on the basis of several selected questions. Discussion will be focused on a number of subjects based on: (a) decision VI/2 on promoting effective public participation in decision-making (see ECE/MP.PP/2017/2/Add.1) adopted by the Meeting of the Parties at its sixth session (Budva, Montenegro, 11–14 September 2017); (b) the key outcomes of the work of the Task Force on Public Participation in Decision-making; and (c) issues of a systemic nature addressed through the work of the Compliance Committee.

Topics for discussion include: (a) identification and notification of the public concerned, including vulnerable and marginalized groups; (b) early public participation; (c) the taking of due account of the outcome of public participation; (d) innovative practices that facilitate more effective public participation; (e) the role of private actors and project developers in carrying out public participation procedures; (f) public participation in decision-making related to changes to or extensions of existing activities; (g) public participation in a transboundary context; and (h) protection of persons exercising their rights in conformity with the provisions

¹ This document was not formally edited.

of the Convention. It is expected that the examples discussed will illustrate public participation in decision-making in different sectors.

Discussion will address in this regard the following questions:

- (a) How to identify and notify the public concerned, including vulnerable and marginalized groups;
- (b) How to ensure early public participation;
- (c) How to take into due account the outcome of public participation;
- (d) What innovative practices exist that facilitate more effective public participation;
- (e) What is the role of private actors and project developers in carrying out public participation procedures;
- (f) How to ensure effective public participation in decision-making related to changes to or extensions of existing activities;
- (g) How to ensure public participation in a transboundary context; and
- (h) How to protect persons exercising their rights in conformity with the provisions of the Convention.

The session will be moderated by Mr. Attila Tanzi, Chair of International Law, School of Law, University of Bologna.

I. Setting the scene

Timing: 10.20–10.45 a.m.

Introduction: Mr. Attila Tanzi, Moderator

Report on outcomes of the latest meeting of the Task Force on Public Participation in Decision-making:
Mr. Massimo Cozzone, Senior Officer, Directorate for Sustainable Development, Environmental Damage, European Union and International Affairs, Ministry for the Environment Land and Sea of Italy, on behalf of the Chair of the Task Force on Public Participation in Decision-making

Keynote statement: Ms. Anke Stock, Senior Specialist Gender and Rights, Women Engage for a Common Future and representative of the European ECO Forum

II. Article 6 on public participation in decisions on specific activities

Timing: 10.45–11.15 a.m.

Introduction: Mr. Jerzy Jendrośka, Environmental lawyer and member of the Aarhus Convention Compliance Committee

Speaker: Ms. Natalia Baidakova, Head of Strategic Planning Division, State Agency on Environment Protection and Forestry, Kyrgyzstan

Discussion: Delegates will be invited to share challenges, good practices and lessons learned from legislative, policy and other developments aimed to ensure effective public participation in accordance with article 6 of the Convention.

Coffee break: 11.15–11.30 a.m.

III. Article 7 on public participation concerning plans, programmes and policies relating to the environment

Timing: 11.30 a.m.–12 p.m.

Introduction: Mr. Jerzy Jendrośka

Speaker: Ms. Dorina Mocanu, General Director, Ministry of Environment, Romania

Discussion: Delegates will be invited to share challenges, good practices and lessons learned from legislative, policy and other developments aimed to ensure effective public participation in accordance with article 7 of the Convention.

IV. Article 8 on public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments

Timing: 12–12.30 p.m.

Introduction: Mr. Jerzy Jendrośka

Speaker: Ms. Nino Gokhelashvili, Head of the Sustainable Development Division, Ministry of Environmental Protection and Agriculture, Georgia

Discussion: Delegates will be invited to share challenges, good practices and lessons learned from legislative, policy and other developments aimed to ensure effective public participation in accordance with article 8 of the Convention.

V. Public participation in a transboundary context

Timing: 12.30–1 p.m.

Introduction: Mr. Jerzy Jendrośka

Speaker: Mr. Edward Donaldson-Balan, Head of Team - EU Infractions and Aarhus Convention, Department of Environment, Food & Rural Affairs (Defra), United Kingdom and Northern Ireland

Discussion: Delegates will be invited to share challenges, good practices and lessons learned from legislative, policy and other developments aimed to ensure effective public participation in a transboundary context in line with the requirements of the Convention.

Lunch break: 1-3 p.m.

VI. Protection of persons exercising their rights in conformity with the provisions of the Convention

Timing: 3–3.50 p.m.

Speakers:

- *Mr. Jonas Ebbesson*, Chair of the Aarhus Convention Compliance Committee (via video link)
- *Mr. Michel Forst*, UN Special Rapporteur on the situation of human rights defenders
- *Mr. Sean Lobo*, First Secretary, The Mission of Norway to the United Nations in Geneva
- *Mr. Andriy Andrusevych*, Senior Policy Expert, Society and Environment and representative of the European ECO Forum

Discussion:

Delegates will be invited to share challenges, good practices and lessons learned from legislative, policy and other developments aimed to ensure effective protection of persons exercising their rights in conformity with the provisions of the Convention.

VII. Conclusions

Timing: 3.50–4 p.m.

The moderator of the thematic session will make concluding remarks.

Documentation and background material

Decision VI/2 on promoting effective public participation in decision-making (document ECE/MP.PP/2017/Add.1) available from http://www.unece.org/env/pp/aarhus/mop6_docs.html (tab post session docs).

Background documents, presentations and outcomes of the meetings of the Task Force on Public Participation in Decision-making: <http://www.unece.org/env/pp/ppdm.html>

2017 Synthesis Report on the status of implementation of the Convention (ECE/MP.PP/2017/6; see paras. 118-171, 252-255, 260-263 and 269 (c)) available from http://www.unece.org/env/pp/aarhus/mop6_docs.html (tab Category II documents) and 2017 national implementation reports available from https://apps.unece.org/ehlm/pp/NIR/listnr.asp?YearID=2017&wf_Countries=WL&Quer_ID=&LngIDg=EN&YearIDg=2017

Note “Your Right to Build a Sustainable Future: the Aarhus Convention, its Protocol on PRTRs and the Sustainable Development Goals” (ECE/MP.PP/2017/18-ECE/MP.PRTR/2017/4; see paras. 38-50 and 82 (E. (a)-(e))) available from http://www.unece.org/env/pp/aarhusprtr/mop6mopp3_hls.html

Maastricht Recommendations on Public Participation in Decision-making (ECE/MP.PP/2014/2/Add.2) available from <http://www.unece.org/index.php?id=41803&L=0>

Relevant resources in [the Aarhus Clearinghouse](#)
