



**16th Working Group of the Parties to the Aarhus Convention (WGP 16) (Geneva,
19 – 21 June 2013)**

**Agenda item 3(b): Note by the Chair of the Task Force on Public Participation in
Decision-making**

Contribution by the EU and its Member States and Croatia

- (1) The EU and its Member States and Croatia wish to thank the Chair of the Task Force on Public Participation in Decision-making for his report and his work to date. We also welcome the opportunity to comment on the proposed future work of this Task Force, including during the next intersessional period.
- (2) The EU and its Member States and Croatia support the focus on the identification of innovative practices that facilitate more effective public participation without causing additional significant financial or human resource implications for public authorities.
- (3) Further development of an online compendium of case studies to share good practice is welcomed. However, it is noted that the existing compendium has a limited number of examples. To facilitate access to material presented at the Task Force meetings, consideration should be given to making these available on the website in conjunction with the compendium.
- (4) The organisation of the meetings of this Task Force in conjunction with other meetings has resulted in effective deliberations and also been successful from a cost savings perspective. Any future sectoral-based work areas should take into account other ongoing policy work in these areas and avoid duplication. The list suggested by the Chair of the Task Force is very broad and it is suggested that such collaboration focuses on decision-making on large-scale projects, including in the nuclear sector, and climate-change related decision-making. The Task Forces on AIE and Access to Justice should consider similar partnership approaches, where appropriate.
- (5) Of the Proposed activities for the inter-sessional period 2015 – 2017 as identified by the Chair of the Task Force, we recommend that the work of the Task Force prioritise tasks I, II and III, with other activities being addressed depending on available resources. The comments in points (4), (8) and (9) of this contribution should be considered in this prioritisation of tasks.

- (6) The proposed circulation of a questionnaire to Parties in advance of each Task Force meeting seems excessive. All Parties currently submit a regular detailed report of their implementation of the Convention in the National Implementation Reports. Populating a questionnaire on a single issue within a different timeframe, with the necessary requirements for public participation, would appear to constitute a significant duplication of work.
- (7) Further, the Task Force does not have a remit to monitor the implementation of the recommendations on public participation, either through written surveys or otherwise. These guidelines are not mandatory but recommendations; therefore it is a matter for Parties to determine how they are implemented in a national context and not appropriate for monitoring.
- (8) We would welcome further clarification on what is proposed in respect of the intention to use partner organisations for capacity building at the national and sub-regional level and also on the role of the Task Force in this regard.
- (9) While proposed activities VII and VIII were included in the workplan for the Task Force for 2011 – 2014, we believe that the objectives of the Strategic Plan 2009 – 2014 in this matter are in fact more relevant to the action of the Parties, not the Task Force. Emphasis should mainly be on implementation of the existing legal obligations rather than developing new ones, without prejudice to considering the development of new areas, as appropriate.
- (10) This has already been reflected and agreed in the mandate of the task force according to which, the focus of the work of the Task Force should, (Decision EMP.II/1, paragraph 2), be on mainly on the implementation of the current provisions of the Convention, rather than the development of new requirements.
- (11) This statement should also be noted with respect to the relevant sections of the future work programme, namely Annex I, Activity II and the objectives identified thereunder.