



**17<sup>th</sup> Working Group of the Parties to the Aarhus Convention (WGP 17)  
(Geneva, 26-28 February 2014)**

**Agenda Item 3(c): Access to Justice**

Contribution by the EU and its Member States

- (1) The EU and its Member States wish to thank the Bureau and the Chair of the Task Force on Access to Justice for the draft decision on access to justice and the report of the Task Force as well as its 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) We thank the Chair of the Task Force on Access to Justice for the coordination of the study on the implementation of article 9, paragraphs 3 and 4, of the Convention and appreciate the valuable information on the different legal systems of the EU Member states and we expect with great interest the outcome of the study on Eastern Europe, the Caucasus and Central Asia.
- (3) We appreciate the work done by the Task Force towards the promotion of the exchange of information and building capacities by the expansion of the jurisprudence database. In this respect we would like to draw your attention to the new European e-Justice Portal, developed by the European Commission, including the initiative to organize seminars and an online tool of training on environmental law for national judges.
- (4) Noting the proposed topics of the substantive work of the Task Force, we recommend that the following issues should be further explored after taking into account the outcome of the abovementioned study and the work already done in the previous intersessional period, towards the direction of facilitating the implementation of the third pillar of the Convention:
  - the effectiveness of specialized tribunals and administrative review bodies
  - timeliness
  - good practices in access to expertise and reducing expert costs

(5) The draft decision on access to justice constitutes a constructive text. However we wish to make the following substantive comments/amendments:

- We suggest that the the text of the decision should be expressed in a positive way taking into account the efforts made and encouraging to further support of the initiatives for a better implementation of the 3<sup>rd</sup> pillar.
  - We note that the support of the activities of national associations of legal professionals and non governmental organisations is within the remit of governments.
  - We request the amendment of the 1<sup>st</sup> Bullet Point to read “*Recognizes the **challenges in promoting** the third pillar of the Convention (article 9) and the need to further **support activities to enhance when necessary** effective access to justice”*
  - We suggest the addition of the words “*as appropriate*” in bullet point 4.
  - We request the deletion of the words “*and calls on government to support their activities*” in bullet point 7.
  - We request in bullet point 8 the addition of the words “*as the case maybe*”, so that the sentence should read “*Encourages Governments to stimulate a multi-stakeholder dialogue aiming at removing **as the case may be**, barriers to access to justice, involving different ministries*”
  - We suggest the addition of the words “*in relation to the implementation of the Convention*” in bullet point 11.
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