

WGP-19 agenda
Statements by IIDMA - Instituto Internacional de Derecho y Medio Ambiente
Ms. Ana BARREIRA LOPEZ, Director

3. Substantive issues
(a) Access to information

IIDMA intervention: “In addition, on what has just been said we will like to call to your attention the fact that the 2009 Fisheries control regulation contains very restrictive provisions on access to fisheries information which is environmental information. In fact, the CFP 2013 Regulation principles includes transparency among them. This year the EC is making an evaluation of the Fisheries Control Regulation and we stress the need to withdraw from that regulation those provisions contrary to the Aarhus Convention and that the European Supervisor on Data Protection aligns his opinions on fisheries data protection to the Aarhus Convention provisions”.

(c) Access to justice

IIDMA intervention: “I would like to bring to this Working Group of the Parties one idea that was presented in the Task Force on Access to Justice which has not been included in its conclusions but which we believe will assist in overcoming financial barriers to Access to Justice and as a consequence it will improve Access to Justice, that is the establishment of public interest litigation funds from collected environmental taxes. Very little progress has been done since the OECD proposed the introduction of environmental taxes in the 90s changing the fiscal pressure from social costs to environmental pollution and the use of natural resources. With this proposal we will not only contribute to improve Access to Justice in environmental matters but also we will contribute to make a reality the change in fiscal pressure and as result pressure on environmental resources and environmental pollution and damage will decrease.

We welcome the work of the Task Force on Access to Justice but NGOs would like to stress that this Task Force should also be a force to improve the implementation of the Access to Justice pillar in Contracting Parties, eventually going beyond the sharing of information and of experiences. In fact, as NGOs we are very disappointed on the implementation of this pillar at the EU at the EU institutions level and at the Member State levels. Thus, we are concerned about the lack of initiative by the EU to legislate on the application of the third pillar at the Member State level and as well as weaknesses in the legislation applying the third pillar at the EU institutions level (the so-called Aarhus Regulation), which have been supported by the last European Court Justice rulings on Access to Justice

what effectively deny environmental NGOs access to the EU courts in all but the most limited circumstances.