

## **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-eighth meeting**

Geneva, 2–4 July 2024

Item 4 (b) of the provisional agenda

**Substantive issues: Access to information**

### **Note by the Chair of the Task Force on Access to Information on possible future directions for the work<sup>1</sup>**

This note was prepared by the Chair of the Task Force on Access to Information to facilitate the discussion on the future work in this area and preparation of the draft elements of the future work programme by the Bureau at its 52<sup>nd</sup> meeting (Geneva, 28 March 2024) and by the Working Group of the Parties at its 28<sup>th</sup> meeting (Geneva, 2-4 July 2024).

#### **Introduction**

1. Through the latest 2021 national implementation reports, most Parties continued the application of their legislative and regulatory frameworks for implementing the first pillar of the Convention on access to environmental information. Since then, as evidenced by the Task Force's work, several further developments to improve public access to information took place in a number of Parties despite a complex geopolitical situation and ongoing war in Ukraine that could impact on digital infrastructure security and access to environmental information online. These developments related to promoting access to environment-related product information using digital product passports and other digital tools and transparency of environmental performance throughout value chains<sup>2</sup>; the establishment of environmental data spaces; the use of citizen science and other complementary sources of environmental data; the application of artificial intelligence, blockchain, remote sensing and other new and emerging digital technologies; harmonization of technological standards and digital inclusiveness and environmental journalism.

2. At the same time, there are still systemic challenges to address in this area with regard to weak collection of environmental information routinely and in case of emergencies, greenwashing, slow digitization of historical and other environmental information, lack of transparency of algorithms used for generation and communication of environmental information, the application of restrictions on access to environmental information, insufficient monitoring and timeliness of processing information requests and

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<sup>1</sup> This document was not formally edited.

<sup>2</sup> See also document "Access to Environment-related Product Information: Implementation Outlook" (AC/TF.AI-8/Inf.2) available from [https://unece.org/environmental-policy/events/Aarhus\\_PP\\_8TFAI\\_API\\_workshop](https://unece.org/environmental-policy/events/Aarhus_PP_8TFAI_API_workshop).

unmet needs of groups in vulnerable situations, including women, children and youth, persons with disabilities and others.

3. To address the above challenges, there is a clear need to continue updating and strengthening implementation and enforcements of respective legal frameworks and implementing practical measures aimed at modernization of nationwide environmental information systems, their digitization and interoperability with other information systems. Such modernization will help to address the needs of different users, harness new digital technologies, revamp state of the environment reporting, closing the gaps in monitoring and measuring environment-related Sustainable Development Goals. It also will allow to benefit from citizen science and other citizen engagement initiatives. This work needs to be carried out in synergy with the respective activities under the Convention's Protocol on PRTRs.

4. Progress in this area of work has been consistent yet variable among the Parties. Enhancing transfer of knowledge and capacity building to facilitate the necessary changes should therefore continue receiving the priority.

5. Continuing to promote access to environment-related product information remained crucial in the light of Parties' commitments to further green, circular and digital economy, as well as to foster environmental awareness and behaviour change among consumers.

### **The outcomes of the work done so far**

6. During the current intersessional period, the activities in this work area are guided by decision VII/1 on promoting effective access to information adopted by the Convention's Meeting of the Parties at its seventh session (Geneva, 18–21 October 2021).<sup>3</sup>

7. Pursuant to this decision, a thematic session on the subject matter was organized during the twenty-sixth meeting of the Working Group of the Parties to the Aarhus Convention on 22 June 2022<sup>4</sup>. The thematic session focused on advancing public access to environment-related product information, including on: (a) public access to product information and digitalization; (b) public access to product information and measures against greenwashing; and (c) means to encourage operators to inform the public (eco-labelling, eco-auditing, environmental, social and governance solutions). The Working Group requested the Task Force on Access to Information, in cooperation with the Parties and stakeholders, to continue the expert exchange of information and good practices and possible means of improving access to product information and promote cooperation with the ECE Economic Cooperation and Trade Division, One Planet network and other relevant international initiatives and processes dealing with product information.

8. Respectively, the eighth meeting of the Task Force on Access to Information was organized in Geneva on 9-10 November 2023<sup>5</sup>. The Task Force featured an international workshop "Advancing public access to environment-related product information: challenges and opportunities" that was organized in cooperation with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), UNEP and ONE Planet Network and European Environment Agency (EEA). The workshop considered challenges and opportunities in advancing public access to environment-related product information, including legal and policy developments, the use of product passports and other digital tools, means to encourage operators to inform the public and measures against greenwashing.

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<sup>3</sup> Available from [https://unece.org/environmental-policy/events/Aarhus\\_Convention\\_MoP7](https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7).

<sup>4</sup> See the meeting webpage: <https://unece.org/info/Environmental-Policy/Public-Participation/events/365937>.

<sup>5</sup> See meeting webpage: <https://unece.org/environmental-policy/events/eighth-meeting-task-force-access-information-under-aarhus-convention>.

9. The ninth meeting of the Task Force is planned to take place in Geneva on 5-6 November 2024.
10. The Task Force continued providing a valuable platform by bringing together experts from governments, civil society, academia, international forums and other stakeholders to exchange experiences regarding the identified challenges and suggest follow up actions and measures to address them.
11. The Task Force addressed a number of issues, produced outcomes through reports, background documents, statements and presentations and identified priorities and follow up actions regarding the following subjects:
- (a) Active dissemination of environmental information focusing on:
    - (i) The implementation of the updated Recommendations referred to in paragraph 2 above (addressed at the eighth meeting);
    - (ii) The use of modern technologies by the public for assembling, exchanging and using environmental data and information (to be addressed at the ninth meeting);
    - (iii) The provision of information to the public authorities by third parties, both routinely and in case of an imminent threat to human health or the environment (addressed at the eighth meeting).
  - (b) Public access to environmental information focusing on:
    - (i) The scope of environmental information in accordance with article 2 (3) of the Convention (addressed at the eighth meeting);
    - (ii) The transparency of public authorities on environmental matters and the application of restrictions on access to environmental information in accordance with the Convention (to be addressed at the ninth meeting);
    - (iii) Access to environment-related product information (addressed at the eighth meeting and to be followed up at the ninth meeting);
    - (iv) Access to information on emissions into the environment (addressed at the eighth meeting).
  - (c) Protection of whistle-blowers and other persons exercising their rights in conformity with the provisions of the Convention against harassment and other forms of retaliation in cases relating to disclosure of environmental violations (to be addressed at the ninth meeting).
12. The Task Force also furthered population of the Aarhus Clearinghouse<sup>6</sup>, supported the designation of its national nodes<sup>7</sup> and updated the collection of the electronic information tools case studies<sup>8</sup>.
13. The Task Force also identified a number of global, regional and subregional processes of relevance to the first pillar of the Convention, including 2030 Agenda for Sustainable Development<sup>9</sup>, Shared Environmental Information System in the pan-European Region, E-government, Open Government Data,

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<sup>6</sup> See <https://aarhusclearinghouse.unece.org/>.

<sup>7</sup> See <https://aarhusclearinghouse.unece.org/national-nodes>.

<sup>8</sup> See <https://unece.org/env/pp/eit-case-studies>.

<sup>9</sup> Target 16.10, which calls for ensuring public access to information in accordance with national legislation and international agreements.

Data Revolution and Global Geospatial Information Management initiatives, the Sendai Framework for Disaster Risk Reduction 2015-2030<sup>10</sup>, and other initiatives to improve environmental information systems and reporting.

14. The Task Force continued its work in cooperation with EEA, UNEP, UNESCO, OHCHR, OSCE, GEO and other partner organization to support countries' efforts in promoting active dissemination of environmental information, in particular harnessing benefits of open data, e-government and open science frameworks.

15. The Task Force has continued exploring the existing possibilities to strengthen cooperation with relevant international forums dealing with issues related to public access to environmental information (e.g., UNEP, GEO, WMO, WHO, HRC) regarding the modernization of data policy and electronic information tools in geospatial, statistical and other spheres relating to the environmental matters, and discover complementarities in their work and experience.

### **Suggested issues to be given particular priority**

16. The policy discussion at the Working Group of the Parties underpinned by expert work of the Task Force each had an added value for supporting countries efforts' to address current challenges and implement the first pillar of the Convention. It is therefore suggested that the work in the next intersessional period will be carried out by both bodies in a similar format and will be widely supported.

17. Considering the above-mentioned challenges and outcomes, the work on several substantive issues should be extended to the next intersessional period and several new subjects should be suggested as indicated below. Cooperation with the relevant international forums and support by the partner organizations will remain crucially important for effective assistance to countries in synergy. Such assistance would aim at promoting active dissemination of environmental information and digital inclusion, and modernizing environmental information system.

18. The substantive issues to be given particular priorities in the next intersessional period could include:

(a) Follow up on active dissemination of environmental information with focus on sharing experience regarding:

- (i) The implementation of the updated Recommendations on electronic information tools (to be continued from the previous cycle);
- (ii) The use of modern technologies by the public for assembling, exchanging and using environmental data and information (to be continued from the previous cycle);
- (iii) Provision of information on the performance of public functions or the provision of public services relating to the environment (e.g., in the context of environmental monitoring, reporting, compliance and enforcement);
- (iv) Collection of information by public authorities, both routinely and in case of an imminent threat to human health and the environment (to be continued in a wider context of article 5(1)).

(b) Public access to environmental information with focus on:

- (i) Access to information by groups in vulnerable situations;
- (ii) Provision of information upon request;

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<sup>10</sup> Adopted at the Third UN World Conference in Sendai, Japan, on 18 March 2015.

(iii) The transparency of public authorities on environmental matters and the application of restrictions on access to environmental information in accordance with the Convention (to be continued from the previous cycle);

(iv) Access to environment-related product information (to be continued from the previous cycle);

(v) Access to information related to the quality of the environment and emissions into the environment, climate, hazardous substances and wastes (to be continued in a wider context).

(c) Further development and population of the Aarhus Clearinghouse for Environmental Democracy, its national nodes and the collection of case studies on electronic information tools (to be continued from the previous cycle).

19. The work on the suggested issues will continue support countries' efforts in implementing, monitoring and measuring target 10 SDG 16 (Ensure Public Access to Information) in conjunction with other environment-related Sustainable Development Goals, including SDGs 3 (Health), SDG 6 (Water), SDG 11 (Resilient and Sustainable Cities), SDG 12 (Sustainable Consumption and Production), SDG 13 (Climate Action), SDG14 (Life below water) and SDG 15 (Life on Land) as well as the Sendai Framework for Disaster Risk Reduction 2015–2030, the Kunming-Montreal Global Biodiversity Framework, the Global Framework on Chemicals and relevant commitments taken under the United Nations Environment Assembly and the United Nations Framework Convention on Climate Change.

20. The work will be carried out through Task Force meetings, workshop(s); surveys and collection of case studies and relevant resources of the Aarhus Clearinghouse and if resources allow supporting capacity-building initiatives and contributing to the work of other relevant forums.

21. The Working Group to the Parties shall continue its effective oversight of this work area and consider issues that deserve its particular attention at the thematic sessions dedicated to access to information.

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