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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 to the Convention
(Fourth meeting, Geneva, 1-4 February 2005)
Item 7 of the provisional agenda

ALTERNATIVE OPTIONS FOR CHAPTER V OF THE DRAFT RECOMMENDATIONS ON PROMOTING EFFECTIVE ACCESS TO JUSTICE

Considered by the Working Group of the Parties at its third meeting

V. FURTHER ACTIVITIES TO SUPPORT THE IMPLEMENTATION OF ARTICLE 9, PARAGRAPHS 3, 4 AND 5, OF THE CONVENTION

Option 1

32. Establishes a working group on access to justice with a mandate to further address the specific issues with respect to access to justice in environmental matters identified in paragraphs [5, 12, 20, 22, 23 and 28] above and to invite representatives of ministries of justice and/or similar national bodies with responsibility for the administration of justice and judicial authorities themselves, as well as representative organizations of the legal professions and other competent intergovernmental and non-governmental organizations, to participate in this work.

Option 2

32. Decides to initiate further work on the specific issues with respect to access to justice in environmental matters identified in paragraphs [5, 12, 20, 22, 23 and 28] above and to

invite representatives of ministries of justice and/or similar national bodies with responsibility for the administration of justice and judicial authorities themselves, as well as representative organizations of the legal professions and other competent intergovernmental and non-governmental organizations, to participate in this work.

33. Mandates the Working Group of the Parties to decide on the appropriate forum and modalities for this work following consultations between the secretariat and the various institutions referred to in paragraph 32.

Option 3

32. Decides to initiate further work focusing on practical activities, including training and the sharing of experience, and examples of good practice in relation to the elements of this decision.

33. Mandates the Working Group of the Parties to decide on the appropriate forum and modalities for this work following consultations with the secretariat.

34. Encourages the involvement of representatives of ministries of justice and/or similar national bodies with responsibility for the administration of justice and judicial authorities themselves, representative organizations of the legal professions and other competent intergovernmental and non-governmental organizations in the further work.

Option 4

32. Decides to initiate further work on the specific issues with respect to access to justice in environmental matters identified in paragraphs [5, 12, 20, 22, 23 and 28] above and to invite representatives of ministries of justice and/or similar national bodies with responsibility for the administration of justice and judicial authorities themselves, as well as representative organizations of the legal professions and other competent intergovernmental and non-governmental organizations, to participate in this work.

33. Believes that the establishment of an ad hoc working group on access to justice in environmental matters under the joint auspices of the Meeting of the Parties and the European Committee on Legal Cooperation of the Council of Europe would be an effective way of ensuring the widest possible participation of representatives of ministries of justice and/or similar national bodies with responsibility for the administration of justice and judicial authorities themselves in the further work called for in paragraph 32.

34. Invites the European Committee on Legal Cooperation to consider the establishment and terms of reference of such a joint working group.

35. Mandates the Working Group of the Parties, in the event of a favourable response from the Committee and in consultation with it, to decide on the terms of reference and modalities of work of the joint working group, or otherwise to decide on another appropriate forum and method for undertaking the work referred to in paragraph 32.