

Aarhus Convention Compliance Committee

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Vice-chair of the ACCC

The Aarhus Convention : 3 “pillars”,

- right to access to environmental information,
- right for public to participate in environmental decisions
- right to access to justice

**47 Parties : 46 countries and the European Union.
Belarus left the Convention in October 2022 and Guinea-Bissau
joins the Convention in 2023**



Functioning of the Aarhus Convention

Organisational structure of the Aarhus Convention

Political level – Bureau

Coordination and administration – Aarhus Secretariat

Preparation of the political level meetings: Working Group of the Parties (WGP)

Main decision-making body: Meeting of the Parties (MOP)

Unique compliance mechanism – Compliance Committee (ACCC)

Ground work – 3 Task Forces, one for each pillar

The ACCC

- Article 15 : « The Meeting of the Parties shall establish, on a consensus basis, optional arrangements of a non-confrontational, non-judicial and consultative nature for reviewing compliance with the provisions of this Convention. These arrangements shall allow for appropriate public involvement and may include the option of considering communications from members of the public on matters related to this Convention. »
- ACCC established by Decision I/7 adopted in 2002
- Role of the Aarhus Convention Compliance Committee (ACCC)
 - nine independent members having „recognised competence” in the field
 - elected to serve in personal capacity
 - regional balance

The ACCC procedural process

- Compliance procedure - triggers
 - Submission by Party about another Party
 - Submission by Party about itself
 - Referrals by secretariat
 - Communications by the public

- Proceedings
 - Starting with complaint (communication),
 - Exchanges with the Party concerned,
 - Hearing,
 - Findings and recommendations by the Committee

Once recommendations adopted ...

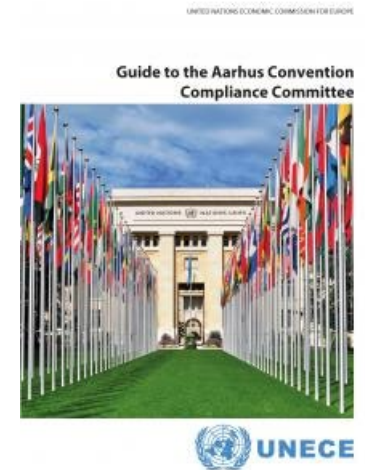
- Findings and recommendations of CC
 - Findings
 - compliance or non-compliance
 - Recommendations
 - steps to be taken Party concerned
 - steps to be taken by MOP
- Adoption by MOP
 - declaration of non-compliance
 - caution
 - suspension of rights and privileges

Some data on CC activity

- 4 meetings per year in Geneva (4 days, partly public) and 3 to 4 virtual meetings (1 day)
- On 17 October 2024,
 - 210 communications received from the public (citizens, NGOs)
 - 3 submissions by Parties
 - 5 submissions by MOP
 - 4 requests for advice

Documents and case-law of the ACCC

- Guide to the Aarhus Convention Compliance Committee
- All communications and files on ACCC webpage
- Findings and recommendations of CC
 - <https://unece.org/env/pp/cc>
- Search engine
 - www.lawdataworkshop.eu



Examples of case-law

- C104 Netherlands *Nuclear Plants lifetime extension*
- C120 Slovakia *Public participation in preparation of laws*
- C128 European Union *State-Aid* -> M4 Follow-up decision
- C137 Germany *NGO standing (democratic criteria)*

Examples of pending cases

- C163 Austria *Standing of foreign citizens groups*
- C197 France *Composition of Constitutional Court*