

# WORKING GROUP 1

## AARHUS CONVENTION: THE ROLE OF OMBUDS INSTITUTIONS IN ENVIRONMENTAL DECISION MAKING

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# 1. Basics on the working group

- Objective:

Analysis on the role of Ombudsman offices in environmental decision making in relation to the Aarhus Convention

- Time management:

We have three guiding questions: each of them will be discussed for **20 minutes** only.

Please cooperate with chairs' time keeping in order to maximise the outcomes of this working group.

## 2. Expecting Outcomes

- A: Sharing the practices of the participants regarding
  - a) Access to Information
  - b) Public Participation
  - c) Access to Justice
  
- B: Clarifying the issues to be addressed in order to improve the quality of administrative environmental decision-making
  - a) Access to Information
  - b) Public Participation
  - c) Access to Justice

## 3-a. General Introduction 1:

### “Austrian experience from the bee protection case”

- Chair: Dr. Günther Kräuter
- Overview:

Introducing key roles of the Ombudsman for improving the quality of environmental decision through the experience of neonicotinoid ban aiming at bee protection.

## 3-b. General Introduction 2:

“Research project on influence of the Aarhus Convention Compliance Committee on the activity of the Ombudsman”

- Co-chair: Mahito Shindo

- Overview:

Introducing an ongoing academic research project on the influence of the regional framework on the Ombudsman, and the significance of the research in Europe in the global context.

## 4-a. Guiding Question 1:

“How can the Ombudsman contribute to ensure access to information?”

□ Background:

Starting from the introduction of a concrete case, discuss what are the effective handling of relevant complaints.

□ Intension of question:

Sharing the practices of ombudsman offices. Clarifying effective methods to ensure access to information.

## 4-b. Guiding Question 2:

“How can the Ombudsman ensure the sound environmental decision making?”

- Background:

Whether should the Ombudsman step into the substance or focus on the procedure, and if the former to what extent the Ombudsman should do so is a controversial topic.

- Intension of question:

Discussing the above topic and clarify the role of the Ombudsman in this regard.

## 4-c. Guiding Question 3:

“How can the Ombudsman ensure the quality of environmental decision through addressing systemic problems?”

- Background:

As an accountability mechanism, the most required role of the Ombudsman in access to justice is to address systemic problems, on which the courts and administrative tribunals do not focus.

- Intension of question:

Sharing the practices of ombudsman offices.  
Clarifying effective methods.