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IN DECISION-MAKING AND ACCESS TO JUSTICE  
IN ENVIRONMENTAL MATTERS

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Item 7 (a) of the provisional agenda

Programme of work and operation of the Convention: implementation of the  
work programme for 2006–2008, including financial aspects

**REPORT ON THE IMPLEMENTATION OF THE WORK PROGRAMME FOR  
2006–2008, INCLUDING AN OVERVIEW OF CONTRIBUTIONS AND  
EXPENDITURES IN 2006 AND 2007**

**Report prepared by the secretariat**

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## INTRODUCTION

1. At their first meeting, the Parties to the Convention adopted decisions I/11 and I/13, the former establishing procedures for the preparation, adoption and monitoring of work programmes and the latter establishing a voluntary scheme of financial arrangements to fund activities under the work programme not covered by the United Nations regular budget. At their second meeting, the Parties to the Convention adopted decisions II/6 and II/7, the former extending and modifying the scheme established under decision I/13 and the latter setting out a work programme for the period 2006–2008.

2. The primary purpose of the present report is to provide information on the implementation to date of the work programme adopted through decision II/7, focusing on operational and organizational rather than political aspects. It also aims to fulfil the request of the Meeting of the Parties to the secretariat, contained in paragraph 6 of decision II/6, to prepare a comprehensive report on the financial contributions received and the use to which they have been put.

3. Annex I lists the contributions received during 2006 and 2007. Annex II provides a breakdown of expenditures<sup>1</sup> incurred during 2006 and 2007, including a subtotal for each budget line, shown for comparative purposes alongside the estimated overall and core requirements for

<sup>1</sup> Trust Fund expenditure figures are referred to “net” and “gross” in this report. Net figures do not include 13 per cent programme support costs levied on expenditure from United Nations trust funds. Gross figures include programme support costs. Cumulative programme support costs for expenditure in 2006 and 2007 can be found near the bottom of annex II to this report.

the biennium as adopted by the Meeting of the Parties at its second meeting and further elaborated by the Working Group of the Parties (WGP) at its sixth meeting.<sup>2</sup>

## **I. SPECIFIC AREAS OF ACTIVITY UNDER THE WORK PROGRAMME**

4. The activities foreseen in decision II/7 and the actual activities undertaken under each area of activity in the work programme are briefly described below, together with some commentary on the financial expenditure. The report concludes with some observations on financial trends emerging in the context of the Convention and some general remarks on the financial situation and outlook.

### **A. Compliance mechanism**

5. The objectives set out in activity I of the 2006–2008 work programme were to monitor and facilitate the implementation of and compliance with the Convention. The Compliance Committee and the secretariat were identified as the lead actors. The proposed work of the former included the review of submissions, referrals and communications on cases of possible non-compliance, the preparation of decisions and reports, and the undertaking of fact-finding missions. The work of the secretariat, on the other hand, would be to publicize the compliance mechanism, develop a database of cases and service the Committee.

6. Since the second meeting of the Parties, the Compliance Committee will have held 12 meetings by the time of the third meeting of the Parties (two meetings in 2005, four in 2006, four in 2007 and two in 2008). Five communications from the public concerning alleged non-compliance were under consideration by the Committee at the time of the second meeting of the Parties. Between then and the Committee's nineteenth meeting (5–7 March 2008), the Committee received a further 10 communications from the public. No submissions were made to the Committee by Parties and the secretariat did not make any referrals during that period. All communications were considered with respect to their admissibility, and those that were determined to be admissible, at least on a preliminary basis, are at various stages of consideration.<sup>3</sup> The Committee is expected to report on its findings and, where appropriate, make recommendations with respect to compliance by specific Parties in its report to the Meeting of the Parties. In some cases addressed by the Committee early in the intersessional period, the Committee found non-compliance and addressed recommendations directly to the Parties concerned. The Committee has subsequently reviewed implementation of these recommendations and will reflect any progress made in its report to the Meeting of the Parties. In addition to dealing with communications from the public, the Committee has followed up on the implementation of decisions II/5a, II/5b and II/5c with the three Parties concerned. It has also examined more general problems of compliance, inter alia on the basis of the content of the national implementation reports, and has developed guidance on the reporting requirements under decisions I/8 and II/10, which was subsequently endorsed by the Working Group of the Parties.

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<sup>2</sup> ECE/MP.PP/WG.1/2006/9, Annex II.

<sup>3</sup> For full details, see the report of the Committee to the Meeting of the Parties and its addenda (ECE/MP.PP/2008/5 and Add.1–10).

7. The estimated net core requirement for the biennium 2006–2007 was \$495,108. The actual net costs of the activities of the Committee for the biennium 2006–2007 were \$317,494 (gross \$358,768). This level of expenditure was lower than projected, primarily due to reduced expenditure in the external consultants and extrabudgetary professional support budget lines.

## **B. Capacity-building activities**

8. The objectives of activity II of the 2006–2008 work programme were the coordination of capacity-building activities to assist countries in the effective implementation of the Convention, and the implementation of capacity-building measures at the subregional level. The work programme proposed to achieve these objectives through inter-agency coordination meetings, training workshops and technical assistance, estimating two subregional workshops per year.

9. Various international, regional and national organizations, including non-governmental organizations (NGOs), have continued to initiate and undertake capacity-building activities aimed at supporting implementation of the Convention at national and local levels. Countries with economies in transition remained the main geographic focus for such initiatives. To facilitate a coordinated effort of the key players in the capacity-building field, the secretariat has convened two meetings of the main international and regional organizations implementing capacity-building projects as well the European ECO-Forum (one in 2005 and one in 2006). These meetings reviewed existing and proposed activities and explored ways to improve information exchange, cooperation and, where applicable, coordination.<sup>4</sup> The secretariat has played an active consultative role in various projects led by other organizations (e.g. the Council of Europe, European ECO-Forum, the European Union (EU) TACIS project, the Organization for Economic Co-operation and Development (OECD), the Organisation for Security and Co-operation in Europe (OSCE)), in particular in the establishment of Aarhus Public Environmental Information Centres, the Regional Environmental Center for Central and Eastern Europe (REC), the United Nations Development Programme (UNDP) and the United Nations Environment Programme (UNEP). Outside the region, the secretariat has contributed to meetings of the Partnership for Principle 10 (PP10).<sup>5</sup>

10. The estimated net core requirement for the biennium 2006–2007 was \$267,280. The actual net expenditure in the biennium was \$92,876 (gross \$104,949), significantly lower than the core requirement. This difference between core and actual expenditure is primarily due to the fact that many of the Convention's capacity-building activities fall within other activity areas of the work programme, such as the clearinghouse mechanism (activity IV), access to justice (activity VII) and electronic information tools (activity VIII). In the latter areas, actual expenditure significantly exceeded the estimated core (and in one case overall) requirement. Thus the discrepancy between the estimated and actual expenditure on capacity-building under activity II should not be regarded as an indication that capacity-building was not given priority, but rather that capacity-building activities have tended to become more targeted on specific substantive areas than hitherto.

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<sup>4</sup> For further information, see the report on capacity-building activities (ECE/MP.PP/2008/6).

<sup>5</sup> For background information on PP10, see <http://www.pp10.org>.

### **C. Awareness-raising and promotion of the Convention and the Protocol on Pollutant Release and Transfer Registers<sup>6</sup>**

11. Activity III of the 2006–2008 work programme aimed at raising public awareness of the Convention and the Protocol on Pollutant Release and Transfer Registers (PRTRs) throughout the UNECE region and beyond, increasing the number of Parties to the Convention, and supporting regional and global initiatives on principle 10 of the Rio Declaration on Environment and Development. To achieve these objectives, the work programme envisaged participation in key regional and international events and processes, the development of a communication strategy, support to workshops, seminars and conferences organized by others, and preparation of leaflets, publications, news bulletins and other materials. Additional ways included Web management, and writing and reviewing articles and media kits on the Convention and the Protocol.

12. The secretariat has continued in its efforts to raise awareness of the Convention by participating, or arranging participation of representatives of the Convention bodies, in conferences, seminars and workshops in various countries, mainly within but sometimes outside the UNECE region. Since the second meeting of the Parties, presentations have been made at events organized by other United Nations bodies (UNDP, UNEP and United Nations Institute for Training and Research (UNITAR)) and other international or supranational bodies (Council of Europe, European Commission, Institute for Global Environmental Strategies, OECD, and OSCE), regional environmental centres and initiatives (Central Asian Regional Environmental Cooperation programme (CAREC), Central European Initiative and REC), professional, academic or non-governmental institutions and associations (e.g. Access Initiative, Association for Progressive Communications, Association Vraiment Durable, British Chamber of Commerce in Belgium, Consortium for European Studies of the University of Montreal and McGill University, European ECO-Forum, European Environmental Bureau, London School of Economics and University of Milan-Bicocca) and at various subregional workshops, notably in countries with economies in transition. The secretariat also participated in a seminar organized by the State Environmental Protection Agency of China.

13. The estimated net core requirement for the biennium 2006–2007 was \$149,856. The actual net costs of these activities incurred by the trust fund in the two years were \$70,205 (gross \$79,332), significantly lower than the core requirements. In the light of the overall shortfall in income, the secretariat found it necessary to adopt a reactive approach to awareness-raising, focusing for the most part on responding to invitations, initiatives and approaches from or by others. Costs were kept down due to the generous support from third parties. For example, UNEP contributed \$6,000 (registered as an in-kind contribution) and staff time towards the joint UNECE/UNEP publication *Your right to a healthy environment: A simplified guide to the Aarhus Convention*. Furthermore, on many of the occasions when the secretariat was invited to make presentations at events, the organizers covered the costs.

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<sup>6</sup> Awareness-raising activities in connection with the Protocol on PRTRs are described in paragraph 19 below. The associated costs have been included under paragraph 20 in that specific area of activity.

#### **D. Clearinghouse mechanism**

14. The objectives of activity IV of the 2006–2008 work programme were to facilitate, through the clearinghouse mechanism, the collection, dissemination and exchange of information related to the national implementation of the Convention and relevant global and regional developments on principle 10 of the Rio Declaration. These objectives were to be achieved through the management of a central node of the clearinghouse, the coordination of national nodes and the development of electronic tools to support information sharing and collection of good practices.

15. The Aarhus Clearinghouse for Environmental Democracy was launched in July 2004 and now serves as a leading global source of information on issues related to the themes of the Convention and principle 10 of the Rio Declaration. Accessible through the Convention's website or directly at <http://aarhusclearinghouse.unece.org/>, it currently contains some 1,200 entries. Since the second Meeting of the Parties, more than 180 news feature stories have been posted to the Clearinghouse. In 2007, more than 11,000 visits to the Clearinghouse came from 158 countries or territories. More than 70 per cent of these visits originated from within the UNECE region. A new and updated version of the Clearinghouse website was launched during the annual session of the meeting of the Commission on Science and Technology for Development in May 2007 in Geneva.

16. The estimated net core requirement for the biennium 2006–2007 was \$161,508. The actual net costs in the biennium were \$117,137 (gross \$132,365), well within the core requirement forecast.

#### **E. Public Participation in International Forums**

17. Activity V of the 2006–2008 work programme aimed to further the application of the principles of the Convention in the context of relevant international bodies and processes. This objective was to be achieved, inter alia, through the promotion of the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums and the further development of these guidelines in consultation with the relevant international forums. The ways to achieve this objective included the dissemination of the Almaty Guidelines, the work of the Task Force on Public Participation in International Forums (PPIF) pursuant to decision II/4, consultation with relevant international forums through the Task Force, participation in workshops relevant to the Aarhus Convention, and joint activities with other conventions.

18. Through decision II/4, the Meeting of the Parties adopted the Almaty Guidelines and established a task force to enter into consultations with international forums regarding the Guidelines. The Task Force on PPIF, chaired by France, met three times in the intersessional period. The Task Force's consultations with international forums took place over a twelve-month period between June 2006 and June 2007. The initial focus of the consultation process was a written questionnaire sent to 97 international forums inviting them to take part. Completed responses were received from 50 forums and their responses were synthesized into a paper prepared by the secretariat in advance of the second meeting of the Task Force in

November 2006. Following the written consultation process, a two-day meeting of representatives of international forums was held in Geneva in June 2007, providing a forum for representatives of Governments, secretariats, NGOs and academia to exchange experiences with respect to access to information, public participation in decision-making and access to justice. Prior to the third meeting of the Task Force in November 2007, and in accordance with decision II/4, paragraph 7, Parties, Signatories, other interested States, NGOs and other relevant actors were invited to submit to the secretariat comments relating to their experience regarding the application of the Guidelines for consideration by the Task Force. The secretariat synthesized the responses received and these were presented to the third meeting of the Task Force. At that meeting, the Task Force also reviewed the outcomes of its work to date and considered various options for possible further work on the issue.

19. The estimated net core requirement for the biennium 2006–2007 was \$70,000 and the estimated net overall requirement for the same period was \$120,000. Since the workshop on PPIF took place in 2007, the actual costs in 2006 were slightly lower than the core estimates for the year, but the increased costs in 2007 for the organization of the international meeting and the Task Force meeting brought the actual net expenditure for the biennium to \$97,555 (gross \$110,237), slightly higher than the estimated core requirement but well within the estimated overall requirement. Increased expenditure in this activity area reflects significant earmarked funds from France.

#### **F. Pollutant release and transfer registers**

20. The objective set out in activity VI of the work programme for 2006–2008 was to facilitate the ratification, entry into force and implementation of the Protocol on PRTRs, through meetings of the Working Group on PRTRs and expert groups or task forces, capacity-building activities, and the development of technical and legal guidance and other information tools to support the development of national PRTRs.

21. The Protocol on PRTRs was adopted at the first extraordinary meeting of the Parties, held on 21 May 2003 within the framework of the Fifth Ministerial Conference “Environment for Europe”, and was signed by 36 States and the European Community. At the same meeting, the Working Group on PRTRs was established to support preparations for implementing the Protocol pending its entry into force and to prepare for the first session of the Meeting of the Parties to the Protocol. The Working Group, chaired by Belgium, has met three times since the second meeting of the Parties (once in 2006, twice in 2007). The main focus of the Working Group has been on the preparatory work for the first session of the Meeting of the Parties to the Protocol. The Working Group has prepared draft decisions on rules of procedure, a compliance mechanism, establishment of a standing subsidiary body and a programme of work for adoption by the Parties at the first session. In 2007, the Working Group adopted guidance on implementation of the Protocol. UNECE has serviced and participated actively in the International PRTR Coordinating Group (the successor to the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) PRTR Co-ordinating Group), which met three times (in 2006, 2007 and 2008). It continues to collaborate with other international organizations working on PRTR issues. In 2006, the secretariat participated in a consultation on the EU PRTR guidance document organized by the European Commission and a national PRTR workshop in

Germany. It co-organized with UNITAR and the Government of Belarus a side-event to the Central and Eastern Europe Regional Meeting on the Strategic Approach to International Chemicals Management (SAICM) in Latvia (also in 2006). In 2007, it co-organized, with the Armenian Ministry of Nature Protection and OSCE, a national workshop on obligations and rights under the Protocol in Armenia.

22. For the biennium 2006–2007, the estimated net core requirement was \$239,508 and the estimated net overall requirement was \$350,800. The actual net expenditure in the biennium was \$219,029 (gross \$247,503), very close to the estimated net core requirement for the biennium.

### **G. Access to justice**

23. The objectives of activity VII were the implementation of recommendations adopted at the second meeting of the Parties and the exchange of information on good practices. The work programme proposed to realize these objectives through meetings Task Force on Access to Justice (one per year), development of information and guidance material, case-study collection and examination, and the identification of further activities.

24. The Task Force on Access to Justice, established through decision II/2, met twice during the intersessional period (once in 2006 and once in 2007). It provided a forum for the exchange of information on good practices, oversaw the preparation by the secretariat of an analysis of available information, training and analytical materials, and provided direction for capacity-building activities. Part of the Task Force's second meeting took the form of a mini-conference on "Opening the doors to justice: The challenge of strengthening public access". The Task Force proposed to focus capacity-building efforts on the judiciary, particularly in countries with economies in transition, with priority given to activities at the subregional level. This led to the holding of a workshop in Kiev for senior members of the judiciary from six countries of Eastern Europe and South Caucasus. Preparations for similar workshops in South-Eastern Europe and Central Asia, the latter in connection with an EU TACIS project on the Convention, are under way.

25. The estimated net core requirement for the biennium 2006–2007 was \$30,000 and the estimated net overall requirement \$70,000. The actual net expenditure in the biennium was \$168,349 (gross \$190,234), a level more than twice as high as the estimated net overall requirement. Whereas the net actual costs in 2006 (\$35,335) slightly exceeded the foreseen overall requirement for that year (\$35,000), the actual net costs in 2007 (\$133,013) considerably exceeded the overall requirement for the year (\$35,000). The increased spending in 2007 largely reflected, and was made possible as a result of, substantial earmarked funding from Sweden (approximately \$113,000 for the biennium). The main increases in expenditure were on subcontracting, notably in connection with the Kiev workshop for judges, and on the mini-conference held within the framework of the second meeting of the Task Force, which involved a larger number of funded experts than would normally attend a meeting of the Task Force. It should be noted that originally it had been foreseen to rely on regular budget staff and, to a lesser extent, consultants to service and provide expertise in support of this area of activity. In the event, it was necessary to draw on the services of extrabudgetary staff, accounting for some of the increase in actual costs over estimated costs. It should also be noted, as mentioned in

paragraph 12 above, that the activities in this area could equally be considered under the heading of capacity-building (activity II), an area where spending has fallen well within the estimated costs.

## **H. Electronic information tools**

26. The objectives set out in activity VIII of the 2006–2008 work programme were the implementation of recommendations to enhance the effective use of electronic information tools, the facilitation of information flow on good practices and guidance (policy and practical) for the clearinghouse mechanism, and the appropriate follow-up to the World Summit on the Information Society. To achieve these objectives, the work programme envisaged various methods that included the review of policies and practices in the use of information and communication technologies for the implementation of the Convention, the collection of good practices, workshops for national contact points for the clearinghouse mechanism, and capacity-building activities.

27. The Task Force on Electronic Information Tools, established through decision I/6 and extended through decision II/3, met three times during the intersessional period (in 2005, 2006 and 2007). It provided a forum for the exchange of information on good practices, prepared and circulated a questionnaire aimed at monitoring the implementation of decision II/3 on electronic information tools and the clearinghouse mechanism,<sup>7</sup> and supported the development of the Convention's clearinghouse mechanism. The secretariat organized two capacity-building workshops on electronic information tools and the clearinghouse mechanism, which were co-organized with REC and CAREC respectively, in 2007.

28. For the biennium 2006–2007, the estimated net core requirement was \$72,868 and the estimated net overall requirement was \$120,960. The actual net expenditure in the biennium was \$102,957 (gross \$116,342), higher than the core but well within the overall estimates. It should also be noted that a significant proportion of the Convention's activities in this area largely fall within the broader category of "capacity-building", but are listed here, instead of being listed under activity II (capacity-building).

## **I. Genetically modified organisms**

29. The objectives of activity IX of the 2006–2008 work programme were to support the implementation of the Convention in the area of genetically modified organisms (GMOs) and the application of the Guidelines on GMOs, and to promote the entry into force of the amendment to the Convention adopted through decision II/1. The proposed means to achieve these objectives included a regional or international expert meeting on access to information, public participation and access to justice with respect to GMOs, and the use of the clearinghouse mechanism to facilitate exchange of information on good practices.

30. Through decision II/1, the Meeting of the Parties adopted an amendment to the

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<sup>7</sup> The recommendations on the more effective use of electronic information tools to provide public access to environmental information are contained in the annex to decision II/3.

Convention in respect of public participation in decisions on the deliberate release into the environment and placing on the market of GMOs. At its sixth meeting, the Working Group of the Parties noted that the Convention was ambiguous on the conditions for the entry into force of amendments and mandated the secretariat, in consultation with the Bureau and the United Nations Office of Legal Affairs and with the assistance of a legal expert group, to develop a draft decision on the topic to clarify the issue with a view to achieving early entry into force of the amendment. The secretariat prepared the draft decision and submitted it to the Working Group, which reviewed and revised the draft decision at its ninth meeting and agreed to transmit it for consideration by the Meeting of the Parties.

31. Through decision II/7, the Meeting of the Parties undertook to hold an international expert meeting on access to information, public participation and access to justice with respect to GMOs as part of its 2006–2008 work plan. The international expert meeting will be held in Cologne, Germany, on 19 and 20 May 2008, back-to-back and immediately after the fourth Conference of the Parties to the Convention on Biological Diversity serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety. The Netherlands has offered to financially support the organization of the expert meeting. The main aim of the meeting is to provide a forum in which representatives of interested governments, international organizations, NGOs, industry, academia and other representatives of civil society can exchange information on the most pressing needs and challenges in providing access to information, public participation and access to justice with respect to GMOs and on good practices to address them. The secretariat of the Convention on Biological Diversity has indicated its willingness to take an active role in the meeting.

32. The estimated net core requirement for the biennium 2006–2007 was \$30,000 and the estimated net overall requirement was \$75,000. The net actual costs in the biennium were \$4,935 (gross \$5,576), significantly lower than the level of expenditure foreseen in the work programme. The primary reason for this discrepancy is that the original intention had been to hold the international expert meeting in 2007.<sup>8</sup> The expenditure incurred in 2007 thus reflects only the early stages of preparing the meeting.

## **J. Public participation in strategic decision-making**

33. The objectives set out in activity X of the 2006–2008 work programme were to coordinate information sharing through the collection of good practice examples in the implementation of articles 7 and 8, to promote synergies with the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), and to further the application of articles 7 and 8 of the Aarhus Convention. Workshops, electronic exchange of information, expert studies, and a compendium of good practices were proposed in the work programme as possible means to achieve the stated objectives.

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<sup>8</sup> In decision II/7, the meeting is referred to as taking place in 2007. This is why in the Working Group's more detailed breakdown of estimated costs, no funds were foreseen for the meeting in 2008 under either the core or overall scenarios (ECE/MP.PP/WG.1/2006/9, annex II, activity IX).

34. At its sixth meeting, on the basis of a proposal from the Bureau, the Working Group of the Parties agreed to hold a workshop on public participation in strategic decision-making (PPSD). The workshop was to be organized in consultation with the relevant bodies of the Espoo Convention and its Protocol on Strategic Environmental Assessment and experts from those bodies would be invited to participate. Austria offered to provide financial support for the workshop and Bulgaria to host it. The workshop was held in Sofia on 3 and 4 December 2007. The main focus of the workshop was on the presentation and discussion of case studies of good practice with respect to public participation in various types of strategic decision-making. The workshop was attended by experts designated by 14 States as well as a number of experts from intergovernmental organizations and NGOs.

35. The estimated net core requirement for this area of activity for the biennium 2006–2007 was \$65,000 and the estimated net overall requirement was \$120,000. The net actual expenditure for that period that was paid through or invoiced to the Trust Fund by the end of the biennium was \$30,488 (gross \$34,452). This expenditure was financed, inter alia, through an earmarked contribution of \$13,175 from Austria, contributed in 2006 for use in 2007. This activity area also received in-kind support in 2007 from Austria (\$20,527) and Bulgaria (\$1,500). When these additional expenditures are taken into account, the total for the biennium was \$56,478. A further €5,160 (approximately \$7,806), to be covered from the Trust Fund, is not reflected in annex II as the invoices had not been received by the secretariat by the end of 2007. When this amount is taken into account, it brings the actual amount spent or incurred in this area close to the net core requirement foreseen in the 2006–2008 work programme.

#### **K. Coordination and oversight of intersessional activities**

36. The objective of Activity XI of the 2006–2008 work programme was the coordination and oversight of the activities under the Convention, through meetings of the Working Group of the Parties (originally foreseen as one meeting per year) and the Bureau, and through electronic consultations among bureau members.

37. The Working Group of the Parties was established through decision I/14 to oversee the implementation of the work programme, prepare the meetings of the Parties and various other related tasks. It will have met five times since the second meeting of the Parties by the time of the third meeting of the Parties (once in 2006, and twice per year in 2007 and 2008). In the same period of time, the Bureau will have met 10 times (once in 2005, twice in 2006, four times in 2007 and three times in 2008), mostly in conjunction with other meetings in order to minimize costs.

38. The estimated net requirement for the biennium 2006–2007 (same for core and overall scenarios) was \$85,000. The actual net costs for the biennium of \$96,051 (gross \$108,538) exceeded the anticipated requirement, partly due to travel and daily subsistence allowance (DSA) costs for Bureau meetings. The fact that these costs were higher than foreseen is partly attributable to the fact that many of these costs are incurred in currencies other than the U.S. dollar, in conjunction with the significant relative decline of the dollar internationally throughout 2006 and 2007 (see Part II, “General Consideration”, for more details).

### **L. Third ordinary meeting of the Parties**

39. The estimated net core requirement for the biennium 2006–2007 was \$10,000 and the estimated net overall requirement was \$20,000. These amounts were forecast for hiring a consultant to assist the secretariat in analysing the national implementation reports and preparing the synthesis report, this not being covered under any other area of activity. In fact, this item of expenditure was only incurred in 2008, so very limited costs were incurred during the biennium 2006–2007. These facts are reflected in the net actual costs for the biennium 2006–2007, which stood at \$1,176 (gross \$1,329), significantly lower than the anticipated core level of expenditure. Obviously the costs incurred in 2008 will be of a different order of magnitude.

### **M. Long-term strategic planning**

40. Although the original work programme did not provide core or overall estimates for the preparation of a draft long-term strategic plan (LTSP), the Meeting of the Parties, through adopting decision II/8, mandated certain activities to take place in this area. Activities in this area did not incur any costs for the Trust Fund in 2006, but received in-kind support in that year from Norway (\$11,901), which hosted the first meeting of the Expert Group on Long-Term Strategic Planning, and Belgium (\$16,100). In 2007, the second meeting of the Expert Group was organized in Rome, supported by earmarked funds from Italy (\$8,075) and in-kind support from Belgium (\$6,975). The net total expenditure for the biennium was \$7,146 (gross \$8,075). The grand total (including in-kind support and programme support costs) was \$43,051.

## **II. GENERAL CONSIDERATIONS**

41. The United Nations regular budget covers certain costs related to the Convention's secretariat. The most significant of these are the salary and related entitlements for two staff members in the professional category (one P-4 and one P-2), amounting to approximately \$290,000 per year. The salary of one staff member in the General Service category is covered from the programme support costs of the trust funds of the UNECE Environment, Housing and Land Management Division. In addition, one half-time staff member in the General Service category is covered from the regular budget.<sup>9</sup> The United Nations regular budget contributions also cover the costs of the provision of conference services by the United Nations Office in Geneva, including meeting rooms and interpreters, and the costs of the preparation and distribution of official documents and publications.

42. NGOs have continued to participate actively in all the activities under the Convention. Financial support to enable their participation has been provided. As a general rule, this covers four representatives per meeting of a subsidiary body, with the selection being made on the basis of a recommendation from the European ECO-Forum.

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<sup>9</sup> This has fluctuated during the biennium from not having any regular budget General Service staff member to having one such staff member.

43. In conclusion, the following observations may be made:

(a) Contributions through the trust fund have grown steadily from \$638,284 for 2005 to \$711,973 for 2006, and then to \$906,066 for 2007. The shortfall in relation to the estimated core requirement, set at \$909,650 for 2006 and \$984,375 for 2007, has reduced significantly during the past biennium. The total contribution for the biennium 2006–2007, \$1,618,039, compares favourably with the contributions received for the biennium 2003–2004 of \$1,282,944 that was reported to the second meeting of the Parties. The increase in the number of contributing Parties and Signatories from 19 in 2005 to 27 in 2006 and then to thirty in 2007 is another positive indicator.

(b) Despite the increase in the Trust Fund's income, it has been necessary to restrict spending to a significantly lower level than what has eventually turned out to be the final income for the biennium. Specifically, the total contributions received for 2006 and 2007 reached \$1,618,039 (or approx. \$1,753,410 including in-kind contributions and net gain from interest and exchange rate), whereas the total expenditure incurred during the biennium was \$1,484,770 (or approximately \$1,547,773, including in-kind). Such restriction of expenditure was necessary for a number of reasons. Foremost among these was the uncertainty, at the point in time when decisions affecting the spending levels were being taken, as to what the final income total would be. This was in part a consequence of the voluntary nature of the scheme of financial arrangements and in part related to the uneven timing of contributions. Regarding the latter point, in 2006, only 25 per cent of contributions arrived in the first half of that year. The issue of late contributions was even more pronounced in 2007, with less than six per cent of the contributions in 2007 (\$52,321) arriving in the first half of that year. The effects of this were somewhat mitigated by the fact that significant funds (\$184,000) for use in 2007 had already been contributed in 2006, but this only brought the total amount of guaranteed funding for 2007 to \$236,321 by the midpoint of the year, out of an eventual total of roughly \$906,000 (26%). In such a situation, the necessity for a cautious approach to spending is self-evident.

(c) Expenditure in 2006 was \$636,978, noticeably lower than the estimated core requirement (\$909,650) and well within the level of contributions (\$711,973) for that year. Expenditure in 2007 was \$847,793, somewhat closer to both the level of contributions (\$904,475) and the estimated core requirement (\$984,375) for that year. While the reduction in the difference between the expenditure and the estimated core requirement in 2007 made it possible to deliver the work programme and ensure successful preparations for the third meeting of the Parties, a higher level of regularity, predictability and timeliness in the receipt of contributions would have a positive impact on the full and timely implementation of the work programme in the future;

(d) Expenditure in individual activity areas generally falls significantly within what was estimated by the Working Group of the Parties to be the core requirement for the biennium, and rarely exceeds the overall requirement. The exceptions to this are accounted for by contributions in kind or by the provision of earmarked funding by a donor, as detailed in the previous section of this report.

(e) On the income side, a new pattern has emerged according to which a significant level of contributions received in a given year are intended for use in a subsequent year. For

example, as mentioned above, the Trust Fund received in 2006 slightly over 20 per cent of its contributions for use in 2007 (or approx. \$184,000 out of a total of approximately \$906,000). Similarly, the Trust Fund received in 2007 approximately \$156,000 for use in 2008. This pattern is reflected in annex I, which differentiates between contributions received in, and for use in, a given year. While this pattern increases the complexity and resources needed for the accuracy of financial reporting, it is a welcome development in a substantive sense, because it contributes to the goals of regularity, predictability and timeliness of the Convention's finances necessary for the satisfactory implementation of the work programme;

(f) The impact of the declining value of the U.S. dollar is worthy of comment. Between 1 January 2006 and 1 March 2008, the U.S. dollar compared to the euro, Swiss franc, and British pound lost 18.9 per cent, 19.1 per cent and 13.6 per cent of its value respectively, as measured by the United Nations Operational Rates of Exchange.<sup>10</sup> Although only about a third of the Trust Fund's income is deposited in dollars,<sup>11</sup> the volatility and decline of the value of the dollar increases the financial uncertainty of the costs of the various activities, and imposes a real surcharge on the implementation of the work programme, since much of the Trust Fund's expenditure is in or linked to currencies other than U.S dollars.

(g) As regards the sources of contributions, there remain significant disparities in the levels of contribution made by different Parties, whether assessed in gross, per capita or per GDP terms or according to a putative application of the United Nations scale of assessments to Parties and Signatories to the Convention. Thus the present scheme has yet to achieve the "fair sharing of the burden" recognized in decision I/13 as one of the guiding principles of any financial arrangements established under the Convention. The generous contributions made by Parties to date, particularly those whose economies are in transition, are to be warmly welcomed. Parties that have not so far contributed under the scheme should be given every encouragement to do so.

(h) Aside from the support provided through the United Nations regular budget, the secretariat's activities in servicing the work programme of the Convention remain almost wholly reliant on the contributions made by Parties and Signatories under the present voluntary scheme. The secretariat intends to increase its efforts to explore other potential sources of funds, e.g. from charitable foundations.

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<sup>10</sup> On 1 January 2006, USD-related parities were: USD/EUR 0.845, USD/CHF 1.31, USD/GBP 0.581. On 1 March 2008, parities between the same currency pairs were: USD/EUR 0.686, USD/CHF 1.06, USD/GBP 0.502.

<sup>11</sup> An analysis of contributions by currency in which they were made reveals that the euro is the main currency of contributions. Specifically, approximately 49 per cent of contributions to the Trust Fund were made in euros in 2006. That percentage rose to approximately 67 per cent in 2007. This fluctuation is partly attributable to the fact that no contributions in 2007 were made in British pounds, unlike in 2006 when 19 per cent of contributions in that currency. Statistics reveal that the U.S. dollar ranks second, accounting for almost one third of the Trust fund contributions (29% in 2006 and 30% in 2007). Swiss franc accounted for the remainder of contributions to the Trust Fund (3% in 2006 and 4% in 2007).

## Annex I

## Contributions received in and/or for 2006 and 2007

<b>Column A: Countries (Parties and Signatories)</b>	<b>Column B: Actual contribution in 2006 (US\$)</b>	<b>Column C: Adjusted contribution for 2006 (US\$)*</b>	<b>Column D: Actual contribution in 2007 (US\$)</b>	<b>Column E: Adjusted contribution for 2007 (US\$)* **</b>	<b>Notes</b>
<b>A. Contributions through the UNECE Trust Fund for Local Technical Cooperation (Aarhus Project, E104)</b>					
Albania					
Armenia					
Austria	26,350.46	13,175.23		13,175.23	(a)
Azerbaijan					
Belarus	1,000.00	1,000.00	300.00	300.00	
Belgium	65,538.00	40,538.00	14,418.24	45,030.48	(b)
Bulgaria	5,500.00	5,500.00	6,000.00		
Croatia			5,000.00	5,000.00	
Cyprus					
Czech Republic	10,000.00	10,000.00	10,000.00	10,000.00	
Denmark	41,209.78	20,604.89	101,174.74	33,724.91	
Estonia	20,000.00	20,000.00	10,000.00	10,000.00	
Finland	13,157.89	10,000.00	22,123.89	13,157.89	
France	170,122.11	106,508.88	140,078.13	144,694.31	(c)
Georgia	3,832.16	3,832.16	2,037.76	2,037.76	
Germany	57,009.62	57,009.62	60,000.00	60,000.00	
Greece			10,000.00	10,000.00	
Hungary	2,400.00	2,400.00	3,000.00	3,000.00	
Iceland					
Ireland			6,839.95	6,839.95	
Italy	125,391.62	125,391.62	144,193.14	143,210.14	(d)
Kazakhstan			321.50	321.50	
Kyrgyzstan					
Latvia	2,000.00	2,000.00	4,000.00	2,000.00	
Liechtenstein					
Lithuania	200.00	200.00	1,350.00	900.00	
Luxembourg					
Malta	1,000.00	1,000.00	1,000.00	1,000.00	
Moldova	500.00	500.00		1,000.00	(e)
Monaco					
Netherlands			30,086.00	31,660.00	(f)
Norway	47,412.68	47,412.68	50,007.09	50,007.09	(g)
Poland			7,092.20	7,092.20	
Portugal					
Romania	1,000.00	1,000.00	2,500.00	2,500.00	
Slovakia	956.00	956.00	941.00	941.00	
Slovenia			4,787.96	4,787.96	
Spain	25,641.03	25,641.03	26,881.72	26,881.72	

<b>Column A: Countries (Parties and Signatories)</b>	<b>Column B: Actual contribution in 2006 (US\$)</b>	<b>Column C: Adjusted contribution for 2006 (US\$)*</b>	<b>Column D: Actual contribution in 2007 (US\$)</b>	<b>Column E: Adjusted contribution for 2007 (US\$)** **</b>	<b>Notes</b>
Sweden	101,285.00	19,975.00	51,658.82	101,285.00	(h)
Switzerland	16,528.93	16,528.93	25,862.07	25,862.07	(i)
Tajikistan	190.00	190.00	400.00	400.00	
The former Yugoslav Republic of Macedonia					
Turkmenistan	200.00	200.00			
Ukraine					
United Kingdom	52,173.91	52,173.91			
European Community	128,205.13	128,205.13	136,239.78	136,239.78	
Public Donation	29.57	29.57			
Foundation grant-GIAN	13,016.95			13,016.95	
<b>[1] Total Contributions to TFLTC</b>	<b>931,850.84</b>	<b>711,972.65</b>	<b>878,293.99</b>	<b>906,065.95</b>	
<b>[2] Gain-Interest &amp; foreign exchange***</b>	<b>17,469.68</b>	<b>17,469.68</b>	<b>54,898.66</b>	<b>54,898.66</b>	
<b>[3] Total TFLTC (Contributions and gain) [1]+[2]</b>	<b>949,320.52</b>	<b>729,442.33</b>	<b>933,192.65</b>	<b>960,964.61</b>	
<b>B. Contributions in kind</b>					
Austria (PPSD)			20,526.56	20,526.56	
Belgium (LTSP)	16,100.00	16,100.00	6,975.19	6,975.19	
Bulgaria (PPSD)			1,500.00	1,500.00	
Norway (LTSP)	11,901.08	11,901.08			
UNEP (Awareness-raising)	6,000.00	6,000.00			
<b>[4] Total (in-kind)</b>	<b>34,001.08</b>	<b>34,001.08</b>	<b>29,001.75</b>	<b>29,001.75</b>	
<b>Grand total [3]+[4]</b>	<b>983,321.60</b>	<b>763,443.41</b>	<b>962,194.40</b>	<b>989,966.36</b>	

\* "Adjusted Contribution" columns are intended to offer a more realistic picture of the actual income available for use in a given year. Contributions by Parties and Signatories are often intended for use in a year other than the year the contribution was deposited and/or received. The adjusted contribution figure in a given year is derived from the actual contribution in that year, minus any part of that contribution that was earmarked for use in a different year, plus any contributions made in years other than the reference year but earmarked for use in the reference year.

\*\* Column E includes a number of late contributions for 2007 that were received in early 2008, amounting to \$33,186. For reporting purposes, the cut-off point of 11 March 2008 has been applied on contributions for 2007 received in 2008.

\*\*\*Calculated for the year that precedes the year of reference but added to the Trust Fund in the year of reference.

Notes:

(a) Earmarked: \$13,175 (2006) for 2007 PPSD workshop.

(b) Column E incorporates Belgium's late contribution for 2007 of \$30,612.24. As this contribution was received in early 2008, it is not reflected in columns B-D.

(c) Earmarked: \$29,585 (2006) for Task Force on PPIF, \$63,613 (2006) for meeting of representatives of international forums on PPIF, \$58,997 (2007) for planned 2008 workshop in South-Eastern Europe on access to justice.

(d) Earmarked: \$8,075 (2007) for LTSP.

(e) Column E incorporates Moldova's late contribution for 2007 of \$1,000. As this contribution was received in early 2008, it is not reflected in columns B–D.

(f) Column E incorporates a contribution from the Netherlands of \$1,574, this being the final increment of its 2007 contribution. As this contribution was received in early 2008, it is not reflected in columns B–D.

(g) Earmarked: \$17,428 (2006) and \$30,007 (2007) to facilitate participation of delegates from Eastern Europe, Caucasus and Central Asia in meetings under the Convention.

(h) Earmarked: \$25,805 (2006) for Task Force on Access to Justice, \$55,505 (2006) for workshop on access to justice, \$7,558 (2007) for translation in connection with the 2008 Task Force, and \$24,126 (2007) for travel and DSA in connection with the 2008 Task Force.

(i) Earmarked: \$25,862 (2007) for PRTR work programme.

## Annex II

Overview of expenditures for 2006 and 2007<sup>12</sup>

Activity	Actual Expenditure in 2006	Actual Expenditure in 2007	Total Expenditure in 2006 and 2007	Core Requirement per Activity for Biennium 2006-2007*	Overall Requirement per Activity for Biennium 2006-2007*
<b>I. Compliance mechanism</b>	<b>162,066.39</b>	<b>155,427.25</b>	<b>317,493.64</b>	<b>495,108.00</b>	<b>719,440.00</b>
Staff time	94,108.74	82,796.76	176,905.50	279,108.00	433,440.00
Travel, DSA (Experts/Participants)	63,990.43	66,511.86	130,502.29	140,000.00	160,000.00
Subcontracts	3,967.22	6,118.63	10,085.85	60,000.00	100,000.00
Equipment	0.00	0.00	0.00	6,000.00	6,000.00
Travel, DSA (Staff)	0.00	0.00	0.00	10,000.00	20,000.00
<b>II. Capacity-building activities</b>	<b>47,054.36</b>	<b>45,821.23</b>	<b>92,875.59</b>	<b>267,280.00</b>	<b>559,600.00</b>
Staff time	47,054.36	41,398.38	88,452.74	197,280.00	309,600.00
Travel, DSA (Experts/Participants)	0.00	0.00	0.00	0.00	10,000.00
Capacity-building activities	0.00	0.00	0.00	40,000.00	200,000.00
Materials, studies	0.00	0.00	0.00	20,000.00	20,000.00
Travel, DSA (Staff)	0.00	4,422.85	4,422.85	10,000.00	20,000.00
<b>III. Awareness raising and promotion of the Convention and the Protocol on PRTRs</b>	<b>33,724.74</b>	<b>36,480.17</b>	<b>70,204.91</b>	<b>149,856.00</b>	<b>234,800.00</b>
Staff time	31,369.58	27,598.92	58,968.50	89,856.00	154,800.00
Travel, DSA (Staff)	2,355.16	8,881.25	11,236.41	60,000.00	80,000.00
<b>IV. Clearinghouse mechanism</b>	<b>57,280.50</b>	<b>59,856.66</b>	<b>117,137.16</b>	<b>161,508.00</b>	<b>224,800.00</b>
Staff time	55,282.70	43,697.39	98,980.09	131,508.00	154,800.00
Travel, DSA (Staff)	1,997.80	3,806.42	5,804.22	0.00	0.00
Subcontracts	0.00	12,352.85	12,352.85	30,000.00	70,000.00
<b>V. Public participation in international forums</b>	<b>37,096.92</b>	<b>60,458.10</b>	<b>97,555.02</b>	<b>70,000.00</b>	<b>120,000.00</b>
Travel, DSA (Experts/Participants)	13,096.92	42,364.51	55,461.43	30,000.00	55,000.00
Subcontracts	24,000.00	18,093.59	42,093.59	40,000.00	65,000.00
<b>VI. Pollutant release and transfer registers</b>	<b>102,378.48</b>	<b>116,650.90</b>	<b>219,029.38</b>	<b>239,508.00</b>	<b>350,800.00</b>
Staff time	62,739.16	55,197.84	117,937.00	131,508.00	154,800.00
Equipment	0.00	0.00	0.00	6,000.00	6,000.00
Travel, DSA (Experts/Participants - Working Group on PRTR)	35,600.04	54,552.69	90,152.73	70,000.00	70,000.00
Travel, DSA (Experts/Participants - Expert Groups)	0.00	4,172.93	4,172.93	12,000.00	60,000.00
Travel, DSA (Staff)	4,039.28	2,727.44	6,766.72	0.00	0.00
Subcontracts	0.00	0.00	0.00	20,000.00	60,000.00

<sup>12</sup> The figures for 2006 also include the costs of travel and DSA for eligible participants in some meetings organized under the auspices of the Convention that were covered by the UNECE Trust Fund for Assistance to Countries in Transition (TFACT). Expenses for the organization of meetings that were covered through contributions in kind by host countries are presented under entries (6) and (7) in this annex.

Activity	Actual Expenditure in 2006	Actual Expenditure in 2007	Total Expenditure in 2006 and 2007	Core Requirement per Activity for Biennium 2006-2007*	Overall Requirement per Activity for Biennium 2006-2007*
<b>VII. Access to Justice</b>	<b>35,335.47</b>	<b>133,013.35</b>	<b>168,348.82</b>	<b>30,000.00</b>	<b>70,000.00</b>
Staff time	15,684.79	13,799.46	29,484.25	0.00	0.00
Travel, DSA (Experts/Participants)	19,650.68	51,025.66	70,676.34	30,000.00	50,000.00
Subcontracts	0.00	68,188.23	68,188.23	0.00	20,000.00
<b>VIII. Electronic information tools</b>	<b>52,984.73</b>	<b>49,972.36</b>	<b>102,957.09</b>	<b>72,868.00</b>	<b>120,960.00</b>
Staff time	15,684.79	13,799.46	29,484.25	32,868.00	30,960.00
Travel, DSA (Staff)	2,430.52	0.00	2,430.52	0.00	10,000.00
Travel, DSA (Experts/Participants)	19,869.42	23,820.05	43,689.47	30,000.00	50,000.00
Subcontracts	15,000.00	12,352.85	27,352.85	10,000.00	30,000.00
<b>IX. Genetically modified organisms</b>	<b>0.00</b>	<b>4,934.62</b>	<b>4,934.62</b>	<b>30,000.00</b>	<b>75,000.00</b>
Travel, DSA (Experts/Participants)	0.00	0.00	0.00	15,000.00	45,000.00
Subcontracts	0.00	4,934.62	4,934.62	15,000.00	30,000.00
<b>X. Public participation in strategic decision-making</b>	<b>0.00</b>	<b>30,488.08</b>	<b>30,488.08</b>	<b>65,000.00</b>	<b>120,000.00</b>
Travel, DSA (Experts/Participants)	0.00	15,542.40	15,542.40	15,000.00	30,000.00
Travel, DSA (Staff)	0.00	5,076.45	5,076.45	0.00	10,000.00
Subcontracts	0.00	9,869.23	9,869.23	50,000.00	80,000.00
<b>XI. Coordination and oversight of intersessional activities</b>	<b>39,052.24</b>	<b>56,998.86</b>	<b>96,051.10</b>	<b>85,000.00</b>	<b>85,000.00</b>
Travel, DSA (Experts/Participants - WGP meetings)	33,257.25	48,359.74	81,616.99	75,000.00	75,000.00
Travel, DSA (Experts/Participants - Bureau meetings)	5,794.99	8,639.12	14,434.11	10,000.00	10,000.00
<b>XII. Third ordinary meeting of the Parties</b>	<b>0.00</b>	<b>1,175.98</b>	<b>1,175.98</b>	<b>10,000.00</b>	<b>20,000.00</b>
Travel, DSA (Experts/Participants)	0.00	0.00	0.00	0.00	0.00
Travel, DSA (Staff)	0.00	1,175.98	1,175.98	0.00	0.00
Subcontracts	0.00	0.00	0.00	10,000.00	20,000.00
<b>XIII. Long-term strategic planning</b>	<b>0.00</b>	<b>7,146.13</b>	<b>7,146.13</b>	<b>0.00</b>	<b>0.00</b>
Travel, DSA (Experts/Participants)	0.00	6,155.21	6,155.21		
Travel, DSA (Staff)	0.00	990.92	990.92		
Adjustment and savings on meetings held in previous years	-3,276.70	-8,164.83	-11,441.53	0.00	0.00
Miscellaneous	-350.00	-1,335.50	-1,685.50		
Travel, DSA (Staff)	-703.65	-826.20	-1,529.85		
Travel, DSA (eligible participants)	-2,223.05	-9,070.77	-11,293.82		
In-Service Training	0.00	3,067.64	3,067.64		
<b>(1) Net Total</b>	<b>563,697.13</b>	<b>750,258.85</b>	<b>1,313,955.98</b>	<b>1,676,128.00</b>	<b>2,700,400.00</b>
<b>(2) 13% programme support costs of (1)</b>	<b>73,280.63</b>	<b>97,533.65</b>	<b>170,814.28</b>	<b>217,896.64</b>	<b>351,052.00</b>
<b>(3) 15% operating reserve of (1)</b>	<b>84,554.57</b>	<b>112,538.83</b>	<b>197,093.40</b>	<b>251,419.20</b>	<b>405,060.00</b>
<b>(4) GRAND TOTAL (1)+(2)+(3)</b>	<b>721,532.33</b>	<b>960,331.33</b>	<b>1,681,863.65</b>	<b>2,145,443.84</b>	<b>3,456,512.00</b>
<b>(5) GRAND TOTAL (1)+(2)</b>	<b>636,977.76</b>	<b>847,792.50</b>	<b>1,484,770.26</b>	<b>1,894,024.64</b>	<b>3,051,452.00</b>
<b>(6) In kind contributions</b>	<b>34,001.08</b>	<b>29,001.75</b>	<b>63,002.83</b>		
<b>(7) GRAND TOTAL with in-kind contributions (5)+(6)</b>	<b>670,978.84</b>	<b>876,794.25</b>	<b>1,547,773.09</b>		

\* Figures on core and overall requirement for the biennium 2006-2007 are based on ECE/MP.PP/WG.1/2006.9, Annex II.

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