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**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 to the Convention

Eleventh meeting  
Geneva, 8–10 July 2009  
Item 10 of the provisional agenda

**REPORTING REQUIREMENTS**

**OPTIONS FOR ADDRESSING ISSUES RELATING TO THE CONVENTION'S  
REPORTING MECHANISM**

Note by the secretariat<sup>1</sup>

**I. ISSUES RELATING TO THE CURRENT PRACTICE OF NATIONAL  
REPORTING ON IMPLEMENTATION**

1. Article 10, paragraph 2, of the Convention requires the Parties at their meetings to keep under continuous review the implementation of the Convention on the basis of regular reporting by the Parties. The Meeting of the Parties, through decisions I/8 and II/10, elaborated on this requirement and agreed upon procedures for reporting and upon the reporting format itself.
2. The process of preparing the national implementation reports, which involves a dialogue with the public at the national level, is recognized as an extremely important aspect of the reporting mechanism (ECE/MP.PP/C.1/2006/4, para. 36 (c)). The public consultation is most

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<sup>1</sup> This document was prepared at the request of and in consultation with the Bureau, in order to facilitate the review of reporting procedures by the Working Group of the Parties, as mandated by the Meeting of the Parties through decision III/5 on reporting requirements (ECE/MP.PP/2008/2/Add.7, paras. 20 and 21).

effective if the public is involved at an early stage, when issues and information to be included in the report are identified. An effective consultation process should involve two stages: (a) an early consultation on which issues should be reflected in the report (prior to the development of the first draft of the report); and (b) a follow-up consultation on the draft report.<sup>2</sup>

3. At its third session, the Meeting of the Parties reviewed the experience of reporting acquired during the first two cycles of reporting and noted with concern that many of the Parties that submitted reports did not do so within the deadline indicated in decision II/10.<sup>3</sup> The Meeting of the Parties encouraged Parties to start the preparation of national implementation reports in future reporting cycles sufficiently in advance of the deadline for their submission, with a view to providing for meaningful public consultation at the national level while adhering to the deadline for the submission of the reports. It further encouraged Parties to ensure transparency throughout the process of preparation and submission of the reports.<sup>4</sup>

4. Even where Parties submitted their reports to the secretariat by the deadline or not too long after it, the secretariat had difficulties in meeting the internal United Nations deadline for submitting the reports to Conference Services Division of the United Nations Office at Geneva for processing.<sup>5</sup> While this was partly due to delays in reaching agreement on a common format for the reports with Conference Services Division, a process that in theory would not need to be repeated in future reporting cycles, the delays were largely a result of the scale of the editing tasks required. The reports received during the first and second reporting cycles frequently required extensive editing by the secretariat before their submission to Conference Services Division for translation and publication. The formatting and editing of the submitted reports was time-consuming for all staff involved and required the recruitment of additional short-term staff using the resources of the Convention's trust fund.

5. Conference Services Division, which is responsible for translating and reproducing the national implementation reports as official United Nations documents, also encountered difficulties in processing the reports, even when they were submitted close to the internal submission deadline. Due to simultaneous demands from various United Nations organizations for the translation and processing of documents (including the remaining documentation for the Meeting of the Parties to the Convention) as well as the limited availability of staff and resources to meet these demands, Conference Services Division was unable to provide timely translations of the national implementation reports and to publish them as official documents for the third session of the Meeting of the Parties. Indeed, some reports that were submitted close to the deadline are still not available in all three official languages even now (April 2009). The

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<sup>2</sup> See the Guidance on Reporting Requirements prepared by the Compliance Committee (20 February 2007), (ECE/MP.PP/WG.1/2007/L.4, paras. 9 and 10).

<sup>3</sup> In its report to the third session of the Meeting of the Parties, the Compliance Committee noted that of the 41 States for which the Convention was in force at that time, only eight submitted national implementation reports on time. Fifteen more reports were submitted with some delay (up to one month) and 12 were submitted with significant delay (more than one month). (ECE/MP.PP/2008/5, para. 76).

<sup>4</sup> See decision III/5 on reporting requirements (ECE/MP.PP/2008/2/Add.7, paras. 6 and 10).

<sup>5</sup> According to United Nations procedures, documents are to be submitted, in edited form, no later than 10 weeks before the meeting for which they are prepared (12 weeks in the case of provisional agendas). The documents are supposed to be translated and available for circulation in all the relevant official languages no later than six weeks before the meeting for which they are prepared (eight weeks in the case of provisional agendas).

combined volume of all national implementation reports is likely to increase over time as more States ratify or accede to the Convention, and will therefore continue to pose problems for both Conference Services Division and the UNECE<sup>6</sup> secretariat under the current approach.

6. With respect to these problems, the Meeting of the Parties noted that the current process whereby the reports were circulated by the secretariat as official documents in the three official languages of the Convention (pursuant to paragraph 8 (a) of decision I/8), put significant strain on the staff resources of the secretariat and required the allocation of additional resources from the Convention's trust fund, and that if the current approach were to be maintained, even more resources might need to be allocated for it.<sup>7</sup>

7. The above-mentioned late submission of reports and the lengthy time required for processing them delayed the release of many of the final reports for the third session of the Meeting of the Parties. In turn, this limited the time available to Parties to review and reflect on the detailed information contained therein. Furthermore, it is reasonable to suppose that in preparing for the meeting, delegations would give more priority and attention to category I documents, or to category II documents having more general relevance, than to the national implementation reports.

8. The Meeting of the Parties noted that some Parties had failed to provide to the secretariat copies of their reports in their national languages, as required by decision I/8.<sup>8</sup> The failure to submit a national language version may indicate that no national language version was created, raising the concern that opportunities for public consultation over the draft report in such cases may have been limited.

9. The Meeting of the Parties mandated the Working Group to review the procedure for submission and processing of reports with a view to resolving the practical difficulties affecting the workload of the secretariat and the timely availability of the reports in the next reporting cycle.<sup>9</sup>

## **II. ADDRESSING EDITING AND TRANSLATION ISSUES**

10. In the light of the demands posed by the total volume of national implementation reports on the editing and translation capacities of the UNECE secretariat and on Conference Services Division, and of the fact that these bodies are unable to meet these demands under the present circumstances, it is proposed to address these issues through one, or a combination, of the following options.

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<sup>6</sup> United Nations Economic Commission for Europe.

<sup>7</sup> See decision III/5 on reporting requirements (ECE/MP.PP/2008/2/Add.7, para. 20).

<sup>8</sup> See the report of the third session of the Meeting of the Parties (ECE/MP.PP/2008/2, para. 39).

<sup>9</sup> See decision III/5, paragraph 21, and ECE/MP.PP/2008/2, paragraph 42.

### A. Outsourcing the editing and translation of national implementation reports

11. In the event that the Parties wish to maintain the current practice of publishing the national implementation reports as official United Nations documents in the three official UNECE languages (English, French and Russian), it is proposed to outsource the editing and translation of the reports.

12. During the second reporting cycle, 35 national implementation reports were submitted in time for consideration by the Meeting of the Parties at its third session, with an average of 28 pages per submitted report. As of April 2009, there were 42 Parties to the Convention. Using these numbers as a basis for calculating the total number of pages to be edited and translated during the third reporting cycle, the costs of outsourcing the editing and translation of the national implementation reports are roughly estimated between \$US 198,000 and \$228,000, depending on the level of difficulty and urgency of the text (table 1).

**Table 1**  
**Total estimated costs of translation and editing of national implementation reports**

	Estimated costs in United States dollars (to the nearest thousand)		
	Beginning editor	Fully qualified editor	Experienced translator employed as editor
Editing of original text	35,000	42,000	49,000
	Standard text	Technical or difficult text	Very difficult or urgent text
Translation into two other languages	163,000	171,000	179,000

13. The financial resources needed to cover the costs of outsourcing these activities would need to be drawn from the Convention's trust fund. Parties would be asked to make financial or in-kind contributions to this end. In order not to compromise the regular work funded through the Convention's trust fund, these contributions would need to be additional to Parties' regular contributions towards implementation of the Convention's work programme.

14. The editing and translation services that would be engaged to deliver the task of processing the reports would be selected through a tendering process similar to the United Nations procedures for engaging other types of services, such as consulting and procurement.

## B. Publishing national reports in their original language<sup>10</sup>

### 1. Publication in original language as official documents

15. A less costly alternative would be to have the national implementation reports published as official United Nations documents only in the UNECE language in which they are submitted. For this option, the reports would either need to be edited by UNECE using external editors, which would bring the total estimated costs to an amount between \$35,000 and \$49,000 (see table 1, "Editing of original text"); alternatively, Parties could commit to having their national reports edited professionally before they submitted them to the secretariat. In this case, each individual Party would bear the editing costs for its own national report. However, in order to be accepted for publication by Conference Services Division, the reports would need to meet the requirements that apply to United Nations documents. Editors engaged by individual Parties would therefore need to be aware of the United Nations editorial rules and to have the expertise necessary to apply those rules.

16. The Compliance Committee, which uses English as its working language, has a specific responsibility in relation to the reporting mechanism.<sup>11</sup> In order for the Committee to be able to work with the complete set of national implementation reports, this option could involve having English translations prepared of the relatively small number of reports that are not submitted in English. Only 9 of the 35 Parties that submitted reports before the third session of the Meeting of the Parties did not submit them in English. Such English translations, prepared for operational reasons, would also be of practical assistance to the secretariat in its task of preparing the synthesis report. The practice to date has been for the secretariat to contract a consultant to assist with the preparation of the draft synthesis report. Having all the implementation reports available in English would broaden the range of consultants able to undertake this task.

17. If English translations of the reports submitted only in French or Russian were to be prepared, the task of translation would need to be outsourced. However, since the total number of reports to be translated would be far less than if all national implementation reports were translated into the other official languages, and since they would be translated only into one language rather than into two, the costs would be significantly lower than described in subsection A above, and would come to between \$17,000 and \$19,000 (table 2).

**Table 2**

#### **Estimated costs of informal translation of reports submitted in French and Russian**

	Standard text	Technical or difficult text	Very difficult or urgent text
	Estimated costs in United States dollars (to nearest thousand)		
Translation only	17,000	18,000	19,000

*Note:* Basis for calculation – number of reports not submitted in English during second reporting cycle.

<sup>10</sup> Original language (as opposed to national language) means the UNECE official language (English, French or Russian) in which the report is submitted.

<sup>11</sup> See decision I/7, annex, paragraph 13 (c).

18. It would be an open question as to whether the English translations would be produced as official United Nations documents or would remain as informal documents. Needless to say, if they were to become official United Nations documents, it would be clearly indicated on the document that the French or Russian version was the original one.

19. From the above figures, it can be seen that the cost of combining the editing of all reports with translation into English of those not submitted in English would come to between \$52,000 and \$68,000.

## **2. Publication in original language, online only**

20. In the event that the Parties were not in a position to commit to investing any additional resources for the outsourcing of editing or translation services, another option would be to follow the current practices of the secretariats of the other UNECE environmental conventions in the processing of reports on national implementation of those conventions. This practice includes the submission of national implementation reports by Parties in one of the official UNECE languages, as well as publication of the reports through the Conventions' websites in the official language in which they are submitted, without editing by UNECE.

21. In the light of the Convention's requirement that national implementation reports be submitted in both an official UNECE language and (one of) the submitting country's national language(s), this option would also include publishing the reports submitted in the national language(s) on the Convention's website.

22. Under this option, the reports would be made available to other Parties and to the public as they were submitted by the Party, without being edited by the secretariat prior to publication. The reports would not be processed by Conference Services Division and published as official United Nations documents.

## **C. Shifting the reporting cycle**

23. A more radical option would be to shift the reporting cycle so that the reports were submitted more or less in the middle of the intersessional period. This option would have the advantage that the burden on the UNECE secretariat and on Conference Services Division would not coincide with the more general burden arising from the regular documentation for the session of the Meeting of the Parties. It would also allow more time for in-depth analysis of the reports prior to the session of the Meeting of the Parties, both by the secretariat in its task of preparing the synthesis report, and by the Parties and other stakeholders. Disadvantages include the fact that there might be less pressure on Parties to meet the reporting deadline, and that the information in the reports would be more dated by the time of the session of the Meeting of the Parties.

24. It should be noted that this option, on its own, would not sufficiently relieve the burden on the secretariat imposed by the current system, whereby all the reports are edited, translated and reproduced in the three official languages by the regular staff of the UNECE secretariat and Conference Services Division. Thus it is an option that would need to be applied in conjunction with one or other of the options discussed under subsections A and B above.

### III. ADDRESSING TIMELY REPORTING AND PUBLIC CONSULTATION ISSUES: ONLINE DEVELOPMENT OF NATIONAL IMPLEMENTATION REPORTS

25. In February 2009, the secretariat completed a project to make national implementation reports (NIRs) submitted during the first and second reporting cycles (concluded in 2005 and 2008) accessible online in a user-friendly format. The contents of the NIRs were entered into an online database through the Aarhus Clearinghouse for Environmental Democracy (<http://aarhusclearinghouse.unece.org>). The Clearinghouse enables users to query and extract from the database complete national implementation reports, as well as responses to individual questions contained in the reporting format. Multi-year and multi-country queries can also be performed, facilitating the comparative analysis of responses obtained from one or more countries on specific implementation issues over time.

26. To address the issues of timely reporting and public consultation, the secretariat has requested ICT<sup>12</sup> project funding to facilitate online preparation of and public consultation with regard to the draft national implementation reports. For the 2011 reporting cycle, it is proposed to place the 2008-cycle NIRs in the online document editing application, Confluence.

27. Confluence is a simple, powerful wiki that allows teams to create and share pages, documents and other content (e.g. tables, photos, charts and videos).<sup>13</sup> It is enabled through a rich text editor. Confluence document administrators may assign privileges to registered users to view only, view and edit, or export prepared documents. Successive versions of draft documents are retained and the authorship of edited text and comments is clearly displayed. Thus, the process of preparation of a document can be made transparent to any registered user.

28. During the initial preparation for the 2011 reporting cycle, the secretariat proposes to create separate national Confluence “spaces” (accounts). Each Convention National Focal Point (NFP) would be assigned a password-protected space containing the final, edited version of its Party’s 2008-cycle NIR. NFPs would receive training from the secretariat on how to upload and edit documents in Confluence.<sup>14</sup>

29. In the second phase of the project, Parties would be encouraged to create their own Confluence webpages in one or more national language. These webpages would be accessible online through passwords assigned by the NFPs.

30. Once the draft 2011-cycle NIR was prepared, it would be shared with registered users from the broader community. Public comment would be recorded and stored in the Confluence space. Parties would be encouraged to take these comments into account in preparing revisions of their draft NIRs.

31. In preparing their submissions in English, French or Russian, NFPs would also be asked to refer to the final edited 2008 versions of their respective NIRs as a basis for the new reports.

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<sup>12</sup> Information and communication technologies.

<sup>13</sup> A wiki is a webpage or collection of webpages designed to enable anyone who accesses it to contribute or modify content, using a simplified mark-up language.

32. In the final phase, completed draft national implementation reports would be certified (signed off) by the respective NFPs and then submitted to the secretariat as exported document files. Where applicable, national reports in languages other than the three official UNECE languages would be also be submitted.

33. Once having received electronic certification from an NFP, the secretariat would download the interim product for final processing, distribution and uploading to the website.

34. It is hoped that the use of electronic information tools to engage in public consultation in this specific context would further serve as an encouragement to Parties to make use of such tools for public consultation in other contexts.

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