

United Nations Economic Commission for Europe
Extraordinary session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

Geneva, 19 April 2010

PROBLEMS WITH THE PUBLICATION OF POST-SESSION DOCUMENTATION OF THE COMPLIANCE COMMITTEE

(Item 5 of the provisional agenda)

Proposal prepared by the Chair in consultation with the Bureau

Having considered the 'Note by the secretariat' prepared in connection with agenda item 5 of the provisional agenda of the forthcoming extraordinary session of the Meeting of the Parties to the Aarhus Convention, the Chair submits the following text, prepared in consultation with the Bureau, for consideration and possible adoption by the Meeting:

“The Meeting hereby requests the secretariat to continue to produce the agendas, meeting reports and findings of the Compliance Committee as official documents so that they are available in the three official languages.

Mindful of the capacity constraints faced by the UN conference services and of the consequent need to limit the volume of official documentation produced under the Convention, the Meeting encourages the Committee to undertake every effort to keep its documents as short as possible, restricting its findings to the essential facts, argumentation and conclusions.

However, the Meeting recognises the legal nature of the Committee's findings, which are used and cited by Parties and other stakeholders as well as the Committee itself in subsequent cases and which, subject to approval of the Meeting, provide guidance on the interpretation of the Convention. It furthermore recognises that the combined length of the findings adopted at future meetings of the Committee are likely to regularly exceed the applicable length limits, leading to a frequent need for waiver requests to be submitted which in turn would entail a significant administrative burden and delays in the release of the documents. It therefore requests that the UNECE Executive Secretary seek a solution with Conference Services whereby either the length limit be applied separately to each set of findings, whether they are produced as addenda to the meeting report at which they are adopted or as separate documents, or that a general waiver be granted for the findings of the Committee, it being understood that every effort will be made to minimize the length of findings to the extent possible, bearing in mind their legal nature.”