

ELEVENTH MEETING OF THE BUREAU OF THE MEETING OF THE PARTIES TO THE AARHUS CONVENTION

Palais des Nations, Geneva
4 April 2006

SUMMARY OF MAJOR OUTCOMES

Attendance:

Bureau members: Ms. Hanne Inger Bjurstrøm (Norway, Chair) supported by Ms Mona Aarhus (Norway), Ms. Maud Istasse (Belgium), Ms Federica Rolle (substituting Ms. Giuliana Gasparini, Italy), Ms. Saltanat Abdikarimova (Kazakhstan), Ms. Evita Stanga (Latvia), Mr. Jerzy Jendroska (Poland).

Apologies: Mr. Faig Sadigov (Azerbaijan)

NGO Observer: Mr John Hontelez (European ECO Forum)

Invited Observer: Mr Laurent Mermet (Chair of the Task Force on Public Participation in International Forums, France)

I. Pollutant release and transfer registers

The secretariat reported on activities under the Working Group on Pollutant Release and Transfer Registers, in particular the preparation of decisions on a compliance mechanism and rules of procedure, the progress towards entry into force of the Protocol and capacity-building activities. The Bureau, noting that the Working Group of the Parties had a mandate under decision I/14 to oversee and direct the activities of other subsidiary bodies, agreed to recommend to the Working Group of the Parties that both the draft compliance mechanism and the draft rules of procedure to the Protocol should closely resemble those adopted under the Convention, taking into account the special features of the Protocol; and, in particular that it would welcome it if the PRTR compliance mechanism would involve a compliance body consisting of members serving in an individual capacity with the possibility for the public to trigger the compliance procedure..

II. Genetically modified organisms

The secretariat, following consultations with the UN Office of Legal Affairs, reported on the question of the interpretation of the article 14, paragraph 4 of the Convention concerning the conditions for entry into force of amendments, which had immediate relevance in relation to the amendment to the Convention adopted at the second ordinary Meeting of the Parties. The issue at hand was whether the clause ‘three fourths of these Parties’ should be interpreted as referring to three quarters of the total number of Parties at the time of the adoption of the amendment (*fixed target*) or three quarters of the number at the time of the entry into force of the amendment (*moving target*). The Bureau agreed that the best solution for this would be for the Meeting of the Parties to opt for the ‘fixed target’ interpretation, following a procedure proposed by the Office of Legal Affairs, and decided to put this issue forward to the Working Group of the Parties.

The Bureau also looked into the issue of the time and venue of the proposed international expert meeting on GMOs. The Netherlands had expressed an interest in contributing financially towards the cost of such a meeting. It was decided that the Bureau would propose to the Working Group to postpone the workshop until 2008 in order to be able to organise it in conjunction with the Conference of the Parties to the Cartagena Protocol. A more specific programme and agenda would be prepared and presented at the seventh meeting of the Working Group of the Parties in 2007.

III. Public participation in strategic decision-making

The Bureau discussed issues related to its paper proposing certain activities on the topic of public participation in strategic decision-making, notably the organization of a workshop and the preparation of a compendium of good practices. It discussed practical aspects of the implementation of and preparations for the workshop and considered the best way to structure the discussion in the meeting of the Working Group of the Parties.

IV. Public participation in international forums

The Chairman of the Task Force on Public Participation in International Forums, Mr. Laurent Mermet (France), introduced the draft plan of consultation, list of international forums, questionnaire, and cover letter prepared by the Task Force following its first meeting (24-25 November 2005).

The Bureau discussed the provisional timetable of the consultation package and expressed concern that a completely phased approach might be difficult to apply within this timeframe. It proposed to put emphasis first on formal written consultation and second on informal consultations but in an overlapping manner rather than in two separate stages.

The Bureau noted that if the Task Force were to have a role in shaping the proposed international workshop and if that workshop were to take place early in 2007, it might be necessary to hold the Task Force meeting in September 2006 rather than November 2006 as proposed in annex III to document ECE/MP.PP/WG.1/2006/9. This would depend inter alia upon whether the Working Group approved the proposed workshop and if so, any conditions imposed by the host country.

V. Compliance mechanism

The Bureau took note of the forthcoming vacancy in the Compliance Committee, due to the stepping down of Ms. Eva Kruzikova (Czech Republic) as a result of her appointment to a position in the Czech Environment Ministry, having regard to the requirement that members of the Committee serve in their personal capacities and should be independent. Prior to the meeting, the Bureau had agreed following e-mail consultation to invite nominations for candidates from Parties, Signatories and NGOs fitting the description in paragraph 4 of the annex to decision I/7 (ECE/MP.PP/2/Add.8). The Government of Poland had nominated Mr. Jerzy Jendroska. No other nominations had been received. The Bureau accepted the nomination of Mr. Jerzy Jendroska for the vacant position by consensus of all those present¹, with the understanding that the Bureau's decision would be subject to approval by the Compliance Committee itself, in accordance with paragraph 10 of the annex to decision I/7. The Bureau was informed that, should this nomination be approved by the Compliance Committee, Mr. Jendroska would step down from his position as Vice-Chairperson and member of the Bureau and would not represent the Government of Poland in any of the Convention's bodies.

VI. Access to justice

The secretariat informed the Bureau on the outcome of the Task Force meeting on access to justice (16-17 February 2006). The Bureau took note of the paragraph on capacity building of the Task Force report, recognised that activities at a more practical level needed to be organised, and

¹ Mr Jendroska was not present during the discussion on this agenda item.

recommended that at least one of the proposed workshops should be organised within the coming year subject to funding.

VII. Electronic information tools

The Bureau took note of developments in this area and the draft guidance document for national nodes of the Clearing House that had been developed in consultation with the Task Force on Electronic Information Tools. It was agreed that the Chair would inform the Working Group of the Parties that the guidance document was a work in progress and that it should be expected to evolve as the clearing house mechanism developed further.

VIII. Capacity-building

The secretariat reported on activities in the area of capacity building. The Bureau discussed the WGP agenda item on capacity building. Three selected speakers from countries with the greatest capacity building needs had been invited to make presentations on needs and priorities. The secretariat presented the idea to expand the Convention's clearing house to include capacity-building resources. Also, the Bureau discussed the need of a questionnaire on capacity-building that would also be made available in Russian. The secretariat expressed its intention to work further in the directions outlined in paragraph 23 of the report on capacity building activities (ECE/MP.PP/WG.1/2006/7).

IX. Financial arrangements/Work programme for 2006-2008

The secretariat presented the financial report for 2005 and a paper with the expected expenditure and income under the Work Programme for 2006-2008 (ECE/MP.PP/WG.1/2006/9). Various alternatives to accommodate the discrepancy between the core budget and the actual income of the Convention were discussed and ranged from endeavouring to increase the contributions of the Parties to various options for prioritizing activities in the Work Programme. The expectation was that activities might have to be cut or postponed, in the absence of sufficient funding, but the Bureau considered that it would be premature to agree on such measures at this stage. The Bureau agreed to recommend to the Working Group that Parties which had not indicated their pledges for 2006 be invited to inform the secretariat before 1 July and, if possible, to inform the secretariat regarding pledges for 2007 by 1 December 2006 or to propose a date before which they will be able to do that. A reminder should be sent at the end of November about this.

The issue of the Working Group's recommendations to the third ordinary meeting of the Parties on the scheme of financial arrangements was discussed. Following the adoption of an interim scheme, the Working Group of the Parties had been instructed by the Meeting of the Parties to produce a proposal for establishing a more sustainable scheme. The Bureau considered that it would be useful to hear the views of Parties on the shape of a longer-term scheme of financial arrangements. The aforementioned paper on expected expenditure and income together with annex 1 of that paper suggested one way to apportion the burden of contributions. Finally, the Bureau noted that the next meeting of the Working Group of the Parties would take place just one year before the third meeting of the Parties and that the work on financial arrangements therefore needed to start as soon as possible. It was agreed to propose to the Working Group of the Parties to give a mandate to the Bureau to prepare a proposal on this topic for the seventh meeting of the Working Group of the Parties.

X. Long term strategic planning

The Bureau discussed its proposal for an expert group on Long Term Strategic Planning. If the proposal was accepted by the Working Group, then once the selection process for members of the group was concluded, the Bureau would forward the list of chosen candidates to the Parties together with explanations about their selection.

XI. Outreach to non-ECE states

The Bureau agreed that the secretariat would report to the Working Group on its recent activities in this area, including participation in the meetings of the Partnership for Principle 10, the World Summit on the Information Society and the Asia Europe Environment Forum.

XII. Preparations for the third ordinary Meeting of the Parties

The Bureau discussed the available options for the host country of the third meeting of the Parties, noting that offers had been received from Latvia and the Republic of Moldova. It decided to recommend to the Working Group of the Parties that the third ordinary Meeting of the Parties should take place in Latvia, primarily because no major meeting under the Convention was held in Latvia in the past, whereas Moldova had hosted the first meeting of the Signatories in 1999.

XIII. Date and venue of the next Bureau meeting

The Bureau agreed that its next meeting should take place in the autumn 2006 but did not fix the date. It noted the possibility of holding its next meeting back to back with the second meeting of the Task Force on Public Participation in International Forums.
