

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

**Palais des Nations, Geneva
30 October 2007**

Attendance:

Bureau members: Ms. Hanne Inger Bjurstrøm (Norway, Chair), Ms. Maud Istasse (Belgium), Ms. Zaneta Mikosa (Latvia), Ms. Elzbieta Kur (Poland).

Observers: Ms. Loredana Dall'Ora (Italy) for Ms. Giuliana Gasparrini (Italy), Ms. Mona Aarhus (Norway)

NGO Observer: Mr. John Hontelez (European Environmental Bureau representing European ECO Forum).

Apologies: Mr. Faig Sadigov (Azerbaijan), Mr. Alzhan Braliev (Kazakhstan), Ms. Giuliana Gasparrini (Italy)

I. Adoption of agenda

The provisional agenda was adopted.

II. Preparation of the eighth meeting of the Working Group of the Parties (WGP)

1. Modifications to the agenda and organization of work

The Bureau discussed the preliminary agenda and adjusted it accordingly.

2. Report on the fifth meeting of the Working Group on PRTR and implications arising

The secretariat reported briefly on the outcome of the fifth meeting of the Working Group (WG) on PRTR. Since the first meeting of the Parties to the Protocol would not take place back to back with the third Meeting of the Parties to the Convention, it was agreed by the WG on PRTR to have a special session on PRTR at MoP-3 to not lose the momentum of the process. Furthermore, a draft statement or a declaration for MoP-3 would be submitted to WGP-9 for further discussion.

The Bureau took note of this information.

3. Preparation of a draft decision on the entry into force of amendments

The secretariat reported on the stage of procedure regarding the preparation of the draft decision of the article 14 legal group established at WGP-6 in response to a note from the secretariat circulated prior to WGP-7 (ECE/MP.PP/WG.1/2007/2, para. 15). On the basis of the comments received in the second round of consultation, the secretariat had prepared a confidential compilation of comments and a mostly clean draft text. Paragraph 2 was identified as the most difficult issue. After incorporation of further final comments from the article 14 legal group, the

draft will be send to UNOLA. The draft would then be presented as an input document for discussion at WGP-9.

The issue of transparency of the commenting process within the legal group was handled as stated at the last Bureau meeting. Upon request comments were not placed on the website and/or put in the public domain.

3. Preparation of the workshop on the application of the Aarhus Convention in the field of GMOs

The secretariat reported on the outcome of a questionnaire that had been sent out to the Parties and other stakeholders with a view to reaching a common understanding about the scope of the workshop as requested by the Bureau in its last meeting. The Chair noted that the outcome of the questionnaire so far would not help to frame the scope of the workshop since there were only six replies from Parties, partly even reflecting contradictory views. It was noted that although EECCA countries had been very active with regard to the GMO Amendment, there were no responses to the questionnaire. Thus, the Bureau agreed that the Chair should invite the Working Group, and especially EECCA countries, to share any further views on the issues to be covered in the workshop.

With respect to timing and location of the workshop, the secretariat informed the Bureau about the option of holding the workshop back to back with CoP/MoP-4 of the CBD/Cartagena Protocol, which is taking place from 12-16 May 2008 in Bonn, Germany. However, this would have to be further clarified, especially through consultations between the Netherlands, who had shown interest in providing the funding for the workshop, and Germany. The secretariat also stated that the secretariat to the Cartagena Protocol already signaled interest in being involved in the workshop.

It was agreed that, after an additional round of consultation during the meeting, the Working Group should be invited to mandate the Bureau and the Netherlands as lead country to determine the scope and programme of the workshop, taking into account the received answers to the questionnaire and the discussion at the meeting.

4. Outcome of the workshop on public participation in international forums (PPIF) and preparations for the third meeting of the PPIF Task Force

The secretariat informed the Bureau on the outcome of the workshop on PPIF, which took place 20-21 June 2007. Under a paper prepared by the Chair of the Task Force (TF) on PPIF lastly focusing on the questions “Where do we go from here?” and “How do we get there?” the future work of the TF would be discussed. The TF would report back to WGP-9 about the outcome of the discussion on its future work.

The Bureau took note of this information.

5. Report on the second meeting of the Task Force on Access to Justice and implications arising

In its report on the second meeting of the TF on Access to Justice the secretariat informed the Bureau on the main outcomes. Especially the mini-conference at the first day of the meeting was highlighted as a success. The prevailing view in the TF was that it will continue its work after MoP-3. There was quite strong opposition noted with respect to work of normative character. A shopping list of possible future activities with a practical focus had been put together by the Chair of the TF and no major concerns were raised against it by the TF. However, there was not a very substantive discussion on the suggestions either.

The Chair of the Bureau welcomed the positive developments with respect to Access to Justice during the year. The Secretariat and the Bureau discussed the optional next steps and agreed to propose to the WGP that the Bureau prepares a draft decision on the future work of the TF for MoP-3, mainly focused on capacity building, which will be presented at WGP-9 for comments.

6. Preparation for the sixth meeting of the Task Force on Electronic Tools

The secretariat reported on the preparation of the sixth meeting of the TF on Electronic Tools and highlighted the interest of the Green Spider network, an EC-funded network of communication officers, to support the activities of the Aarhus Convention. The Green Spider network had agreed to form an informal working group on that issue and proposed to hold a meeting at the MoP-3 in Riga to present the outcome of this work to the Parties and other stakeholders of the Convention.

The Bureau took note of this information.

7. Preparations for the workshop on public participation in strategic decision-making

The Chair welcomed the proposed agenda of the workshop on public participation in strategic decision-making, which will be presented to the WGP. The secretariat informed the Bureau that the representatives of Bulgaria and Austria, the co-funding Parties of the workshop, will give some more information on the workshop to the WGP. With respect to the question whether there should be a subsidiary body dealing with the issue of PPSD, the Bureau agreed to leave this discussion for the workshop.

8. Progress in preparation of implementation reports and synthesis report

With respect to progress in preparation of implementation reports and synthesis report the secretariat and the Bureau agreed to remind the WGP of the deadlines and underline the importance of the public consultation process.

9. Update on the work of the Compliance Committee

The secretariat briefly informed the Bureau on the two meetings of the Compliance Committee which had taken place since the previous meeting of the Working Group (ECE/MP.PP/C.1/2007/4 and ECE/MP.PP/C.1/2007/6). At its two next meetings (28-30

November 2007 and 5-7 March 2008), the Committee was expected to work on the preparation of its report to MoP-3.

The Bureau took note of this information.

10. Capacity building activities and preparation of fifth annual capacity coordination meeting

The secretariat reported on its recent capacity building activities such as the High-level Judicial Workshop on Access to Justice in Environmental Matters for the Eastern Europe and South-Caucasus regions, the Workshop on the Clearinghouse Mechanism and Electronic Information Tools, sessions on the Aarhus Convention in the context of a workshop for the parliamentarians from the South-East European region organized by the Organization for Security and Co-operation in Europe (OSCE) and a meeting of the Green Spider Network.

With respect to the fifth annual meeting of regional and international organizations in the context of the capacity-building framework, the secretariat informed the Bureau that it would take place on 7 December 2007 and focus on exchange of information, promotion of synergies between activities and the issue of the agenda item on capacity building of MoP-3.

The Bureau took note of this information.

11. Preparation of a draft long-term strategic plan

The Bureau discussed the draft long-term strategic plan (LTSP) prepared by the Expert Group (ECE/MP.PP/WG.1/2007/L.12). In response to the comments made by the secretariat it incorporated some changes into the present draft LTSP for comments by the Working Group. Since it seemed very possible that the Working Group would have further comments, the possibility of having a contact group was discussed.

The Bureau discussed the procedural and material issues raised through the UNECE secretariat's note on the draft long-term strategic plan which had been elaborated and sent out to the National Focal Points by the secretariat. The Chair underlined that her concerns with respect to the note were rather related to the procedure than to the material issues raised. She criticized that the note had been circulated to the National Focal Points without consultation of the Bureau. The secretariat explained in more detail their material concerns expressed in the note. The Chair proposed a couple of changes to the draft to accommodate those concerns. It was agreed to circulate this amended draft for comments to the Working Group.

12. Update on financial matters

Giving an update on financial matters the secretariat reported that a reminder as requested by the Bureau at its last meeting had been sent out and that there had been many contributions during the third quarter of the year. The expected income for 2007, adjusted to take account only of contributions earmarked for use in 2007, was expected to be in the order of USD 900,000. Thus, an increase in staffing for the run-up to the MoP and the realization of the work programme as

planned were possible. Another reminder had been sent out to the Parties to invite them to make their pledges for 2007 and 2008 if they had not done so yet.

13. Preparation of a draft decision on financial arrangements

The Chair briefly described options 1 and 2 of the new draft decision on financial arrangements (ECE/MP.PP/WG.1/2007/L.13). It highlighted that option 1 encompasses a voluntary scheme of contributions. The term “shall” indicates a strong moral but not a legally binding obligation. Therefore, the bracketed term “voluntary” in option 1 would not be needed and should be removed. Parties might also encounter difficulties when they want to seek allowances for contributions to the Convention if they are so clearly voluntary. It was noted that a number of decisions establishing financial arrangements under other MEAs to which most of the Parties to the Aarhus Convention were already Parties to also use the term “shall”. It was agreed that there was no need to elaborate on option 2 any further at that stage.

14. Report on outcome of Belgrade Conference

The secretariat reported on two side events concerning the Convention and the PRTR Protocol, organized at the Sixth Ministerial Conference “Environment for Europe” held in Belgrade from 10-12 October 2007.

The Bureau took note of this information.

III. Report on preparations of the third meeting of the Parties

Latvia reported on the latest developments in the preparations for the MoP. The Chair and secretariat had visited Riga and expressed their satisfaction with the venue and the arrangements being made.

The Bureau and the secretariat discussed the further procedure for preparing the agenda and sending out the formal invitations. It was agreed to discuss the main elements for the provisional agenda of the meeting on the basis of draft elements prepared by the Bureau (ECE/MP.PP/WG.1/2007/L.14) with the Working Group. The Working Group would then be invited to mandate the Bureau and secretariat to prepare a draft of an annotated provisional agenda for consideration at WGP-9.

With respect to the formal invitations to the third meeting of the Parties it was agreed to propose to the Working Group to send them out in early 2008 to allow the registration process to begin.

It was agreed to discuss with the Working Group the key themes for the high-level segment of the meeting of the Parties and the procedure for preparing a draft declaration.
