

TWENTY-FIFTH MEETING OF THE BUREAU OF THE MEETING OF THE PARTIES TO THE AARHUS CONVENTION

Palais des Nations, Geneva

30 June 2010

I. Attendance

Bureau members: Mr. Jan Dusik (Czech Republic, Chair, participated by audiolink), Ms. Zaneta Mikosa (Latvia, Vice-Chair, acting Chair of the meeting), Ms. Maud Istasse (Belgium, Vice-Chair), Mr. Ivan Narkevitch (Belarus), Ms. Loredana Dall'Ora (Italy).

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

Apologies: Mr. Gavrosh Zela (Albania), Ms. Emmanuelle Swynghedauw (France).

II. Adoption of agenda

1. The Chair presented the provisional agenda, which was subsequently adopted.

III. Status of ratification

2. The secretariat reported on the status of ratification of the Convention, the amendment to the Convention and the Protocol on Pollutant Release and Transfer Registers. There were 44 Parties to the [Convention](#), 26 Parties to the [Protocol](#) on Pollutant Release and Transfer Registers (PRTRs) and 26 Parties to the [amendment](#) on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMOs). Since the last Bureau meeting there had been no new accessions to the Convention, one new ratification of the PRTR Protocol, by Slovenia (23 April 2010), and one new ratification of the GMO amendment, also by Slovenia (23 April 2010). In order for the amendment to enter into force, 27 ratifications were needed by countries that had been a Party to the Convention at the time of the adoption of the amendment. Of the 26 current Parties to the amendment, only 22 counted towards the entry into force so five more were needed.

3. The Bureau agreed that the Chair, with the assistance of the secretariat, would prepare and send a letter to those Parties whose ratification would count towards the entry into force, encouraging them to ratify the amendment.

IV. Brief review of activities under the Convention

1. Compliance mechanism

4. The secretariat reported on the outcome of the twenty-eighth meeting of the Compliance Committee, including regarding the follow-up to existing cases of non-compliance. The secretariat had been in contact with Turkmenistan, which had agreed on a procedure for the follow-up to decision III/6e on non-compliance by Turkmenistan. The secretariat would soon prepare a letter to Turkmenistan regarding

the secretariat's planned mission to the country, which would focus on the follow-up to decision III/6e. With regard to procedural issues, the Committee had requested the secretariat to prepare a note on the admissibility of communications. It had also discussed the possibility of using summary proceedings with respect to similar or identical cases. Finally, the Committee had discussed the drafting of guidelines on how to deal with any possible conflict of interest. The secretariat concluded by informing the Bureau that the Committee had recently received its 50th communication.

5. The Bureau took note of this information.

2. Capacity-building

6. The secretariat reported on preparations for the sixth capacity-building coordination meeting, scheduled to take place in late 2010 or the beginning of 2011. The Bureau took note of this information.

3. Electronic information tools and the clearinghouse mechanism

7. The secretariat reported on progress regarding a project focused on upgrading the Aarhus Clearinghouse and PRTR.net, in partnership with GRID Arendal. It also reported that the original host country had informed the secretariat that it was not in a position to host the workshop on electronic information tools (EIT) for South Eastern Europe that had been planned to take place the first half of 2010. The secretariat was in the process of identifying a new host country in consultation with the REC, which was an envisaged partner in organizing the workshop.

8. The Bureau took note of this information and agreed that the Chair would draw the Parties' attention to the need to identify a new host country in the subregion for the workshop on EIT during the twelfth meeting of the Working Group of the Parties.

4. Public participation

9. The secretariat reported on the preparations for the resumed extraordinary session of the Meeting of the Parties, to be held in the afternoon of 30 June 2010, inter alia for the purpose of establishing a new task force on public participation in decision-making. A sufficient number of Parties had submitted credentials to reach a quorum, making it possible for the Meeting to formally adopt its report and decisions agreed on 19 April 2010. The Bureau took note of this information.

5. Access to Justice

10. The secretariat reported that the Task Force on Access to Justice had focused its work inter alia on developing analytical studies. It also reported that it had encountered a number of challenges in organizing a workshop for the judiciary on access to justice in Dushanbe, Tajikistan, co-organized by the OSCE, including that the estimated budget of the workshop was much higher than anticipated. The Bureau took note of this information.

6. Genetically Modified Organisms (GMOs)

11. The secretariat reported on the preparations for a workshop to be organized jointly with the secretariat of the Convention on Biological Diversity (CBD) on the topic of genetically modified organisms (GMOs), scheduled to take place in conjunction with the fifth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety to be held in Nagoya, Japan, on 8-9 October 2010. It suggested that focal points to the Aarhus Convention could contact CBD focal points in their respective countries, with the aim to have statements by governments at the CBD COP refer to the Aarhus Convention and its the amendment on GMO. The secretariat further reported on its participation in the European Biosafety Annual Conference on 21-23 June 2010, where it had delivered a presentation on the Convention. The Bureau took note of this information.

7. Public Participation in International Forums

12. The secretariat reported on the fifth meeting of the Task Force on Public Participation in International Forums (PPIF) and the workshop held back-to-back with that meeting in Geneva on 29 June 2010. The Task Force had prepared a draft reporting format for the implementation of article 3, paragraph 7, and encouraged Parties to already use the draft reporting format to report on a voluntary basis during the current intersessional period, as part of the 2011 reporting cycle. The draft reporting format would be circulated to national focal points and others during the national implementation report training on 30 June 2010. The Task Force had also discussed the possible structure of a workshop with international forums, to be held back to back with its sixth meeting in February 2011. The Bureau took note of this information.

8. Reporting

13. The secretariat presented a discussion paper on the system of national reporting on implementation of the Convention (ECE/MP.PP/WG.1/2010/8). The paper contained additional calculations regarding the costs of outsourcing the editing and translation of the NIRs, as requested by the Working Group at its eleventh meeting. It noted that if the Working Group of the Parties would decide to continue the existing reporting practice there would be a risk that the UN Documents Management Service would refuse to process the national implementation reports due to resource constraints.

14. The Bureau took note of this information and agreed that the Chair would suggest to the Working Group that the Bureau would continue the discussion with the Parties on this issue, taking the papers prepared by the secretariat into account.

V. Preparation of the twelfth meeting of the Working Group of the Parties (30 June – 2 July 2010)

1. Provisional agenda

15. With respect to the agenda of the twelfth meeting of the Working Group of the Parties (WGP-12), the Bureau agreed that a representative of the UNECE Water

Convention secretariat would deliver a presentation under item agenda item 3 c) regarding National Policy Dialogues programme under the Water Convention.

2. Accession by non-ECE States

16. The secretariat reported on the developments regarding the issue of accession to the Convention by Guinea-Bissau. The Bureau took note of this information and agreed that the Chair would send a letter to Guinea-Bissau to start communication on the subject matter.

3. Update on human resources situation in the secretariat

17. The secretariat presented a note on the contractual status of its respective staff members. It reported that the new United Nations administrative rules, which entered into force in April 2010, discouraged the issuing of short-term staff contracts of less than a one year duration. A break of at least 3 months was required after 364 days before the issuing of a new contract. For the sustainability of the work it would thus be crucial to ensure staff funding on a long-term basis. The secretariat would therefore be obliged to give priority to securing staff funding, which needed to be reserved at least one year in advance of the issuing of a contract. This applied to staff funded from the Aarhus Convention trust fund (extrabudgetary staff), which meant the extension of those contracts depended on the level of contributions received.

18. The Bureau took note of this information.

4. Discussion on elements for work programme for 2012-2014

19. The secretariat presented an informal discussion paper on elements for the 2012-2014 work programme (WGP-12 informal document Inf. 4), which had been produced in response to a continued call for the strengthening of the Convention's implementation. The Chair thanked the secretariat for preparing the paper, welcoming it as a way to open the debate on the direction of future work and a useful background for discussion.

20. The Bureau first discussed the procedure by which the note on elements for the 2012-2014 work programme had been prepared. Several Bureau members emphasized that since the note was a document on strategic directions and political decisions, it ought to originate in the Bureau and should have been discussed and agreed by the whole Bureau before being distributed to the Parties. They also commented that the note did not address two of the three focal areas of the Strategic Plan 2009-2014. Furthermore, several Bureau members indicated that assessment/some reference with regard to the assertions made in the document should be introduced in its revised version¹.

21. The Chair agreed that the Bureau should have a common view on the substance of the paper and noted that it would need to prepare a proposal on the matter for the thirteenth meeting of the Working Group (WGP-13), but also noted that

¹ The Working Group discussed the issue at its twelfth meeting (30 June–2 July 2010) and agreed that the concept note will serve as a basis for comments on possible elements for the work programme 2012-2014, but it will not be revised and produced as a separate document..

it was useful to have a first discussion on the paper at WGP-12 in order to have a first reaction from Parties. He added that Parties should be given sufficient time to comment on the paper after WGP-12 and that it was of particular importance to hear what the positions were of the lead countries for the respective areas of work. He proposed to dedicate a half-day session to this debate at the next Bureau meeting and to invite the respective lead countries to participate in the debate.

22. The Bureau agreed to invite delegations to comment and share their views on the work programme for 2012-2014 by 20 September 2010, bearing in mind the note from the secretariat and the need to address all focal areas of the Strategic Plan 2009-2014, including those that were not covered in the secretariat's note.

23. The Bureau also agreed to continue the discussion at its next meeting, which it agreed would be held on Wednesday 27 October 2010, and asked the secretariat to provide it with a short note outlining how would an assistance mechanism work in practice.

VI. Any other business

24. No issues were discussed under this item.

VII. Close of meeting

25. The Chair thanked the Bureau members for their participation and the secretariat for its support and closed the meeting.
