

Aarhus Convention Meeting of the Parties

REPORT OF THE FIFTH MEETING OF THE BUREAU

Geneva, 2 February 2004

Attendance:

Bureau members: Marc Pallemmaerts (Belgium, Chair), Liisa Past (Estonia), Giuliana Gasparri (Italy), Tatiana Shakirova (Kazakhstan), Hanne Inger Bjurström (Norway), Jerzy Jendroska (Poland, Vice-Chair).

NGO observer: Fe Sanchis Moreno, substituting for John Hontelez (European ECO Forum)

Other observers: Federica Rolle (Italy)

Apologies: Aida Iskoyan (Armenia, Vice-Chair)

1. Adoption of agenda

The Bureau adopted the proposed agenda for the meeting.

2. Report on relevant activities and developments

a) The secretariat reported on the **personnel changes** and the recruitment of four extrabudgetary staff members, three of which were hired in the professional and one in the general service category. The new professional staff, one of whom filled the vacancy which had arisen during the autumn in the Danish EPA-funded project, will be primarily supporting activities related to the functioning of the Compliance Committee, Task Force on Electronic Information Tools, the Convention's clearing-house mechanism, and the implementation of the Protocol on PRTRs, as well as outreach and capacity-building activities. The secretariat had offered longer-term contracts (over 12 months) in order to be able to attract the best-qualified candidates for these positions. It was hoped that the level of funding would remain stable in order to extend the existing contracts beyond the second meeting of the Parties.

b) The secretariat informed the Bureau of the **status of ratification of the Convention and signature of the PRTR Protocol**. The Bureau members exchanged views on the schedule for ratification by the EU and agreed upon the importance of avoiding any delay and achieving the ratification of the Convention and the adoption of the directive on access to justice at the earliest opportunity.

c) The Bureau took note of the outcome of the **1st meeting of the Working Group of the Parties (23-24 October 2003)**

d) The Chair – also the Chair of the **Task Force on Access to Justice** – informed the Bureau of the outcome of the second meeting of the Task Force (19-20 November 2003). Some progress had been made at the meeting, including an agreement on the need to prepare draft recommendations for the second meeting of the Parties, but no consensus had been reached on what the substance of these recommendations should be. The issue would be dealt with at the next meeting of the Task Force, which was scheduled for October 2004.

e) The secretariat informed the Bureau of the outcome of the 3rd meeting of the **Compliance Committee (22-23 January 2004)**. In addition to continuing discussions on procedural issues, the Committee had agreed to address some specific recommendations to the Working Group of the Parties (paragraph 35 of the meeting report). The Bureau took note of this issue and decided to discuss it under item 3a of the agenda (agenda and general issues for the 2nd meeting of the Working Group of the Parties).

f) The secretariat presented the outcome of the 2nd meeting of the **Task Force on Electronic Information Tools (26-27 January 2004)** and the **World Summit on the Information Society (10-12 December 2003)**. The Bureau took note of the outcome of the Summit, in particular a side event on the themes of the Convention, and developments within the Task Force, notably the discussions on the text of draft recommendations on the use of electronic tools and the Task Force's input into the development of the Convention's **clearing-house mechanism**.

g) The secretariat informed the Bureau of the latest developments in the implementation of **capacity-building activities**, in particular the project on preparation of national profiles implemented in co-operation with UNITAR. Three pilot countries had been selected (Kyrgyzstan, Serbia and Montenegro and Tajikistan) and a guidance document prepared in both English and Russian. The secretariat also informed the Bureau of other capacity-building activities, including the participation in a forthcoming workshop on Aarhus information centres organised on 26-27 February 2004 in Dushanbe (Tajikistan) by OSCE, UNEP and UNDP.

h) With respect to **global and regional developments on Principle 10 issues**, the secretariat informed the Bureau that a document on human rights and the environment had been prepared as input to a Secretary-General's report to this year's session of the Human Rights Commission. This document was submitted to the Office of the United Nations High Commissioner for Human Rights. The Secretary-General's report was expected shortly.

Ms Federica Rolle (Italy) informed the Bureau of an international forum on partnerships for sustainable development, organised in co-operation with the United Nations Department of Economic and Social Affairs (DESA) in Rome on 4-5 March 2004. One thematic discussion at the meeting would include a presentation of activities undertaken in the framework of the Partnership for Principle 10. The Bureau requested that a link be made from the Convention website to the forum website.

Ms Fe Sanchis Moreno (European ECO Forum) informed the Bureau of a workshop on Principle 10 organised in October 2003 by the United Nations Economic Commission for Latin America and the Caribbean (ECLAC) for experts from that region, at which she had presented the experience gained with the Aarhus Convention and the involvement of civil society in the process of implementing Principle 10 in Europe. The Bureau again requested that a link be made from the Convention website to the appropriate website.

i) The Chair reminded the Bureau of discussions at the meeting of the Working Group of the Parties on the issue of the Convention's **logo**. The decision of the Working Group of the Parties that the Chair should prepare a letter to the United Nations Office

of Legal Affairs and circulate it for comments to other members of the Bureau had not been implemented but would be shortly. The secretariat reported that the secretariat had not yet replied to UNOLA on the matter but would do so shortly.

j) The secretariat informed the Bureau that it had recently received requests from certain NGOs from outside the UNECE region wishing to register fairly large delegations for meetings under the Convention, where there did not appear to be a close connection between the activities of the NGO and the topic of the meeting, and where there was in any case no apparent reason why such large delegations would need to attend. The NGOs in question had asked for personalised invitation letters to facilitate them in obtaining the necessary visas to enter Switzerland. Having made further enquiries, e.g. with the UN's NGO Liaison Office, the secretariat had ascertained that there was a recognised phenomenon of people attempting to use such official meetings as a means of obtaining visas. The secretariat sought the guidance of the Bureau on how to deal with such requests. The Bureau considered that the requirement under the rules of procedure that meetings under the Convention should generally be open did not translate into an obligation on the secretariat to issue a personalised invitation in all cases where one was requested. It agreed that, in order to prevent possible use of meetings for improper purposes, the secretariat should carefully review each request and keep the Bureau informed in case the number of such requests increased in the future.

3. Preparations for the second meeting of the Working Group of the Parties

a) Regarding the **agenda** for the second meeting of the Working Group of the Parties, the Bureau proposed to include a reference to paragraph 35 of the report of the third meeting of the Compliance Committee in the explanatory notes for item 8 of the agenda. The Bureau also considered that it would be useful to include an item on the status of ratification of the Convention and signature of the Protocol immediately after the adoption of the agenda.

b) The secretariat introduced the agenda for the first meeting of the **Working Group on PRTR** (16-18 February 2004) and briefed the Bureau on the latest developments with respect to capacity-building activities aimed at supporting the implementation of the Protocol on PRTRs.

c) The Bureau took note of the provisional agenda of the third meeting of the **Working Group on GMOs** (24-26 March 2004) and comments on preferred legally-binding options received in preparation for it. It agreed that the secretariat should provide information to the Working Group on possible links between its mandate and the EECCA strategy adopted within the 'Environment for Europe' process. The Bureau also agreed that the secretariat should explore possibilities for co-operation with the secretariat of the Cartagena Protocol.

d) The Chair, in his capacity as Chair of the **Task Force on Access to Justice**, informed the Bureau of the lead country's offer to prepare a questionnaire on the criteria for standing in preparation for the third meeting of the Task Force. The Chair also informed the Bureau of the lead country's intention to prepare a letter, in consultation with the secretariat, to organisations and professionals involved in legal education and training for the judiciary, asking for comments on possible elements of

a draft decision to be prepared for the second Meeting of the Parties. Depending upon the response, a meeting of representatives of this constituency could be convened back-to-back with the third meeting of the task force.

e) The secretariat reported on the outcome of the second meeting of the **Task Force on Electronic Information Tools** (26-27 January 2004). While discussing the text of draft recommendations, in particular with respect to chapter II (legal framework), the Task Force had identified a number of issues that required further negotiation. The Bureau agreed that the Working Group of the Parties would be expected to provide general guidance on these issues at its second meeting, but that the Task Force should continue to work on the text of the draft recommendations. The Bureau agreed that the Task Force should meet in July, in order to be able to finalise this work in time for the third meeting of the Working Group of the Parties.

f) The Bureau agreed that the Working Group of the Parties should be invited to support the development of the Convention's **clearing-house mechanism**, in particular in relation to the establishment and maintenance of national nodes and designation of national contact points for the clearing-house.

g) The Bureau briefly discussed the relationship between the Working Group of the Parties and the **Compliance Committee**. It was agreed that, while the Committee could be asked to keep the Working Group of the Parties informed of its activities, and while Parties might express their views on these activities, the Committee should remain independent and report on its activities directly to the Meeting of the Parties. However, all official documents prepared for the Meeting of the Parties should, as far as practicable, pass through the Working Group of the Parties, if only for information.

h) It was agreed that the secretariat should prepare and circulate to the members of the Bureau the discussion paper on sharing of information and experiences on **public participation in strategic decision-making** prepared for the meeting of the Working Group of the Parties.

i) The Bureau took note of the decision of the Working Group of the Parties to establish an ad hoc expert group on **public participation in international forums**, which would have its first meeting on 3-4 June 2004. The Bureau thanked Italy for its generous offer to support this work through its previous financial contributions, and for indicating a possibility to nominate a chair of the expert group. It agreed that the group should be quite limited in size, preferably comprising about 15-20 experts from governments, international organisations, secretariats of other multilateral environmental agreements and civil society organisations. The group would work in English only. The Bureau asked the secretariat to notify the national focal points of the meeting dates, to establish which governments had a particular interest in being represented and to prepare the list of these together with potential invitees from international organisations and other non-governmental bodies.

j) The secretariat informed the Bureau of the preparations for the first meeting of the **Task Force on Financial Arrangements** (23 March 2004) for which a background paper was being prepared by France, lead country for the Task Force. The Bureau asked the secretariat to circulate the paper to all members of the Bureau in advance of the meeting.

k) The Bureau took note of a draft document prepared for the second meeting of the Working Group of the Parties giving an overview of contributions received and expenditures incurred in 2003.

j) Tatyana Shakirova informed the Bureau on the preparations for the **second ordinary meeting of the Parties**. The Ministry for Environmental Protection, in co-operation with the Ministry of Foreign Affairs, had established a preparatory committee and appointed a co-ordinator in charge of the preparations for the meeting. The Bureau thanked the Government of Kazakhstan for undertaking these preparations and asked the secretariat to finalise a draft document with possible elements for the agenda for the meeting for consideration by the Working Group of the Parties. The Bureau agreed that the host country and the secretariat should agree on possible dates for the meeting and circulate their proposal to the Bureau in advance of the second meeting of the Working Group of the Parties.

4. Global conference on principle 10

The Bureau took note of ongoing discussions between the secretariat and UNEP and UNOHCHR, and suggested that the Working Group of the Parties should discuss any new developments at its second meeting. It was agreed that 2006 was the earliest possible date for this conference, and that while Nairobi could be a suitable venue, it should not be held back-to-back with the UNEP Governing Council meeting as this could reduce the attention it would receive.

5. Joint Bureaux meeting, 7 June 2004, including related matters arising from CEP meeting, 20-22 October 2003

The Committee on Environmental Policy proposed that the Joint Bureaux meeting should focus on the questions of implementation. It was agreed that this item should be linked to the issues of compliance under different conventions and that the forthcoming meeting of the expert group on public participation in international forums should also be on the agenda. The Bureau agreed to include other proposals for discussion at the Joint Bureaux meeting when a draft agenda for this meeting becomes available.

6. Calendar of meetings 2004

The secretariat circulated a provisional calendar of meetings for 2004 (see website). The Bureau agreed that July was the best time for the third meeting of the Task Force on Electronic Information Tools.

7. Date and venue of next Bureau meeting

The Bureau agreed to have an informal meeting on 2 May 2004 in order to link it with the second meeting of the Working Group of the Parties, and to have its next meeting in early July 2004.