

# TWENTY-SIXTH MEETING OF THE BUREAU OF THE MEETING OF THE PARTIES TO THE AARHUS CONVENTION

Palais des Nations, Geneva

9 November 2010

## I. Attendance

*Bureau members:* Mr. Jan Dusik (Czech Republic, Chair), Ms. Maud Istasse (Belgium, Vice-Chair), Mr. Gavrosh Zela (Albania), Mr. Ivan Narkevitch (Belarus), Ms. Emmanuelle Swynghedauw (France).

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

*Apologies:* Ms. Zaneta Mikosa (Latvia, Vice-Chair), Ms. Loredana Dall'Ora (Italy).

## 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](#), 27 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 the former Yugoslav Republic of Macedonia (2 November 2010), and no new ratifications of the GMO amendment. 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 its entry into force; five more were needed.

3. The Bureau reconfirmed its agreement that the Chair, with the assistance of the secretariat, would prepare and send a letter to those Parties whose ratification of the GMO amendment would count towards its entry into force, encouraging them to ratify the amendment. It also agreed that the Chair, with the assistance of the secretariat, would also write to those Signatories that had not yet ratified the Convention regarding their progress towards ratification.

## IV. Preparation of the thirteenth meeting of the Working Group of the Parties (9-11 February 2011)

4. The Bureau considered a draft provisional agenda of the thirteenth meeting of the Working Group of the Parties and forwarded it for consideration and possible adoption by the Working Group.

#### **4.1. Substantive issues**

##### **(a) Public participation in international forums (PPIF)**

5. The Bureau considered an evaluation of the implemented activities by the Chair of the Task Force on PPIF and a draft decision on public participation in international forums, prepared in consultation with the Chair of the Task Force.

6. The Bureau agreed that PPIF deserves higher political attention and the Working Group of the Parties therefore should assume greater responsibility for overseeing the work done by Parties in promoting PPIF. The Task Force would discontinue its function, but a number of activities would still need to be implemented by Parties and under the lead of the Working Group and the secretariat.

7. The Bureau decided to revise the draft decision on PPIF in consultation with the Chair of the Task Force and taking into consideration comments provided at the meeting and the evaluation of the implemented activities by the Chair of the Task Force. The Bureau also agreed to submit the revised draft to the 13<sup>th</sup> meeting of the Working Group of the Parties (9-11 February 2011) for its consideration.

##### **(b) Access to Justice**

8. The Bureau considered an evaluation of the implemented activities by the Chair of the Task Force and a draft decision on access to justice, prepared in consultation with the Chair of the Task Force on Access to Justice. In addition, the secretariat reported on the development of analytical studies on access to justice. .

9. The Bureau agreed that access to justice remained an important area of work under the Convention and that the Task Force should continue its activities in the next intersessional period. The work should address the issues identified in objective III.6 of the Strategic Plan 2009-2014 (ECE/MP.PP/2008/2/Add.16) and priority should be given to the preparation of recommendations on how to remove barriers to access to justice, capacity-building and analytical work, taking into account the outcomes of the studies being carried out presently.

10. The Bureau decided to revise the draft decision on access to justice, in consultation with the Chair of the Task Force and taking into consideration comments provided at the meeting. The Bureau also agreed that the draft decision should be discussed by the Task Force on Access to Justice and submitted to the Working Group of the Parties for its consideration. The meetings are taking place back to back in February 2011. The Task Force was expected to provide its opinion about the draft decision and the Chair of the Task Force would inform the Working Group about the comments of the Task Force.

##### **(c) Electronic information tools and the clearinghouse mechanism**

11. The secretariat reported on activities in the area of electronic information tools, including the preparation of a sub-regional workshop for South-East Europe (Skopje, 25-26 November 2010), and suggested that future work could focus inter alia

on strengthening the Aarhus Clearinghouse and PRTR.net, as well as on activities at a national level. The Bureau took note of this information.

12. The Bureau decided to extend the scope of the work of the Task Force on Electronic Information Tools and to rename it the Task Force on Access to Information. The major focus of the work of the Task Force would be public access to environmental information, inter alia on the issues identified in objective III.2 of the Strategic Plan 2009-2014, such as the development of mechanisms to enable more informed consumer choices with regard to products and the promotion of accessibility of environmental information held by the private sector. The Bureau also agreed to prepare a draft decision accordingly and submit it to the 13th meeting of the Working Group for its consideration.

#### **(d) Public participation in decision-making**

13. The secretariat reported on the outcome of the first meeting of the Task Force on Public Participation in Decision-making (Geneva, 25-26 October 2010). The Task Force had continued the work of the Expert Group on Public Participation with regard to the exchange of information and good practices. It had also agreed on its work for the period up to the fourth session of the Meeting of the Parties, and developed a proposal for its work plan for the period 2011-2014 (up to the fifth session of the Meeting of the Parties), subject to approval by the Meeting of the Parties at its fourth session.

14. The Bureau took note of this information and agreed to forward the work plan to the Working Group as an annex to the report of the Task Force's first meeting. It stressed that the work plan should be consistently reflected in the Convention's future programme of work for 2012-2014.

#### **(e) Genetically modified organisms (GMOs)**

15. The secretariat reported on the outcome of a workshop organized jointly with the secretariat of the Convention on Biological Diversity (CBD) on the topic of genetically modified organisms (GMOs), 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 held in Nagoya, Japan, on 8-9 October 2010. The Bureau took note of this information.

### **4.2 Procedures and mechanisms**

#### **(a) Compliance mechanism**

16. The secretariat presented an informal note on the election of members of the Compliance Committee and reported on the outcome of the Committee's recent meetings.

17. The Bureau took note of this information and requested the secretariat to send a message to the national focal points regarding the election of members of the Committee, inviting nominations.

## **(b) National implementation reports (NIRs)**

18. The secretariat reported on its consultations with the UN Documents Management Section (DMS), which had formally notified the secretariat that it would not be in a position to process the national implementation reports for MOP4, due to resource constraints. The issue of translation of the NIRs had previously been referred to the Bureau by the Working Group at its twelfth meeting, whereby the Bureau had been mandated to find possible solutions (ECE/MP.PP/WG.1/2010/2, par.12).

19. The Bureau took note of this information and agreed: (a) to discontinue the practice of translating all NIRs for the current intersessional period; (b) to continue producing the synthesis report in the three official UNECE languages; (c) to encourage Parties to submit their reports in the three languages, (d) to produce informal translations into English for the preparation of the synthesis report and (e) to make these available on the Convention's website.

## **(c) Reporting requirements**

20. The Bureau considered a draft decision on reporting requirements and agreed to revise it, taking into consideration comments provided at the meeting, and to submit it to the 13<sup>th</sup> meeting of the Working Group for its consideration.

## **(d) Implementation guide**

21. The secretariat reported on the preparation of the updated version of the Implementation Guide. The various draft chapters had been sent out to the national focal points and stakeholders for comments and a consolidated draft text was expected to be available in early 2011. The Bureau agreed that the final text of the Guide would be made available to the Meeting of the Parties at its fourth session in a document format, but would only be printed in a publication form after the session, so as to ensure that the published Guide would be as up to date and accurate as possible.

## **(e) Capacity building**

22. The secretariat reported on the preparations for the sixth capacity-building coordination meeting, scheduled to take place on 7 December 2010 in Geneva. Various capacity-building partners were expected to attend the meeting, which would focus on exchanging information and discussing future work and possible synergies. The Bureau took note of this information.

## **4.3 Promotion of the Convention**

### **(a) Accession to the Convention by States from outside the UNECE region**

23. The secretariat reported that it received an e-mail request from the office of the President of Mongolia regarding a possible mission of experts to the country, aimed at informing the relevant authorities about the Aarhus Convention. It also reported that it had an informal discussion with a representative of UNEP regarding possible collaboration in promoting the UNEP Guidelines on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

24. The Bureau took note of this information and agreed to not take any action on the UNEP Guidelines at present but to await a more concrete proposal from UNEP regarding the modalities of possible future cooperation.

25. The Bureau considered a draft decision on accession by States from outside the UNECE region and agreed to revise it, taking into consideration comments provided at the meeting, and to submit it to the 13<sup>th</sup> meeting of the Working Group for its consideration..

#### **(b) Awareness-raising and communication**

26. The secretariat reported on the preparation of a draft communication strategy. A communications expert was in the process of preparing a first draft, which would be sent out for further work to the members of the Expert Group on a Communication Strategy by the end of November 2010. The draft communications strategy would be made available to the Working Group at its thirteenth meeting and was expected to be submitted to the Meeting of the Parties at its fourth session. The Bureau took note of this information and agreed with the suggested approach.

### **4.4 Programme of work and operation of the Convention**

#### **(a) Implementation of the work programme for 2009–2011, including in relation to the Strategic Plan 2009-2014.**

27. The secretariat presented an overview of implementation of the work programme for 2009–2011, including in relation to the Strategic Plan 2009-2014. The Bureau took note of this information and agreed to forward the document for consideration by the Working Group at its thirteenth meeting.

#### **(b) Work programme for 2012–2014**

28. The Bureau considered a draft decision on the work programme for 2012-2014, prepared on the basis of the comments provided by Parties and stakeholders following the twelfth meeting of the Working Group of the Parties (30 June to 2 July 2010).

29. The Bureau agreed that the 10-year review of implementation of the Convention, envisaged in the Strategic Plan 2009-2014, should be done through the synthesis reports, the work of the Compliance Committee, the Implementation Guide and assessments by the task forces for each pillar. This work should inform the drafting of a future strategic plan, which should be done by a drafting group according to the process that was followed for the previous strategic plan.

30. Following a discussion, the Bureau agreed to prepare a draft decision on a Strategic Plan 2015-2020, and to include this activity in the draft work programme. It also agreed to include a reference to a new Task Force on Access to Information in the draft work programme, and to include a text in the preamble of the draft decision on the work programme, requesting Parties to make their financial contributions for a given year by the end of the previous calendar year. Furthermore, the Bureau agreed

to finalize both draft decisions, taking into consideration comments provided at the meeting, and to submit them to the Working Group for consideration at its thirteenth meeting.

**(c) Possible expert/advisory service (assistance mechanism) under the Convention**

31. The secretariat presented an explanatory note on a possible country-specific advisory service under the Convention, addressing questions raised following the twelfth meeting of the Working Group.

32. The Bureau requested the secretariat to prepare a revised version of the explanatory note, incorporating the comments provided at the meeting, and to submit it to the Working Group for consideration at its thirteenth meeting. It agreed to propose to the Working Group and the Meeting of the Parties to have a decision recorded in their respective meeting reports, mandating the Bureau to take up this matter in the next intersessional period.

**(d) Update on financial resources and human resources situation in the secretariat**

33. The secretariat presented an information note on its financial and human resources, including an overview of income and expenditure in 2010. In comparison with the previous calendar year the level of contributions had declined, as well as the number of Parties making a financial contribution. Since expenditure during 2010 had been higher than the total amount of contributions for 2010, the capital balance of the Aarhus trust fund was lower than in the previous year.

34. The Bureau took note of this information and requested the secretariat to prepare an updated version of the financial overview for the information of the Working Group at its thirteenth meeting.

**V. Preparation of the fourth session of the Meeting of the Parties (MOP4)**

**5.1 Agenda of the fourth session of the Meeting of the Parties**

35. The Bureau considered a draft agenda for the fourth session of the Meeting of the Parties and agreed to revise it, taking into consideration the following: (a) the high-level segment should be dedicated to the role of the Aarhus Convention in promoting sustainable development; (b) the item on electronic information tools should be renamed Access to Information, including EIT; (c) a new item on future strategic planning should be added; (d) titles of documents per item should be revised in light of the latest changes and some sub-items should be reordered. In addition, the Bureau agreed to prepare a draft outline for a declaration for consideration at the 13<sup>th</sup> meeting of the Working Group.

## **5.2 Update on communication with the host country and practical arrangements for the session**

36. The secretariat presented a report on a preparatory mission for the fourth session of the Meeting of the Parties to Chisinau, carried out by the Chair and the secretariat in September 2010, as well as a note on the preparatory timeline for MOP4. The Bureau took note of this information.

### **VI. Organizational matters, including calendar of meetings**

37. The secretariat presented an overview of planned meetings for 2010 and 2011. The Bureau took note of this information.

### **VII. Close of meeting**

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

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