

Aarhus Convention Meeting of the Parties

REPORT OF THE FIRST MEETING OF THE BUREAU Geneva, 24 January 2003

Attendance:

Bureau members: Jerzy Jendroska, (Poland, Chair), Thierry Berthelot (France), Federica Rolle (on behalf of Giuliana Gasparrini, Italy).

Apologies: Aida Iskoyan (Armenia), Rita Annus (Estonia), Tatiana Shakirova (Kazakhstan).

Observer: John Hontelez (EEB Belgium)

1. The secretariat presented an annotated version of the provisional **agenda** and proposed an additional item 2bis, 'Other relevant activities and developments since Lucca'. The Bureau adopted the agenda with new item.

2. The progress in implementing decisions of the meeting of the Parties was reviewed:

(a) The final session of the negotiations on the protocol on **pollutant release and transfer registers** would take place the following week and the expectation was that the draft text would be finalised in time for the adoption at the extraordinary meeting of the Parties, which would take place during the fifth ministerial conference 'Environment for Europe' in Kiev. Some Bureau members asked for clarification on the role of the Meeting of the Parties in relation to the ministerial conference in terms of deciding on the final text of the protocol, given that all documents for the conference would be reviewed by the Working Group of Senior Officials preparing the Ministerial Conference (WGSO) in February, and were informed by the secretariat that it would be the Meeting of the Parties which would decide on and adopt the text of the protocol.

(b) The Bureau took note of the plans for activities related to **genetically modified organisms** and in particular the forthcoming meeting of the Working Group on GMOs, scheduled for 9-11 April 2003.

(c) The secretariat informed the Bureau of the activities undertaken under the auspices of the Task Force on **Access to Justice**, in particular the handbook on access to justice, which should be finalised before the meeting of the Task Force, 10-11 March 2003, Brussels. The Bureau welcomed its forthcoming publication and proposed that it be circulated widely, in particular within the United Nations system of organisations.

(d) The Bureau took note of the plans for the first meeting of the Task Force on **Electronic Information Tools**, which is scheduled to take place on 23-24 June 2003, in Sofia, under the leadership of Bulgaria.

(e) The secretariat reported to the Bureau on the progress in preparations for the first meeting of the Convention's **Compliance Committee**, 17-18 March 2003. The meeting was expected to address fundamental issues relating to the setting up and functioning of the compliance mechanism and procedures. Resource persons from the secretariats of other compliance mechanisms would be invited to attend part of the meeting. The Bureau agreed on the importance of publicising the compliance mechanism, e.g. through producing explanatory materials.

(f) The Bureau took note of the progress in developing the **clearinghouse mechanism** and the

capacity building service for the implementation of the Convention and welcomed the interest of donor governments in supporting this important work.

(g) Regarding the **financial arrangements** and implementation of the Convention's **work programme 2003-2005**, the Bureau discussed the current status of government contributions on the basis of pledges made at the first meeting of the Parties, in particular in relation to the prioritisation of activities in the forthcoming period. The secretariat presented the current status of financial contributions received by UNECE and informed the Bureau that it would be necessary to raise additional funds in order to support all activities from the work programme.

2bis Other relevant activities and developments since Lucca

(a) The secretariat informed the Bureau that Belgium had deposited its ratification instrument with the Secretary-General in New York on 21 January 2003 and had thus become the 23rd Party to the Convention.

(b) The Bureau welcomed the interest in Aarhus Convention issues expressed by the secretariat of Convention on the Transboundary Effects of Industrial Accidents and invited the secretariat to further explore possibilities to organise a joint workshop or undertake other joint activities in the future.

3. Preparations for the Extraordinary Meeting of the Parties

(a) The secretariat informed the Bureau of the progress in preparation of the **official documentation** for the Extraordinary Meeting of the Parties. The Executive Committee (Execom) of the Kiev WGSO had requested the Aarhus Convention secretariat to prepare a background document on the status of ratification and implementation of the Convention. It was agreed that the secretariat would send a draft text of this document to the Bureau for review. In addition, the Bureau asked the secretariat to contact the Execom to seek clarification as to whether time was to be allocated for discussion of the subject during the ministerial conference, and if so, how much and when. The Bureau was of the opinion that if time were to be allocated for such a discussion, it should be within the general framework of the conference rather than within the Aarhus extraordinary meeting of the Parties, but that if it were proposed by the Execom that such a discussion should take place within the Aarhus meeting, then additional time should be allowed within the conference programme for that purpose, i.e. it should not take away time from the discussion on the PRTR protocol.¹

(b) Regarding possible **keynote speakers** for the extraordinary meeting of the Parties, the Bureau proposed that, after an introduction by the Chair of the PRTR Working Group, considering time constraints, only 2-3 ministers should be expected to make keynote speeches on the PRTR topic (max. 5 minutes) and welcomed the idea of including keynote speakers representing NGOs and industry.

(c) On the issue of side events at the Conference, the Bureau welcomed the idea of organising a **side event** on the theme of the PRTR 'Virtual Classroom'.

(d) The Bureau also felt that a **press conference** after the extraordinary meeting of the Parties would be appropriate.

¹ The WGSO subsequently decided not to allocate time within the conference programme for such a discussion.

(e) The Bureau requested the secretariat to inform Parties and prospective Signatories of the rules concerning full powers and credentials. It was agreed that financial support for 4-5 NGOs should be provided.

4. Preparations for meeting(s) of the Working Group of the Parties

The Bureau agreed that there was no need for a **meeting of the Working Group of the Parties** (WGP) during or immediately before the Ministerial Conference in Kiev in May 2003. It was agreed that 23-24 October 2003 should be tentative dates for the next WGP meeting, but that the exact date should be fixed in Kiev on the occasion of the Extraordinary Meeting of the Parties.²

5. Specific tasks arising from the first meeting of the Parties

(a) With regard to the task force on financial arrangements, the Bureau noted that no lead country had been identified and agreed that it would be important to identify such a country before making firm plans for the task force to meet. A preference was expressed for the task force to be open-ended, and for the first task force meeting to be held after the WGP meeting in October. However, it was considered that in that case some preparatory work (e.g. holding informal consultations, preparing relevant documentation) would need to be undertaken before the WGP meeting so as to avoid too much time being lost. The Bureau requested the secretariat to explore the various possibilities, including *inter alia* through informal consultations with parties and signatories as well as other interested states in order to identify the lead country for this task force, and to report back to the next meeting of the Bureau.

(b) With regard to the possibility of undertaking further work on **articles 7 and 8** as identified in para. 28 of the Lucca Declaration, the Bureau agreed that an analysis of the provisions of the Protocol on Strategic Environmental Assessment should be undertaken in order to assess their implications for this area of work. The secretariat was invited to prepare such an analysis, or to explore the possibilities for commissioning such an analysis from a consultant, for consideration by the WGP at its meeting in October. The Working Group of the Parties could then use this analysis as a basis for deciding what should be done to address relevant issues not covered by the Protocol on Strategic Environmental Assessment.

(c) It was agreed that the secretariat should address the issue of **public participation in international forums** in the implementation report being prepared for Kiev. Further discussions on this issue would be undertaken after the election of new chairperson of the Bureau.

(d) It was agreed that the **overall priorities** set out in the Convention's work programme for 2004-5 could in principle not be changed, but that further prioritisation could take place in case of lack of required funding for all the planned activities. The issue of prioritisation would need to be discussed by the WGP meeting in October 2003. As a first step in preparing for this discussion, the secretariat was asked to prepare a proposal for the next Bureau meeting. The proposal should reflect the importance of implementing existing obligations under the

² At the time of the Bureau meeting, it had been expected that the PRTR Working Group meeting the following week would prepare a draft resolution of the Signatories mandating further work to pave the way for the implementation of the Protocol pending its entry into force. In fact, the Working Group did not have time to discuss the issue, though it emerged in the course of the meeting that there were different views on the content of the draft resolution. The Bureau therefore decided to convene an informal meeting of representatives of prospective Signatories to the Protocol and Parties to the Convention in Kiev on the morning of 20 May 2003 to finalise the draft resolution.

Convention. The Bureau also agreed that the implications of any changes to the level of support coming from the UN regular budget should be taken into account when deciding on further prioritisation.

5 bis Activities to promote implementation of the Convention and protocol

The secretariat informed the Bureau of its plans for publications in the coming biennium.

The Chair informed the meeting of an initiative to establish a **global award for achievement in promoting environmental democracy/environmental rights**. It was agreed to give mandate to the Bureau and the secretariat to further explore this initiative.

6. Host country for second meeting of the Parties

The secretariat reminded the meeting of the offers made by Kazakhstan and Bulgaria to host the second meeting of the Parties. The Bureau decided to defer discussion of this issue for the time being.

7. Vacant position on the Bureau

Since there had been no new developments on this issue since Lucca (e.g. in terms of new Parties), the Bureau decided to leave the question of the vacant position on the Bureau open until the next Bureau meeting. The Chairman did however remind the Bureau about the arrangements made in Lucca for a representative of Belgium to take over from the representative of France on the Bureau, and of his own intention to stand down as Chairman. The Bureau discussed the implications and modalities of these imminent changes and noted the desirability of maintaining regional balance in the composition of officers.

8. Calendar of meetings for 2003-4

The Bureau agreed upon provisional dates for 2003 (see website) and agreed to come back to the dates for 2004 at its next meeting. It also agreed that the second meeting of the Parties should be provisionally scheduled for the beginning of 2005.

9. Date and venue of next Bureau meeting

It was agreed that the next Bureau meeting would take place on 20 May 2003 in Kiev.³

10. Global conference on Rio principle 10

The secretariat introduced the idea of organising a global conference in late 2004 on principle 10, involving key players (governmental and non-governmental) from all regions of the world. The Bureau welcomed the idea and invited the secretariat to elaborate an outline proposal for the next meeting.

³ It was subsequently decided, in light of the decision to convene an informal meeting in Kiev on 20 May 2003 to finalise the draft resolution, to hold the Bureau meeting on the afternoon of Monday 19 May 2003.