



Economic and Social Council

Distr.: General
14 October 2014

Original: English

Economic Commission for Europe

Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Fifth session

Maastricht, the Netherlands, 30 June and 1 July 2014

Report of the fifth session of the Meeting of the Parties

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1–9	3
A. Attendance	2–5	3
B. Organizational matters	6–9	3
II. Status of ratification of the Convention and the amendment to the Convention	10–11	4
III. Substantive issues	12–23	4
A. Access to information, including electronic information tools	12–13	4
B. Public participation in decision-making	14–15	5
C. Access to justice	16–18	5
D. Genetically modified organisms	19–23	6
IV. Procedures and mechanisms facilitating the implementation of the Convention	24–36	7
A. Reports on the status of implementation of the Convention	24–29	7
B. Compliance mechanism	30–35	8
C. Capacity-building	36	10
V. Promotion of the Convention and relevant developments and interlinkages	37–47	11
A. Accession to the Convention by States from outside the United Nations Economic Commission for Europe region	37–38	11
B. Promotion of the Convention's principles in international forums	39–44	11

GE.14-18532 (E)



* 1 4 1 8 5 3 2 *

Please recycle 



C.	Global and regional developments on issues related to Principle 10 of the Rio Declaration on Environment and Development	45–48	12
D.	Update on United Nations Environment Programme initiatives on access to information, public participation and access to justice in environmental matters	49	13
E.	Synergies between the Convention and other relevant multilateral environmental agreements and organizations	50	14
VI.	Programme of work and operation of the Convention	51–58	14
A.	Implementation of the work programme for 2012–2014	51–53	14
B.	Strategic Plan for 2015–2020	54	15
C.	Work programme for 2015–2017	55–57	15
D.	Financial arrangements	58	16
VII.	Report on credentials	59	16
VIII.	Election of officers and other members of the Bureau	60	16
IX.	Date and venue of the sixth ordinary session	61	16
X.	Decisions of the Meeting of the Parties	62–64	16

I. Introduction

1. The fifth session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held in Maastricht, the Netherlands, from 30 June to 1 July 2014. The session was organized back to back with the second session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs), which was held from 3 to 4 July 2014. A joint High-level Segment of the two bodies was held on 2 July 2014). The meetings were held at the invitation of the Government of the Netherlands.¹

A. Attendance

2. The fifth session was attended by delegations from the following Parties and Signatories to the Convention: Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, European Union (EU), Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, Ukraine and United Kingdom of Great Britain and Northern Ireland.

3. Delegations from Chile, Costa Rica, Morocco, Myanmar and Uzbekistan also attended.

4. In addition, from the United Nations system, representatives of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR) and the United Nations University-Maastricht Economic and Social Research Institute on Innovation and Technology (UNU-MERIT) were present. Other international organizations represented at the meeting included the Organization for Economic Cooperation and Development (OECD) and the Organization for Security and Cooperation in Europe (OSCE).

5. Representatives of Aarhus Centres, regional environmental centres, international financial institutions and business, professional, research and academic organizations were also present, as were representatives of international, regional and non-governmental organizations (NGOs), many of whom coordinated their input within the framework of the European ECO Forum.²

B. Organizational matters

6. The Meeting of the Parties took note of the opening remarks by Mr. Onno Hoes, Mayor of Maastricht; Mr. Siebe Riedstra, Secretary General of the Ministry of Infrastructure and Environment of the Netherlands; and the Chief of the Environment for

¹ Documents for the meeting, including the texts of statements delivered at the meeting where these were provided by delegates, are available online from http://www.unece.org/env/pp/aarhus/mop5_docs.html.

² A list of participants will be made available online from http://www.unece.org/env/pp/aarhus/mop5_main.html.

Europe and Sustainable Development Section of the United Nations Economic Commission for Europe (ECE) Environment Division. The Chair of the Meeting of the Parties formally opened the fifth session.

7. The Chair informed the Meeting of the Parties that all provisionally adopted decisions as well as other major outcomes presented at the meeting would be formally adopted during the joint High-level Segment on 2 July 2014.³ With a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations and reducing the amount of paper used, the list of decisions and outcomes would be made available in the three official ECE languages electronically to delegations prior to their adoption. The adopted key outcomes and decisions (see ECE/MP.PP/2014/CRP.9/Rev.1) would then be incorporated in the meeting report.⁴ The formal closure of the session would also take place during the joint High-level Segment.

8. The Meeting of the Parties took note of the information provided by the Chair and adopted the agenda as set out in document ECE/MP.PP/2014/1.

9. The Meeting of the Parties observed a minute of silence in memory of Mr. Marc Pallemmaerts, former Chair of the Meeting of the Parties, who had passed away.

II. Status of ratification of the Convention and the amendment to the Convention

10. The secretariat reported on the status of ratification with respect to the Convention and the amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment). Since the previous session of the Meeting of the Parties in 2011, the number of Parties to the Convention had increased from 44 to 47, owing to ratifications by Iceland, Ireland and Switzerland.⁵ The number of Parties to the GMO amendment had risen from 26 to 28, owing to ratifications by Ireland and Switzerland.

11. The Meeting of the Parties took note of information on the status of ratification and of the statement by Switzerland concerning its recent ratification of the Convention and welcomed the new Parties.

III. Substantive issues

A. Access to information, including electronic information tools

12. A representative of the Republic of Moldova, speaking on behalf of the Chair of the Task Force on Access to Information, presented highlights of the activities of the Task Force in the intersessional period, including the outcomes of its first two meetings (Geneva, 7–8 February and 16–17 December 2013; see ECE/MP.PP/WG.1/2013/5 and ECE/MP.PP/WG.1/2014/4, respectively), developments in the use of electronic information

³ The meeting report of the High-level Segment is contained in a separate document (ECE/MP.PP/2014/27–ECE/MP.PRTR/2014/2)

⁴ For practical reasons, decisions adopted by the Meeting of the Parties are being issued in addenda to the present report (ECE/MP.PP/2014/2/Add.1).

⁵ Additional information on status of ratification of the Convention is available at https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-13&chapter=27&lang=en

tools to implement the Convention and the Aarhus Clearinghouse. The Meeting of the Parties took note of the report and the statements by Switzerland and the European ECO Forum, which highlighted, among others, the essential role of access to information in environmental governance and the importance of a Shared Environmental Information System (SEIS) for sharing environmental data. The Meeting of the Parties thanked the Republic of Moldova for its leadership in the work on access to information and welcomed its offer to continue leading the Task Force in the next intersessional period.

13. The Meeting of the Parties provisionally adopted decision V/1 on access to information (ECE/MP.PP/2014/L.1), removing the square brackets in paragraph 8 as the leadership of the Task Force had been confirmed.

B. Public participation in decision-making

14. The Chair of the Task Force on Public Participation in Decision-making reported on the activities of the Task Force in the intersessional period, including its three meetings (Geneva, 6–8 June and 29–30 October 2012 and Luxembourg, 12–13 March 2013; see ECE/MP.PP/WG.1/2012/4, ECE/MP.PP/WG.1/2013/4 and ECE/MP.PP/WG.1/2013/6, respectively). Topics that were considered to merit further consideration included the lack of awareness about the Convention and its provisions; the need to ensure due account was taken of the outcomes of public participation; and emerging activities and technologies. The Meeting of the Parties took note of the report. It thanked Ms. Anke Stock from the European ECO Forum for her keynote address⁶ expressing concern about the lack of relevant legislation on public participation in several Parties and the way in which public participation processes were sometimes being conducted. The speaker emphasised the importance of cross-sectoral cooperation in the next intersessional period. The Meeting also took note of statements by representatives of Ireland and the Regional Environmental Centre for Central and Eastern Europe (REC CEE) which highlighted, among others, the important work that had been done under the Task Force, including the preparation of the Maastricht recommendations on promoting effective public participation in decision-making in environmental matters (ECE/MP.PP/2014/8). The Meeting of the Parties thanked Ireland for its leadership in the area of public participation in decision-making in the current intersessional period and welcomed the offer of Italy to lead the Task Force in the next intersessional period.

15. The Meeting of the Parties provisionally adopted decision V/2 on public participation in decision-making, as amended at the meeting (ECE/MP.PP/2014/CRP.1).

C. Access to justice

16. The Chair of the Task Force on Access to Justice presented the activities of the Task Force in the intersessional period, during which it had held three meetings (Geneva, 13–14 June 2012, 17–18 June 2013 and 24–25 February 2014; see ECE/MP.PP/WG.1/2012/5, ECE/MP.PP/WG.1/2014/5 and ECE/MP.PP/2014/5, respectively). In particular, it was important that the Task Force deal in the future with systemic difficulties in the implementation of the Convention's access to justice provisions. The Meeting of the Parties took note of the report. It thanked Ms. Dilara Arstanbaeva, a judge on the Supreme Court of Kyrgyzstan, for her keynote address emphasizing that access to justice was compulsory to

⁶ For the discussions on some of the thematic areas addressed at the session, speakers had been invited to give a keynote address from the podium in relation to that thematic area. Other speakers were then given the opportunity during the meeting to make statements from the floor.

ensure the rights of access to information and to participation, and also strengthened the mechanisms to monitor domestic legislation in the field of the environment. In that context, training, awareness-raising and, above all, expansion of the practice of extrajudicial and judicial settlement of disputes, were required to improve the expertise of public officials and judges. Furthermore, it was necessary to encourage more precedents for the public and State authorities and the judiciary to have the opportunity to acquire the necessary experience in the implementation of the rights of access to justice.

17. The Meeting of the Parties also took note of statements by representatives of Serbia, REC CEE and the European ECO Forum which recognized, *inter alia*, the need for joint efforts at the national level to identify the barriers to access to justice and to propose possible actions for reducing and eliminating them. Other speakers informed the meeting about their recent national activities in relation to access to justice. The Meeting of the Parties thanked Sweden for its leadership in the area of access to justice and welcomed its offer to continue leading the Task Force in the next intersessional period.

18. The Meeting of the Parties provisionally adopted decision V/3 on promoting effective access to justice (ECE/MP.PP/2014/L.3), removing square brackets in paragraph 12 as the leadership of the Task Force had been confirmed.

D. Genetically modified organisms

19. The Meeting of the Parties thanked Mr. Helmut Gaugitsch, a representative of Austria and the Chair of the round table on access to information, public participation and access to justice regarding living modified organisms/genetically modified organisms (LMOs/GMOs) (Geneva, 16–17 October 2013),⁷ for his keynote address presenting the outcomes of the October 2013 round table, which had resulted in concrete recommendations for the focus of future work on GMOS (see ECE/MP.PP/WG.1/2014/6). In particular, there was a need for increased efforts from all stakeholders to raise awareness and to promote public participation concerning LMOs/GMOs.

20. In relation to the GMO amendment, representatives of several Parties reported on the status of efforts in their countries towards ratification. The delegation of Albania said little progress had been achieved in that regard so far, but that it would be in a position to write to the secretariat soon with further details on the matter. The representative of Armenia stated that a draft law had been prepared three years ago, but it had been rejected, and the Government would now begin the process of preparing a new draft law. The representative of Belarus mentioned that ratification of the GMO amendment was still being considered, but noted the country was a Party to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Cartagena Protocol). The delegation of Bosnia and Herzegovina informed the meeting that the country had started the legislative process. The representative of France reported that the GMO amendment had not yet been ratified due to administrative reasons; the ratification process was expected to be finalized before the end of 2014. The representative of Georgia informed the meeting that, after a lengthy process of elaborating national legislation on the matter, the country had officially initiated the ratification procedure in May 2014. The Georgian delegate thanked Austria for assistance in the development of relevant national legislation. The delegation from Kazakhstan informed the meeting that adopting legislation related to GMOs had been a protracted process, but it was not in a position to give any further information. The representative of Kyrgyzstan reported that ratification of the GMO amendment was being

⁷ The round table was organized under the auspices of the Aarhus Convention and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity.

considered and that the country would need to modify national legislation accordingly. The delegate from Tajikistan reported that, while there was a national law on biosafety and the country was a Party to the Cartagena Protocol, Tajikistan was still considering ratification of the GMO amendment. A representative of Ukraine observed that a draft law had been developed in 2012, but had not been adopted. The country was in the process of restarting the law preparation process. The representative of the Republic of Moldova put forward a proposal to include a call on Parties to adopt the GMO amendment in draft decision V/6 on the work programme for 2015–2017 (ECE/MP.PP/2014/L.6). The Meeting of the Parties took note of information on the status of the ratification of the GMO amendment and other relevant developments by representatives of Albania, Armenia, Belarus, Bosnia and Herzegovina, France, Georgia, Kazakhstan, Kyrgyzstan, the Republic of Moldova, Tajikistan and Ukraine.

21. The Meeting of the Parties called upon those Parties whose ratification of the GMO amendment would count towards its entry into force — i.e., Albania, Armenia, Azerbaijan, Belarus, France, Georgia, Kazakhstan, Kyrgyzstan, Malta, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine — to take serious steps towards ratification of the amendment. It requested those Parties to send written information on the status of ratification of the GMO amendment to the secretariat, and called upon other Parties to ratify the amendment. The Meeting of the Parties mandated the Working Group of the Parties to monitor closely the progress towards the entry into force of the GMO amendment, and called upon Parties and partner organizations to offer bilateral assistance, capacity-building and technical support to Parties whose ratification of the amendment would count towards its entry into force.

22. In addition, the Meeting of the Parties requested that, once the GMO amendment entered into force, the amended text of the Convention should be processed, translated and published by the United Nations Conference Services and made available in the six official languages of the United Nations without recourse to extrabudgetary resources.

23. The Meeting of the Parties also took note of statements by representatives of ECOROPA and the European ECO Forum. The statements, among others, expressed disappointment at the fact that the GMO amendment had still not entered into force and called upon Parties to bring their commitments under the Aarhus Convention in line with their commitments under the Cartagena Protocol by ratifying the GMO amendment. The Meeting of the Parties thanked Austria for its leadership in the work on GMOs and welcomed its offer to continue leading that work area in the next intersessional period.

IV. Procedures and mechanisms facilitating the implementation of the Convention

A. Reports on the status of implementation of the Convention

24. The Meeting of the Parties took note of the information provided in national implementation reports submitted by Parties in the fourth reporting round and the synthesis report prepared by the secretariat pursuant to its decision I/8 summarizing the progress made and identifying significant trends, challenges and solutions (ECE/MP.PP/2014/6). It also took note of reports prepared by NGOs.⁸

⁸ National implementation reports by Parties and reports by NGOs for the 2014 reporting cycle are available from http://www.unece.org/env/pp/reports_implementation_2014.html.

25. The Meeting of the Parties recognized the need for timely submission of national implementation reports in order to ensure a good quality of the synthesis report and its timely submission for translation. It noted with regret that one third of Parties had not submitted their reports by the submission deadline.

26. The Meeting of the Parties urged Parties that had not yet submitted their national implementation reports — Portugal, the former Yugoslav Republic of Macedonia and Turkmenistan — to do so by 1 October 2014 at the latest, and in the required format.

27. The Meeting of the Parties expressed its deep concern that the former Yugoslav Republic of Macedonia had also still not yet submitted its national implementation report for the third reporting cycle — the only country that had not done so — and called upon the Compliance Committee under paragraph 13 (c) of the annex to decision I/7 to consider the ongoing failure by the former Yugoslav Republic of Macedonia to submit its report for the third cycle.

28. The Meeting of the Parties also took note of statements by representatives of Belarus, Friends of the Earth, the Royal Society for the Protection of Birds and World Wildlife Fund United Kingdom (WWF-UK), Friends of the Earth Scotland and NGOs from Croatia, Iceland and Ireland on the review of the implementation of the Convention on the basis of national implementation reports.

29. The Meeting of the Parties provisionally adopted decision V/8 on reporting requirements (ECE/MP.PP/2014/L.8), amending paragraph 7 by removing the names of the Parties that had since submitted their reports (i.e., Cyprus, EU, Iceland, Luxembourg and Malta), and requested the secretariat to amend the preamble by providing the correct symbols of the Compliance Committee reports.

B. Compliance mechanism

30. The Meeting of the Parties observed a minute of silence in memory of Ms. Svitlana Kravchenko, a member of the Compliance Committee, who had passed away.

31. The Chair of the Compliance Committee presented the report by the Compliance Committee (ECE/MP.PP/2014/9), including the general recommendations contained therein, and 14 reports of the Committee regarding implementation by specific Parties (ECE/MP.PP/2014/10 to ECE/MP.PP/2014/23). The latter addressed implementation of the decisions on compliance adopted by the Meeting of the Parties at its fourth session, as well as recommendations to Parties made with their agreement adopted by the Committee during this intersessional period. The Meeting of the Parties welcomed the reports and thanked the Chair and other Compliance Committee members for their work in the intersessional period.

32. Issues of non-compliance relating to individual Parties reported by the Committee to the Meeting of the Parties included the following:

(a) Armenia (failure to fully implement decision IV/9a and findings of non-compliance concerning access to justice for environmental NGOs);

(b) Austria (findings of non-compliance concerning access to justice in environmental matters generally, and access to justice in criminal proceedings regarding contraventions of national environmental law);

(c) Belarus (failure to fully implement decision IV/9b and findings of non-compliance concerning access to information and public participation in decision-making regarding the proposed construction of a nuclear power plant);

- (d) Bulgaria (findings of non-compliance concerning access to justice with respect to spatial plans);
- (e) Croatia (findings of non-compliance concerning public participation in decision-making regarding the adoption of waste management plans);
- (f) The Czech Republic (findings of non-compliance concerning access to justice in environmental matters and concerning public participation in decision-making in the implementation of the EU Emission Trading System);
- (g) The EU (findings of non-compliance concerning public participation in decision-making regarding Ireland's renewable energy programme);
- (h) Germany (findings of non-compliance concerning access to justice for environmental NGOs);
- (i) Kazakhstan (findings of non-compliance concerning public participation in decision-making with respect to a road corridor project);
- (j) Romania (findings of non-compliance concerning access to information and public participation in decision-making regarding Romania's nuclear energy strategy and the proposed construction of a nuclear power plant);
- (k) Spain (failure to fully implement decision IV/9f);
- (l) Turkmenistan (failure to fully implement decision IV/9g);
- (m) Ukraine (failure to fully implement decision IV/9h);
- (n) United Kingdom (failure to fully implement decision IV/9i and findings of non-compliance concerning public participation in decision-making regarding the National Renewable Energy Action Plan).

33. A number of NGO representatives expressed concern over various issues related to the lack of progress by several Parties in complying with the Convention.

34. The Meeting of the Parties provisionally adopted:⁹

- (a) Decision V/9 on general issues of compliance (ECE/MP.PP/2014/CRP.3), and took note of statements by the European ECO Forum and Environmental People Law;
- (b) Decision V/9a on compliance by Armenia (ECE/MP.PP/2014/L.10), and took note of the statement by EcoEra;
- (c) Decision V/9b on compliance by Austria (ECE/MP.PP/2014/L.11);
- (d) Decision V/9c on compliance by Belarus (ECE/MP.PP/2014/L.12), and took note of the statements by the EU and Ecohome;
- (e) Decision V/9d on compliance by Bulgaria (ECE/MP.PP/2014/L.13);
- (f) Decision V/9e on compliance by Croatia (ECE/MP.PP/2014/L.14);
- (g) Decision V/9f on compliance by the Czech Republic (ECE/MP.PP/2014/L.15);
- (h) Decision V/9g on compliance by the EU (ECE/MP.PP/2014/L.16);
- (i) Decision V/9h on compliance by Germany (ECE/MP.PP/2014/CRP.4);

⁹ There was no draft decision V/9k submitted to the Meeting of the Parties. The numbering of the decisions on compliance was corrected in the present report to run sequentially.

(j) Decision V/9i on compliance by Kazakhstan (ECE/MP.PP/2014/L.18), and took note of the statements by Kazakhstan, Eco Forum Kazakhstan and Crude Accountability;

(k) Decision V/9j on compliance by Romania (ECE/MP.PP/2014/L.19);

(l) Decision V/9k on compliance by Spain (ECE/MP.PP/2014/CRP.5), and took note of the statement by Spain;

(m) Decision V/9l on compliance by Turkmenistan (ECE/MP.PP/2014/L.22);

(n) Decision V/9m on compliance by Ukraine (ECE/MP.PP/2014/L.23);

(o) Decision V/9n on compliance by the United Kingdom (ECE/MP.PP/2014/CRP.6/Rev.1), concluding upon the proposal of the Chair of the Meeting of the Parties that footnotes 2, 3 and 4 of the draft decision as agreed by the Working Group of the Parties at its eighteenth meeting (ECE/MP.PP/2014/CRP.6) would be removed from the text of the decision and reflected instead in the present report. To that end, the Chair of the Meeting of the Parties, with the United Kingdom's agreement, asked to record that the United Kingdom's position with respect to paragraphs 2 (b) and 8 (b) of the draft decision was set out in the United Kingdom's letter of 21 March 2014,¹⁰ and that the United Kingdom's position with respect to paragraph 3 was set out in its letter of 5 March 2014.¹¹ The United Kingdom also expressed concerns regarding the reopening of text in the draft decision already agreed by the Working Group of the Parties.

35. The Meeting of the Parties re-elected by consensus the following members of the Compliance Committee: Mr. Jonas Ebbesson (nominated by Sweden); Mr. Alexander Kodzhabashev (nominated by the NGO BlueLink.net/Blue Link Foundation); and Ms. Dana Zhandayeva (nominated by Civil Society Development Organization (ARGO) and the European ECO Forum). It elected by consensus Ms. Elena Fasoli (nominated by Italy) and Mr. Alistair McGlone (nominated by United Kingdom and Ireland) as new members of the Compliance Committee.

C. Capacity-building

36. The Meeting of the Parties took note of the information provided by OSCE and REC CEE on the main capacity-building activities undertaken during the intersessional period to promote more effective implementation of the Convention, as well as their views on outstanding needs for capacity-building. The issues highlighted through the statements included the role of the 56 Aarhus Centres in 14 countries as an accessible resource for the public to build capacity and obtain information on all three pillars of the Convention, and the need for greater coordination in capacity-building activities to avoid potential overlaps and to better explore synergies.

¹⁰ Available from <http://www.unece.org/environmental-policy/treaties/public-participation/aarhus-convention/envpptfwg/envppcc/envppccimplementation/fourth-meeting-of-the-parties-2011/united-kingdom-decision-iv9i.html>.

¹¹ Available from <http://www.unece.org/env/pp/compliance/Compliancecommittee/53TableUK.html>.

V. Promotion of the Convention and relevant developments and interlinkages

A. Accession to the Convention by States from outside the United Nations Economic Commission for Europe region

37. The secretariat informed the meeting that there had been no new developments regarding Mongolia's possible accession to the Convention, despite a number of efforts, including: formal correspondence initiated by ECE; a bilateral meeting between the ECE Executive Secretary and the Permanent Representative of Mongolia to the United Nations in March 2014; an advisory mission to Mongolia on 25 and 26 April 2012, led by the Chair of the Meeting of the Parties and involving representatives from several Parties to the Convention, including Italy, Kazakhstan, Norway and Poland; and numerous e-mails sent by the Convention secretariat. Morocco had expressed its potential interest in acceding to the Convention and the Protocol on PRTRs, further to the recommendation contained in the final report of the Environmental Performance Review of Morocco issued by ECE in 2014 that it consider doing so. Representatives of Switzerland and the European ECO Forum suggested amending the text of the Convention to remove the current provision requiring approval by the Meeting of the Parties for such accessions, also noting that there was no such provision regarding approval for States outside the ECE region that wished to join the Protocol on PRTRs. The Meeting of the Parties took note of the information provided by the secretariat regarding accession by States outside the ECE region, as well as the statements by representatives of Switzerland and the European ECO Forum.

38. In order to facilitate the effective promotion of the Convention globally, the Meeting of the Parties requested that publications prepared by the secretariat that could be used for global outreach should be processed, translated and published by the United Nations Conference Services and made available in the six official languages of the United Nations without recourse to extrabudgetary resources.

B. Promotion of the Convention's principles in international forums

39. Through decision IV/3 adopted at its fourth session (Chisinau, 29 June–1 July 2011), the Meeting of the Parties decided to discontinue the Task Force on Public Participation in International Forums and agreed that the work should continue directly under the authority of the Working Group of the Parties, including in the form of thematic sessions within the Working Group's regular meetings. The Chair of the thematic sessions (France) reported on the activities to promote the Convention's principles in international forums in the intersessional period, including the results of the three thematic sessions held within the framework of the Working Group of the Parties regular sessions (Geneva, 3–5 September 2012, 19–21 June 2013 and 26–28 February 2014; see ECE/MP.PP/WG.1/2012/2, paras. 50–81; ECE/MP.PP/WG.1/2013/2, paras. 45–55; ECE/MP.PP/WG.1/2014/2, paras. 40–72, respectively). A key issue was the different levels of political support demonstrated by Parties, resulting in a situation where Parties with a high level of political support for the work to promote the Convention's principles in international forums could sometimes find themselves isolated in their efforts. However, with the Latin American initiative, Aarhus Parties could now rely also on other partners to promote that area of work. The Meeting of the Parties took note of the report by the thematic session Chair.

40. The Meeting of the Parties thanked Ms. Elizabeth Smith from the European Bank for Reconstruction and Development (EBRD) for her keynote address reflecting on the revision process of the EBRD Environmental and Social Policy, from which big lessons on

perceptions and stakeholder engagement in public consultations could be learned. For example, one of the biggest challenges had been to identify who were the stakeholders affected by or interested in a project. Disclosure and consultation programmes needed to be designed in such a way that they took into account the specific stakeholders' needs. Engaging stakeholders in a meaningful consultation was much more than an Internet or newspaper announcement and public meeting.

41. The Meeting of the Parties thanked Ms. Gita Parihar from the European ECO Forum for her keynote address emphasizing the growing importance of the area of work for the fulfilment of the Aarhus vision. The reaffirmation of the need for continued progress, as set out in draft decision V/4 on promoting the application of the principles of the Convention in international forums, was welcome; however, the lack of reference to specific financial resources to support the work within that cutting edge area was worrisome.

42. The Meeting of the Parties took note of statements by representatives of the European Investment Bank, the International Environmental Association of Riverkeepers (ECO-Tiras) and the European ECO Forum, on activities to promote the Convention's principles in international forums. The representative of the European ECO Forum expressed serious concerns about the recent developments at the first session of the United Nations Environment Assembly (UNEA) (Nairobi, 23–27 June 2014) regarding the lack of inclusion of stakeholders in its meetings and stakeholder policy preparations; and praised several Aarhus Convention Parties, namely Switzerland, Norway and the EU, for their support for stakeholder participation in UNEA. The Meeting of the Parties thanked France for its leadership in that area of work and welcomed its offer to continue leading the work to promote the principles of the Convention in international forums in the next intersessional period.

43. The Meeting of the Parties expressed its deep concern with regard to the developments outlined in the letter of the representatives of major groups and stakeholders of civil society registered to participate in the twelfth session of the Open Working Group on Sustainable Development Goals¹² and with regard to recent negotiations on a stakeholder engagement policy at the first session of UNEA,¹³ as those practices seriously undermined the Parties' efforts to promote the application of the principles of the Convention in international forums and also set a very disturbing precedent for other forums. In addition, the Meeting of the Parties reiterated its call to Parties to include representatives of NGOs in their delegations participating in international forums.

44. The Meeting of the Parties provisionally adopted decision V/4 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2014/CRP.2), as amended at the meeting.

C. Global and regional developments on issues related to Principle 10 of the Rio Declaration on Environment and Development

45. The Meeting of the Parties thanked Ms. Constance Nalegach, a representative of Chile, for her keynote address on the activities in Latin America and the Caribbean to promote the rights of the public in environmental matters and to develop a regional

¹² The letter is available at http://www.unece.org/fileadmin/DAM/env/pp/mop5/Documents/Open_Letter_to_co-chairs_and_all_the_member_states_of_the_OWG_on_SDGs_16.6.2014.pdf

¹³ See Implementation of Governing Council decision 27/2, Stakeholder engagement in the United Nations Environment Programme (UNEP/EA.1/2) available from http://www.unep.org/unea/working_documents.asp.

instrument on the application of Principle 10 of the Rio Declaration on Environment and Development (Rio Declaration) in the region. The region was facing environmental challenges and at the same time its peoples had legitimate social demands that compelled countries of Latin America and Caribbean to develop appropriate public policies. Many of the conflicts that had surfaced were related to an insufficient social and institutional dialogue with regard to projects or investments having a high social impact. Sustainability required not only balancing economic growth and environmental protection; it demanded social equality, dialogue and inclusiveness in order to allow the public to regain confidence in their government's decisions.

46. The Meeting of the Parties took note of statements by representatives of Costa Rica, Myanmar, ECLAC, the Quaker United Nations Office/ China University of Political Science and Law, the Center for Human Rights and Environment Ecuador, the Jamaica Environment Trust, the European ECO Forum/European Environmental Bureau (EEB) and REC CEE. Speakers recognized the importance of the Aarhus Convention, which had proven to be a beacon of hope for countries around the world regarding the possibility of building trust between citizens and their governments and setting high standards for transparency, public engagement and access to justice in environmental decision-making. Speakers also highlighted the need to strengthen capacity to develop a useful and rare link between environmental and human rights. It was further observed that the presence of Latin America representatives in Maastricht signalled the strong commitment of all actors in that region to the initiative to develop a similar instrument to the Aarhus Convention in the ECLAC region.

47. The Meeting of the Parties welcomed the progress made in developing a regional instrument on the application of Principle 10 in Latin America and the Caribbean and affirmed the readiness of the Aarhus Parties to support the region in its endeavours.

48. Ms. Nalegach, speaking on behalf of the Government of Chile and ECLAC, expressed appreciation to the Aarhus Convention secretariat for its continuous advisory assistance, and to the Convention's Parties and stakeholders for their ongoing support to the initiative.

D. Update on United Nations Environment Programme initiatives on access to information, public participation and access to justice in environmental matters

49. A UNEP representative briefed the meeting on recent developments concerning UNEP initiatives on access to information, public participation and access to justice in environmental matters, including UNEPLive,¹⁴ the new UNEP web-based knowledge management platform and the UNEP multilateral environmental agreement (MEA) Information and Knowledge Management Initiative. With regard to the UNEP Stakeholder Engagement Policy and the rules of procedure of the UNEA Governing Council, especially rule 69, on observers, the representative noted that no agreement had been reached on either document at the first session of UNEA. A representative of the World Resource Institute (WRI) noted with regret that the Stakeholder Engagement Policy of UNEP had failed to provide sufficient direction in order to achieve the goal of increased transparency and access to information or data, and fell short of both its own guidelines passed by the Governing Council in 2010 in Bali as well as the model provided by the Aarhus Convention. The Meeting of the Parties took note of the statements by the representative of UNEP and WRI.

¹⁴ See <http://uneplive.unep.org/>.

E. Synergies between the Convention and other relevant multilateral environmental agreements and organizations

50. The Meeting of the Parties took note of information provided by the Chair of the informal meeting of representatives of the governing bodies of the ECE environmental conventions and the Committee on Environmental Policy, which had met three times in the last intersessional period (Geneva, 16 April 2012 and 27 February and 21 October 2013) to exchange information on priorities under the agreements and identify and discuss possible areas of cooperation and synergies that could be established among them.¹⁵ It also took note of the statements by the representative of ECOROPA, speaking on behalf of the European ECO Forum, noting the potential emerging synergy with the United Nations Human Rights Council, which had recently adopted a resolution (A/HRC/26/L.22/Rev.1)¹⁶ initiating the process of elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights. The Meeting of the Parties thanked MEAs and partner organizations for their close cooperation with the secretariat on promoting relevant provisions of the Aarhus Convention.

VI. Programme of work and operation of the Convention

A. Implementation of the work programme for 2012–2014

51. The Meeting of the Parties took note of the information provided by the secretariat on the human and financial resource situation of the secretariat, in particular (a) the report on the implementation of the work programme for 2012–2014 (ECE/MP.PP/2014/3); (b) the report on contributions and expenditures in relation to the implementation of the Convention's work programme for 2012–2014 (ECE/MP.PP/2014/4 and Corr.1); and (c) the list of contributions and pledges for the implementation of the work programmes of the Aarhus Convention and Protocol on PRTRs (AC/MOP-5/Inf.2–PRTR/MOPP-2/Inf.1).

52. The Meeting of the Parties expressed appreciation for the work done by the secretariat and recognized the difficulties posed by limited and unpredictable funding.

53. The Meeting of the Parties took note of the statement by the representative of Belarus with regard to interpretation of the Convention's provisions. It agreed with the Bureau's proposal in relation to the request by Belarus and, pursuant to paragraph 13 (b) and 14 of the annex to decision I/7, agreed to follow a procedure that would also apply to similar requests:

(a) The secretariat would prepare a draft response (taking into account the Implementation Guide, jurisprudence, Compliance Committee decisions, other relevant legislation, etc.) and consult on the draft response with both the Compliance Committee and the Bureau, taking into account their views, and then submit the response to the Party making the request;

(b) If it emerged that there were serious differences of opinion between or within the Compliance Committee, the Bureau and/or the secretariat, the Bureau would report on the matter to the Working Group of the Parties, which could entrust the Bureau (or establish

¹⁵ Chair's summaries of the meetings and a list of participants are available from <http://www.unece.org/environmental-policy/treaties/environment-conventions/all/informal-networks.html>.

¹⁶ Available from http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/26/L.22/Rev.1.

an ad hoc committee), with input provided by the secretariat and Compliance Committee, to prepare a proposal on the subject matter for the consideration of the Meeting of the Parties.

B. Strategic Plan for 2015–2020

54. The Meeting of the Parties took note of the statement by the representative of REC CEE looking at the new Strategic Plan as the continuation of the previous Strategic Plan, and expressing its hope that it would be fully implemented. The Meeting of the Parties provisionally adopted decision V/5 on the Strategic Plan for 2015–2020 (ECE/MP.PP/2014/L.5).

C. Work programme for 2015–2017

55. In a discussion on the draft work programme for 2015–2017 representatives of REC CEE and the European ECO Forum, among others, expressed their readiness to continue their activities in line with the new work programme. In the next period it would be even more important to build synergies between the activities at the regional, subregional and national levels and achieve results by joint efforts towards the same goals. In particular, Parties should speed up their ratification of the GMO amendment. The Meeting of the Parties took note of the statements and provisionally adopted decision V/6 on the work programme for 2015–2017 (ECE/MP.PP/2014/L.6).

56. Pursuant to decision I/1 on rules of procedure (ECE/MP.PP/2/Add.2), and in order to ensure equal opportunities for English-, French- and Russian-speaking delegates, the Meeting of the Parties reiterated its request that documents for meetings of governing and subsidiary bodies to the Convention should be processed, translated and published by the United Nations Conference Services and made available in the three official languages of ECE without recourse to extrabudgetary resources.

57. The Meeting of the Parties took note of the following pledges provided by delegations for the implementation of the Convention's work programme for 2015–2017:

(a) The majority of the Parties announced their intention to continue with the same level of contribution as in the 2012–2014 intersessional period (Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, EU, Georgia, Germany, Greece, Ireland, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Sweden, Tajikistan, Ukraine and United Kingdom);

(b) The EU reaffirmed its general commitment to contribute at a level of 2.5 per cent of the operational costs not covered by the United Nations regular budget. While it was important that that standard practice was taken into account in future considerations and documents on the matter, in order to ensure financial sustainability and predictability as well as the effective implementation of the 2015–2017 work programme, the EU confirmed its intention to maintain its annual contribution of €100,000 during the 2015–2017 intersessional period. That amount was subject to the annual endorsement by the budgetary authorities of the EU and was without prejudice to the arrangements for EU member State Parties;

(c) Switzerland pledged to contribute annually to the Aarhus Convention an un earmarked contribution of 20,000 Swiss francs and an additional 20,000 Swiss francs for capacity-building activities;

(d) Other Parties present during the discussion (Albania, Denmark, Finland, France, Hungary, Iceland, Italy, Luxembourg, Montenegro, Portugal, Republic of Moldova

and Spain) were not in a position to inform the Meeting of the Parties of the level of their financial contribution for the 2015–2017 period.

D. Financial arrangements

58. Turning to financial arrangements under the Convention, the Meeting of the Parties took note of the statement by a representative of the EU endorsing the compromise text of a decision on financial arrangements and giving further details of the rationale behind the proposed amendments. It also took note of the statement by a representative of the European ECO Forum voicing disappointment, as the compromise text fell short of what would be desirable from an NGO perspective, while supporting the commitment of the Meeting of the Parties to revert to the issue at its next session. The Meeting of the Parties provisionally adopted decision V/7 on financial arrangements under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.8).

VII. Report on credentials

59. The Meeting of the Parties approved the report on credentials presented by Ms. Loredana Dall'Ora, the Vice-Chair of the Bureau, who noted that 39 Parties had submitted credentials and thus there was a quorum for the purposes of elections and the adoption of decisions.

VIII. Election of officers and other members of the Bureau

60. In accordance with rule 18 of the rules of procedure, the Meeting of the Parties elected by consensus Ms. Nino Sharashidze (Georgia) as Chair and Ms. Beate Berglund Ekeberg (Norway) and Mr. Lukas Pokorny (Czech Republic) as Vice-Chairs from among the representatives of the Parties present at the meeting. The Meeting of the Parties also elected by consensus the following members of the Bureau from among the representatives of the Parties in accordance with rule 22, paragraph 1 (b): Mr. Edwin Koning (Netherlands); Mr. Adrian Panciuc (Republic of Moldova); Ms. Gordana Petkovic (Serbia); and Mr. Philippe Ramet (France). It took note of the appointment by the European ECO Forum of Mr. Jeremy Wates to attend the meetings of the Bureau as an observer, in accordance with rule 22, paragraphs 2 and 4.

IX. Date and venue of the sixth ordinary session

61. The Meeting of the Parties decided to hold its next ordinary session in 2017 and mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the sixth ordinary session.

X. Decisions of the Meeting of the Parties

62. The Meeting of the Parties formally adopted the following decisions with the agreed amendments by consensus:

- (a) Decision V/1 on access to information (ECE/MP.PP/2014/L.1);
- (b) Decision V/2 on public participation in decision-making, as amended at the meeting (ECE/MP.PP/2014/CRP.1);

- (c) Decision V/3 on promoting effective access to justice (ECE/MP.PP/2014/L.3);
- (d) Decision V/8 on reporting requirements (ECE/MP.PP/2014/L.8);
- (e) Decision V/9 on general issues of compliance, as amended at the meeting (ECE/MP.PP/2014/CRP.3);
- (f) Decision V/9a concerning compliance by Armenia with its obligations under the Convention (ECE/MP.PP/2014/L.10);
- (g) Decision V/9b on compliance by Austria with its obligations under the Convention (ECE/MP.PP/2014/L.11);
- (h) Decision V/9c concerning compliance by Belarus with its obligations under the Convention (ECE/MP.PP/2014/L.12);
- (i) Decision V/9d concerning compliance by Bulgaria with its obligations under the Convention (ECE/MP.PP/2014/L.13);
- (j) Decision V/9e on compliance by Croatia with its obligations under the Convention (ECE/MP.PP/2014/L.14);
- (k) Decision V/9f concerning compliance by the Czech Republic with its obligations under the Convention (ECE/MP.PP/2014/L.15);
- (l) Decision V/9g concerning compliance by the European Union with its obligations under the Convention (ECE/MP.PP/2014/L.16);
- (m) Decision V/9h concerning compliance by Germany with its obligations under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.4);
- (n) Decision V/9i concerning compliance by Kazakhstan with its obligations under the Convention (ECE/MP.PP/2014/L.18);
- (o) Decision V/9j concerning compliance by Romania with its obligations under the Convention (ECE/MP.PP/2014/L.19);
- (p) Decision V/9k concerning compliance by Spain with its obligations under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.5);
- (q) Decision V/9l concerning compliance by Turkmenistan with its obligations under the Convention (ECE/MP.PP/2014/L.22);
- (r) Decision V/9m concerning compliance by Ukraine with its obligations under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.10);
- (s) Decision V/9n on compliance by the United Kingdom of Great Britain and Northern Ireland with its obligations under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.6/Rev.1);
- (t) Decision V/4 on promoting the application of the principles of the Convention in international forums, as amended at the meeting (ECE/MP.PP/2014/CRP.2);
- (u) Decision V/5 on the Strategic Plan for 2015–2020 (ECE/MP.PP/2014/L.5);
- (v) Decision V/6 on the work programme for 2015–2017 (ECE/MP.PP/2014/L.6);
- (w) Decision V/7 on financial arrangements under the Convention, as amended at the meeting (ECE/MP.PP/2014/CRP.8).

63. The Meeting of the Parties also adopted the other major outcomes presented at the meeting, as contained in the document ECE/MP.PP/2014/CRP.9/Rev.1, and requested the

secretariat, in consultation with the Chair of the Meeting of the Parties, to finalize the report on the fifth session and to incorporate the adopted outcomes and decisions in it.

64. The Minister for the Environment of the Netherlands thanked the participants for their contributions, the interpreters and the secretariat for their support and closed the meeting.
