

**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

**Working Group of the Parties**

**Twentieth meeting**

Geneva, 15–17 June 2016

Item 10 of the provisional agenda

**Adoption of the outcomes**

**LIST OF DECISIONS AND MAJOR OUTCOMES OF THE MEETING  
as adopted by the Working Group at its twentieth meeting<sup>1</sup>**

**Item 1. Adoption of the agenda**

The Working Group of the Parties:

- i. took note of the information provided by the Chair.
- ii. adopted the provisional agenda of the meeting.

**Item 2. Status of ratification of the Convention and the Protocol on  
Pollutant Release and Transfer Registers**

The Working Group:

- i. took note of the information on the status of ratification of the Convention, its amendment and the Protocol on PRTRs, provided by the secretariat.
- ii. welcomed the accession of Malta and Ukraine to the Protocol on PRTRs and the ratification of the GMO amendment to the Convention by Georgia.
- iii. relevant developments presented by delegations.

**Item 3. Substantive issues**

**(a) Access to information**

The Working Group:

- i. took note of the report by the representative of the Republic of Moldova and information provided by other delegations.
- ii. expressed its appreciation to the Task Force and its Chair for the work done.
- iii. restated the important role of the Task Force for implementation of the Convention.

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<sup>1</sup> This document was not formally edited.

- iv. took note of the proposal by the European Union to discontinue producing separate substantive decisions on access to information, public participation in decision-making, access to justice and the promotion of the Convention to international forums and incorporate their key elements in the decision on the new work programme, and agreed to consider this matter under item 8 (a) on the future work programme. The same is relevant for the agenda items 3 (b), 3 (c) and 5.
- v. took note of the presentation by the secretariat on the upgrade of the Aarhus Clearinghouse and encouraged Parties and stakeholders to contribute to the Aarhus Clearinghouse, its jurisprudence database and national nodes subpage, and the database of good practice, and take other measures presented by the secretariat (e.g. subscribe to the Aarhus Clearing house alert; provide links to national nodes).

**(b) Public participation in decision-making**

The Working Group:

- i. took note of the report by the Chair of the Task Force on Public Participation in Decision-making and information provided by delegations.
- ii. expressed its appreciation to the Task Force and its Chair for the work done.
- iii. restated the important role of the Task Force for implementation of the Convention.

**(c) Access to justice**

The Working Group:

- i. took note of the report by the Chair of the Task Force on on Access to Justice and information provided by delegations.
- ii. expressed its appreciation to the Task Force and its Chair for the work done.
- iii. restated the important role of the Task Force for implementation of the Convention.

**(d) Genetically modified organisms**

The Working Group:

- i. took note of the information provided by delegations on recent developments.
- ii. expressed its serious concern that although objective II/2 of the Strategic Plan 2015-2020 (ECE/MP.PP/2014/2/Add.1) envisaged that the GMO amendment of the Convention was to be approved by a sufficient number of Parties to enter into force by 2015, the objective had not been achieved.
- iii. called upon the following Parties, whose ratification of the GMO amendment would count towards its entry into force: Albania, Armenia, Azerbaijan, Belarus, France, Kazakhstan, Kyrgyzstan, Malta, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine, to take serious steps towards ratification and requested the above Parties to report at the next meeting of the Working Group on the progress achieved.
- iv. welcomed the checklist of key measures required for ratification and implementation of the Aarhus Convention and the Cartagena Protocol on Biosafety and the note summarizing sources of available technical assistance, tools and materials with regard to the implementation of the two treaties and welcomed the synergy between the two secretariats.

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## **Item 4. Procedures and mechanisms**

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

The Working Group of the Parties

- i. took note of the information provided by the Chair of the Compliance Committee and by delegations on recent developments related to the subject area.
- ii. thanked the Compliance Committee at its Chair for the work done.

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

The Working Group:

- i. took note of the information provided by the secretariat on the reporting for the next session of the Meeting of the Parties, and on the use of an online reporting tool.
- ii. took note of the information provided by the former Yugoslav Republic of Macedonia that its report for the fourth reporting cycle is planned to be submitted in September 2016.
- iii. expressed its serious concern over the continuing failure of the Party to submit the report and urged it to submit the report as soon as possible.

### **(c) Capacity-building and awareness-raising**

The Working Group took note of the information provided by the delegations. It welcomed the cooperation of the secretariat on capacity building activities with other partners and expressed its appreciation to partners for their continued support to the implementation of the Convention.

## **Item 5. Promotion of the principles of the Convention in international forums**

The Working Group:

- i. Expressed its appreciation to representatives of France, UNFCCC secretariat, European Bank for Reconstruction and Development, European Investment Bank, Asian Infrastructure Investment Bank, CEE Bankwatch and the European ECO Forum for their presentations.
- ii. Took note of the information provided by the representatives of the UNFCCC secretariat, international financial institutions (IFIs), Parties, and other stakeholders regarding good practices, innovative initiatives and challenges in promoting access to information and public participation in the UNFCCC and IFIs processes.
- iii. Expressed its appreciation to France for promoting the Convention's principles in the lead up and at COP 21 and to the Chair of the thematic session for the work done.
- iv. Encouraged Parties to continue promoting the Convention's principles in UNEP processes, climate - related negotiations, in IFIs and when implementing Sustainable Development Goals (SDGs).
- v. Encouraged Parties to continue fulfilling their obligations under article 3, paragraph 7 and to consider the results achieved at the next meeting of the Working Group.

### **Regarding the future work in this area:**

The Working Group:

- i. Considered the note by the Chair of the thematic session (AC/WGP-20/Inf.5) and thanked him for the work done.
- ii. Noted that although there has been some progress in promoting the Convention's principles in international forums, more efforts should be done to further transparency and effective public participation in international environment-related decision-making.
- iii. Noted the continuing demand for assistance from international forums as an illustration of the success to date in promoting the principles of the Convention in international forums and the growing awareness of the Aarhus Convention in the international sphere.

### **For the next intersessional period:**

- i. Agreed to *further monitor* the progress achieved with regard to UNEP stakeholder engagement and access to information policy; the promotion of the Convention's principles in implementation of 2030 Agenda and in international financial institutions.
- ii. Agreed to: (a) *focus on forums dealing with climate change, trade negotiations and biosafety*, recognising that other forums might be also considered, subject to decision by Parties; and (b) *continue addressing cross cutting issues* (e.g. innovative practices; different modalities for engaging stakeholders; self-organisation of stakeholders).

In addition, the Working Group agreed to consider at its next meeting the promotion of the Convention's principles in international decision-making on environment and health matter.

## **Item 6. Promotion of the Convention and relevant developments and interlinkages**

The Working Group:

- i. took note of the information provided by the secretariat and delegations regarding promotion of the Convention in other regions.
- ii. welcomed the interest of Guinea-Bissau to accede to the Aarhus Convention and invited it to consider the required steps to proceed with the accession in accordance with decision IV/5, and requested the Bureau to follow up on this matter.
- iii. welcomed the progress made in the development of a regional instrument on the application of Principle 10 in Latin America and the Caribbean and reiterated its full support to establishing a legally binding instrument in the region; and thanked the Netherlands, Italy, REC CEE, the secretariat and other Parties and stakeholders for supporting the process.
- iv. took note of the information on public participation in the context of the Silk Road Economic Belt, provided by the NGO Rivers without Boundaries.
- v. took note of the information regarding promotion of the Aarhus Convention and its Protocol on PRTRs at the Eighth "Environment for Europe" Ministerial Conference, provided by the Chair, speaking on behalf of Georgia.
- vi. took note of the information on linkages between the Aarhus Convention and the Human Rights Guide to the SDGs, provided by the Danish Institute for Human Rights.
- vii. welcomed initiatives taken by Parties or stakeholders to promote the Convention beyond the ECE region.

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- viii. expressed its appreciation to partner organisations for their support and welcomed the progress made in building synergies that helped the implementation of the work programme in this area.

### **Item 7. Implementation of the work programme for 2015–2017, including financial matters**

The Working Group:

- i. took note of the reports on the implementation of the Convention's work programme for 2015–2017 (ECE/MP.PP/WG.1/2016/5) and on the related contributions and expenditures (ECE/MP.PP/WG.1/2016/6).
- ii. took note of the report by the secretariat on finance matters, including on recent contributions and pledges.
- ii. took note of information provided by delegations and expressed its concern over the fact that contributions are arriving late in the year, which further hinders the implementation of the work programme.

### **Item 8. Preparations for the sixth session of the Meeting of the Parties**

#### **(a) Future work programme**

The Working Group considered the Draft elements of the work programme for 2018–2021 (ECE/MP.PP/WG.1/2016/7) and requested the Bureau:

- i. to prepare a draft decision on the work programme in the light of the comments by the Working Group of the Parties, including, to prioritise topics within each work area of the work programme.
- ii. to prepare draft decisions on access to information; on public participation in decision-making; on access to justice and on promotion of the Convention's principles in international forums.

The above decisions will be submitted to the twenty-first meeting of the Working Group for its consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft decisions will be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-first meeting of the Working Group.

#### **(b) Future financial arrangements of the Convention**

The Working Group of the Parties requests the Bureau to prepare a draft decision on financial arrangements in light of the comments by the Working Group for its submission to the twenty-first meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft decision will be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-first meeting of the Working Group.

#### **(c) Agenda of the sixth session of the Meeting of the Parties**

The Working Group of the Parties requested the Bureau to prepare, in light of the comments provided at the meeting:

- (a) a draft provisional agenda for the sixth session of the Meeting of the Parties, and
- (b) a draft declaration, jointly with the Protocol's Bureau, for their submission to the twenty-first meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft provisional agenda and draft declaration will be circulated to Parties and stakeholders for comments prior to their finalization for the twenty-first meeting of the Working Group

- (c) expressed its broad support for a high level segment addressing the link between the Convention and its Protocol and the implementation of the SDGs, and took note of a proposal from the European ECO Forum that the issue of the persecution and harassment of environmental NGOs in some parts of the region of Eastern Europe, the Caucasus and Central Asia should be somehow reflected in the agenda of the Meeting of the Parties.

**(d) Dates and hosting of the sixth session of the Meeting of the Parties**

The Working Group:

- i. agreed to hold the sixth ordinary session of the Meeting of the Parties in the week of 11 September 2017.
- ii. welcomed the offer of Montenegro to host the next sessions of the Convention's and Protocol's Meetings of the Parties and expressed its appreciation to the Government of Montenegro for this offer.
- iii. took note of the information provided by the host country regarding its national preparations.

**Item 9. Other business**

The Working Group took note of the invitation by the REC CEE to the subregional workshop on the Protocol on PRTRs for South Eastern Europe to be held on 7-11 November in Skopje.

**Item 10. Adoption of outcomes**

The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting (as contained in this document) and requested the secretariat, in consultation with the Chair, to finalize the report and incorporate these adopted outcomes and decisions.

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