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## 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

Sixteenth meeting  
Geneva, 19–21 June 2013

## Report of the sixteenth meeting of the Working Group of the Parties

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## **I. Introduction**

1. The sixteenth meeting of the Working Group 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 from 19 to 21 June 2013 in Geneva, Switzerland.

### **A. Attendance**

2. The meeting 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), France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Republic of Moldova, Serbia, Slovakia, Spain, Sweden, Switzerland, Turkmenistan and United Kingdom of Great Britain and Northern Ireland.

3. A delegate from Uzbekistan was also present. Delegates from Chile participated by videolink.

4. Also present were representatives of the United Nations Environment Programme (UNEP), the Organization for Security and Cooperation in Europe (OSCE) Mission to Bosnia and Herzegovina, and the Economic Commission for Latin America and the Caribbean (ECLAC), the latter participating by videolink. The meeting was also attended by the representatives of the following international financial institutions (IFIs): the World Bank, the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD). Representatives of Regional Environmental Centres, Aarhus Centres and business and academic organizations were also present. Furthermore, representatives of international, regional and national environmental non-governmental organizations (NGOs) participated in the meeting, many of whom coordinated their input within the framework of the European ECO Forum.<sup>1</sup>

### **B. Opening of the meeting and organizational matters**

5. The Working Group adopted the agenda as set out in document ECE/MP.PP/WG.1/2013/1.

6. The Chair informed the Working Group that, with a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations, the meeting would result in a list of decisions and outcomes that would be projected on the screen around 30 minutes before the close of the meeting and presented by the Chair verbally for adoption, thereby allowing for interpretation. The adopted list of decisions and outcomes would be distributed to participants by e-mail after the meeting and would be incorporated in the report.

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<sup>1</sup> Documents for the meeting are available online from <http://www.unece.org/env/pp/aarhus/wgp16.html>. Statements delivered at the meeting that were made available to the secretariat by presenters are also accessible from this web page.

## **II. Status of ratification of the Convention and the Protocol on Pollutant Release and Transfer Registers**

7. The secretariat reported on the status of ratification of the Convention, the amendment to the Convention on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment) and the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs). There were 46 Parties to the Convention, 32 Parties to the Protocol on PRTRs and 27 Parties to the GMO amendment. Since the sixteenth meeting of the Working Group of the Parties in September 2012, the following countries had ratified the Protocol on PRTRs: Poland (25 September 2012); Cyprus (5 November 2012); and Israel (14 January 2013). There had been no new ratifications of the Convention or its amendment.

8. The Working Group took note of the information provided by the secretariat and welcomed the ratification of the Protocol on PRTRs by Poland, Cyprus and Israel. It further welcomed the statement by the delegation of the Republic of Moldova that the country had completed its national procedure for ratification of the Protocol, and by a representative of Switzerland on the progress made in the national procedure for ratification of the Convention. The Working Group also took note of information provided by various delegations on recent or anticipated relevant developments, including that from the non-governmental organization (NGO) Volgograd-Ecopress regarding civil society activities to promote ratification of the Convention by the Russian Federation.

## **III. Substantive issues**

### **A. Access to information**

9. The Working Group considered the section of the report on the implementation of the work programme for 2012–2014 concerning access to information, including electronic information tools, the clearinghouse mechanism and PRTR.net (see ECE/MP.PP/WG.1/2013/3).

10. The Working Group took note of the report of the first meeting of the Task Force on Access to Information (Geneva, 7-8 February 2013) (ECE/MP.PP/WG.1/2013/5), as well as the note by the Chair of the Task Force on Access to Information (AC/WGP-16/Inf.1) presented by the representative of the Republic of Moldova on behalf of the Chair for the Task Force on Access to Information. It also took note of the next meeting of the Task Force scheduled to take place on 16 and 17 December 2013 in Geneva.

11. The Working Group considered information provided by other delegates together with the respective section in the draft elements of the work programme for 2015–2017 on access to information (ECE/MP.PP/WG.1/2013/12). The Working Group requested the Bureau to prepare a draft decision on the subject, in the light of the comments made at the meeting, for its submission to the Working Group for consideration, revision and approval at its seventeenth meeting, and for subsequent submission to the Meeting of the Parties. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

12. The Working Group also encouraged Parties and other stakeholders to contribute to the Aarhus Clearinghouse and online databases, such as the jurisprudence database and the database of case studies on public participation in decision-making. It also invited Parties and other stakeholders to subscribe to the Rich Site Summary (RSS) feeds of the Aarhus

Clearinghouse news and resources and the ECE website to receive automatic information on their relevant updates.

## **B. Public participation in decision-making**

13. The Working Group took note of the report presented by the Chair of the Task Force on Public Participation in Decision-making (see ECE/MP.PP/WG.1/2013/4; ECE/MP.PP/WG.1/2013/6; AC/WGP-16/Inf.2) and considered the section of the report on the implementation of the work programme for 2012–2014 concerning public participation in decision-making.

14. The Working Group also considered information provided by the delegates together with the respective section in the draft elements of the work programme for 2015–2017 on public participation in decision-making. The Working Group requested the Bureau to prepare a draft decision on the subject, in the light of the comments made at the meeting, for its submission to the Working Group for consideration, revision and approval at its seventeenth meeting, and for subsequent submission to the Meeting of the Parties. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

## **C. Access to justice**

15. The Working Group took note of the report presented by the Chair of the Task Force on Access to Justice on the sixth meeting of the Task Force, which had been held back to back to the present meeting, and the note of the Chair of the Task Force (AC/WGP-16/Inf.3). It also considered the section of the report on the implementation of the work programme for 2012–2014 concerning access to justice.

16. The Working Group considered information provided by the delegates together with the respective section in the draft elements of the work programme for 2015–2017. The Working Group requested the Bureau to prepare a draft decision on the subject, in the light of the comments made at the meeting, for its submission to the Working Group for consideration, revision and approval at its seventeenth meeting, and for subsequent submission to the Meeting of the Parties. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

## **D. Genetically modified organisms**

17. The Working Group considered the section of the report on the implementation of the work programme for 2012–2014 concerning genetically modified organisms (GMOs) and took note of the information provided by delegations.

18. The Working Group expressed its serious concern that, although objective II/3 of the Strategic Plan 2009–2014 (see ECE/MP.PP/2008/2/Add.16, annex) envisaged that the GMO amendment of the Convention would be approved by a sufficient number of Parties to enter into force by 2009, that objective had not been achieved.

19. The Working Group called upon the 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.

20. The secretariat informed the meeting that it had followed up on the progress in the process of ratification of the GMO amendment, as requested by the Working Group at its fifteenth meeting (Geneva, 3–5 September 2012), but had received no response. At the meeting, Armenia, Azerbaijan, France and Kyrgyzstan reported that they had initiated the procedure to ratify the amendment. France informed the Working Group that it had plans to ratify the GMO amendment before the fifth session of the Meeting of the Parties and Greece said it had plans to ratify the amendment by the end of 2013. Albania, Belarus, Georgia, Kazakhstan, Malta, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine did not provide a response.

21. The Working Group requested the above Parties whose ratification of the GMO amendment would count towards its entry into force to provide the secretariat with a written explanation on the status of ratification — in addition to any statements they may have made at the meeting — and to report at the next meeting of the Working Group on the progress achieved.

## **IV. Procedures and mechanisms**

### **A. Compliance mechanism**

22. The Working Group considered the section of the report on the implementation of the work programme for 2012–2014 concerning the compliance mechanism and took note of the information provided by the secretariat on the outcomes of the thirty-eighth, thirty-ninth and fortieth meetings of the Compliance Committee (see ECE/MP.PP/C.1/2012/8, ECE/MP.PP/C.1/2012/10 and ECE/MP.PP/C.1/2013/2, respectively). Since the last session of the Meeting of the Parties the Committee had held seven meetings at which it followed up on the implementation of decisions IV/9a–i concerning compliance by Armenia, Belarus, Kazakhstan, the Republic of Moldova, Slovakia, Spain, Turkmenistan, Ukraine and the United Kingdom. The Committee had received 24 new communications since the last Meeting of the Parties (Chisinau, June 2011), 18 of which were ruled admissible and were now pending at different stages of the process. The secretariat also informed the Working Group that the Compliance Committee was following up with nine decisions on compliance by individual Parties. The Committee had decided to dedicate more time and attention to those decisions. Therefore, apart from regular correspondence, at each meeting the Committee devoted time for video-conferences with representatives of Parties, observers and former communicants. As substantial information needed to be considered, that approach ensured clarification on many issues and also facilitated the follow-up process.

23. The secretariat also informed the meeting that an informal network of the chairs of the implementation and compliance bodies had been formed in 2012. The objective of the informal network was to exchange experiences on their work by e-mail and at occasional meetings. The first meeting had taken place on 25 March 2013 in Geneva. The agenda and the summary of the meeting are available on a web page of the ECE Environment Division.<sup>2</sup>

24. The Working Group also considered the note of the Chair of the Compliance Committee (AC/WGP-16/Inf.7) and information provided by the secretariat regarding an

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<sup>2</sup> Information posted on <http://www.unece.org/environmental-policy/treaties/enenvironment-conventions/all/informal-networks.html>.

ad hoc informal meeting between the Chair of the Compliance Committee, the EU and its member States and Croatia, held in Geneva on 18 June 2013.<sup>3</sup>

## **B. Capacity-building and awareness-raising**

25. The Working Group considered sections of the report on the implementation of the work programme for 2012–2014 on capacity-building activities and on awareness-raising on and promotion of the Convention and the Protocol on PRTRs.

26. The Working Group took note of the information provided by the secretariat on the outcomes of the survey regarding the Communication Strategy (AC/WGP-16/Inf.4).

27. The Working Group also took note of information provided by delegations on their capacity-building activities, including by the Regional Environmental Centre for Central and Eastern Europe, the International Environmental Association of River Keepers (Eco-TIRAS), and the European ECO Forum.

28. Belgium informed the meeting about the workshop, “Get Your Right to a Healthy Community”, on the Protocol of PRTRs in South-Eastern Europe (Sarajevo, 28–29 May 2013) and expressed its appreciation to the Government of Bosnia and Herzegovina and OSCE for their cooperation and support for the event.

29. The Working Group welcomed the cooperation of the secretariat on capacity-building activities with other partners, including within the framework of the Environment and Security Initiative.

## **C. Preparation of national implementation reports for the fifth session of the Meeting of the Parties**

30. The Chair reminded the Parties that there was an obligation to comply with the reporting requirements under the Convention. The Working Group noted that the former Yugoslav Republic of Macedonia was the only Party that had not yet submitted its report for the previous 2011 reporting cycle, and urged the Party to submit the report as soon as possible and start timely preparation of the next report due for consideration by the fifth session of the Meeting of the Parties in 2014.

31. Presenting the new reporting mechanism under the Aarhus Convention, the secretariat gave an overview of experiences learned from previous reporting cycles and informed the Working Group on practical considerations in relation to the 2014 reporting cycle, including a demonstration on the use of an online reporting tool. Delegates from Latvia and Georgia and a representative of Eco-TIRAS also shared their experience on the preparation of national implementation reports. The Working Group took note of the information provided by the secretariat on reporting obligations for the next session of the Meeting of the Parties and on the use of the online reporting tool, as well as the information provided by delegations and other representatives.

32. The Working Group called upon Parties to ensure the effective preparation and timely submission of their national reports. For the 2014 reporting cycle the recommended submission deadline was 1 December 2014.

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<sup>3</sup> Croatia became an EU member one month later, in July 2013. At the time of the sixteenth Working Group meeting Croatia was not an EU member.

## **V. Accession by non-United Nations Economic Commission for Europe States and promotion of the Convention's principles in other regions**

33. Representatives from the Ministry of Foreign Affairs and the Ministry of Environment of Chile and from ECLAC made a presentation via videolink on the Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean, which aimed to promote the rights of the public in environmental matters based on regional consensus and with the participation of civil society. The delegates from Chile informed the Working Group that the first meeting of the focal points appointed by the Governments of the signatory countries had been held in Santiago on 6 and 7 November 2012. At the meeting, participating countries had reconfirmed their commitment to developing a regional instrument and had adopted a road map to promote dialogue in close collaboration with the stakeholders. The road map set concrete goals and assigned to the presiding officers — Chile, the Dominican Republic and Mexico — the task of preparing a draft Plan of Action to 2014. That plan had been presented and adopted at the second meeting of the focal points (Guadalajara, Mexico, April 2013). The initiative had also grown in membership and to date had 14 signatory countries and potentially addressed more than 450 million people. In recent months, Brazil, Colombia, Honduras and Trinidad and Tobago had joined the Declaration initially committed to by Chile, Costa Rica, Ecuador, Jamaica, Mexico, Panama, Paraguay, Peru, the Dominican Republic and Uruguay.

34. The Working Group welcomed the progress in developing a regional instrument on the application of Principle 10 of the Rio Declaration in Latin America and the Caribbean, and reiterated its support to that important initiative. The Chair informed Chile and ECLAC about the upcoming fifth session of the Meeting of the Parties at which the Parties of the Aarhus Convention would very much welcome a presentation on concrete outcomes of the process.

35. The Working Group also considered the section of the report on the implementation of the work programme for 2012–2014 concerning the promotion of the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines).

36. The secretariat informed the Working Group about the activities to promote the Convention in Mongolia. According to information available to the secretariat, the draft proposal on the accession of Mongolia to the Aarhus Convention was still undergoing an inter-ministerial commenting procedure.

37. With regard to decision IV/5 on the accession to Convention of non-ECE member States (see ECE/MP.PP/2011/2/Add.1) and the Strategic Plan 2009–2014 objectives in that area, a representative of European ECO Forum expressed concern at the lack of progress achieved so far, and attributed it to the current procedural arrangements whereby a non-ECE country's accession was contingent upon approval by the Meeting of the Parties.

38. A representative of Osaka University presented the outcomes of an international conference on public participation organized in Japan (Awaji, 30–31 March 2013). The event was part of the Green Access Project, which was developed by Osaka University and funded by the Government of Japan. The project aimed to identify appropriate models of public participation for protecting the environment and creating a sustainable society in Japan.

39. The Working Group welcomed other relevant initiatives taken by Parties or stakeholders to promote the Convention beyond the ECE region, including the promotion of

the Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters (Bali Guidelines) led by UNEP, and the “Access for All” initiative led by the World Resource Institute in cooperation with a number of partners, including the Regional Environmental Centre for Central and Eastern Europe and the European Environmental Bureau (EEB).

## VI. Implementation of the work programme for 2012–2014, including financial matters

40. The Working Group took note of the report on the implementation of the work programme for 2012–2014, including the information on the human and financial resource situation of the secretariat.

41. The secretariat informed the Working Group about the contributions and pledges it had received between 19 March 2013 and 18 June 2013, as set out in the table below.

### Contributions received between 19 March and 18 June 2013

(in United States dollars)

<i>Donor country</i>	<i>Contributions received</i>	<i>Remarks</i>
Belgium, Brussels Region	1 216	For Aarhus Convention 2013
Belgium, Flemish Region	8 499	For Aarhus Convention 2013
Belgium, Walloon Region	4 425	For Aarhus Convention 2013
Belgium, Walloon Region	6 806	For Protocol on PRTRs 2013
Estonia	1 277	For Aarhus Convention 2013
France	83 014	For Aarhus Convention 2013
Georgia	250	For Aarhus Convention 2013
Italy	127 714	For Aarhus Convention 2013
Lithuania	200	For Aarhus Convention and Protocol on PRTRs 2012, received in 2013
Republic of Moldova	1 294	For Aarhus Convention 2012, received in 2013
Republic of Moldova	1 294	For Aarhus Convention 2013
Slovenia	654	For Protocol on PRTRs 2012, received in 2013
Slovenia	654	For Protocol on PRTRs 2013
<b>Total</b>	<b>237 298</b>	(of which 8,815 explicitly for the Protocol on PRTRs)

42. The Working Group also took note of the pledges by delegations of their planned financial contributions for 2013 and 2014. The Chair encouraged the Parties that had not yet contributed for 2012 to proceed with their contributions to ensure the timely and effective implementation of the programme of work. The Chair also encouraged Parties to increase their additional contributions in view of the two upcoming sessions of the Meetings of the Parties to the Convention and the Protocol in 2014.

43. The Working Group expressed its concern with regard to the shortage of contributions and the low number of pledges, also recalling decision IV/7 on financial arrangements (see ECE/MP.PP/2011/2/Add.1) adopted by the Meeting of the Parties at its fourth session.

44. The Working Group also requested the secretariat to prepare for its next meeting a note comparing the ratio of extrabudgetary contributions vis-à-vis support to the Convention's secretariat received from the United Nations regular budget with the corresponding ratios for other environmental activities of ECE.

## **VII. Promotion of the principles of the Convention in international forums**

45. A thematic session on promoting the principles of the Aarhus Convention in international forums, led by France, was attended by more than 100 delegates from Governments, non-governmental and international organizations, IFIs, academia, business and industry. In that connection, the Working Group considered the chapter of the report on the implementation of the work programmes concerning promotion of the Almaty Guidelines and other interlinkages with relevant international bodies and processes. At the outset, the EU, its member States and Croatia sought, and received, clarification from the Chair regarding paragraph 76 (c) of the report of the fifteenth meeting of the Working Group (ECE/MP.PP/WG.1/2012/2), namely that the development of national action plans to systematically promote the principles of the Convention in all forums dealing with matters relating to the environment was not mandatory and that Parties were invited, but not obliged, to develop such action plans.

### **A. Segment 1: Follow-up from the previous thematic session**

#### **Measures to systematically promote the principles of the Convention in all forums dealing with matters relating to the environment**

46. The Chair of the thematic session expressed his appreciation to the 10 Parties (Albania, Azerbaijan, Cyprus, Denmark, Estonia, France, Georgia, Greece, Iceland and Spain), which had completed the "three-minute survey" prepared by the secretariat on measures at the national level to systematically promote the principles of the Convention in international forums. He encouraged other Parties to send their completed surveys to the secretariat by the end of July 2013.

47. The session Chair invited comments on the draft checklist of measures to be borne in mind by Parties when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment. The draft checklist had been prepared by the secretariat in consultation with the Chair of the thematic session at the request of the Working Group at its fifteenth meeting ((ECE/MP.PP/WG.1/2012/2, para. 76 (d)). Several observers expressed their appreciation for the draft checklist and the secretariat was asked to finalize the text, to have it translated into French and Russian and to make it available before the Working Group's seventeenth meeting.

48. The session Chair recognized that many national focal points faced practical challenges in their efforts to promote the principles of the Convention in other international forums. Such challenges included their limited resources and many other competing responsibilities; the lack of awareness among their counterparts involved in other forums about article 3, paragraph 7, and the principles of the Convention; and the difficulty Aarhus focal points experienced in reaching out to those officials, especially those in other ministries, due to the formal nature of ministerial communications and the similarly high workloads of those officials also. To help address such challenges, the session Chair encouraged Parties to develop national action plans to systematically promote the principles of the Convention in all international forums dealing with matters relating to the

environment, including those under the competence of other ministries, using the checklist of measures as appropriate. The development of such an action plan was not mandatory, but could serve as a valuable formal tool through which to gain the necessary ministerial support to be able to effectively raise the awareness of officials involved in other forums, particularly those under the competence of other ministries, about article 3, paragraph 7. He invited Parties to report back on their progress at the seventeenth meeting.

#### **Update on the establishment of the High-level Political Forum on Sustainable Development**

49. The secretariat presented a written update prepared for the Working Group by the United Nations Department of Economic and Social Affairs regarding the current negotiations on the High-level Political Forum on Sustainable Development (HLPF). The European ECO Forum made a statement regarding public participation in that context. In the light of those presentations, the session Chair:

(a) Encouraged Parties to inform their national representatives taking part in the HLPF negotiations about article 3, paragraph 7, and the principles of the Aarhus Convention;

(b) Encouraged Parties to support strong and inclusive public participation in the text defining the HLPF, so that the level of public participation that had existed under the United Nations Commission on Sustainable Development would be secured and further strengthened;

(c) Recognized the value of a designated institution, based on the principles of good governance, to provide political leadership to oversee the implementation of sustainable development, including by driving the development and implementation of the future Sustainable Development Goals;

(d) Invited the Convention's subsidiary bodies and the secretariat to each carefully consider how they might support the HLPF to fulfil its mandate.

#### **Update on civil society engagement in the processes of the United Nations Framework Convention on Climate Change**

50. The secretariat presented a written update on civil society engagement in United Nations Framework Convention on Climate Change (UNFCCC) processes prepared for the Working Group of the Parties by the UNFCCC secretariat. The Climate Action Network also made a statement on that issue. Taking those statements into account, as well as those by other observers on the issue, the session Chair:

(a) Encouraged Parties to inform their focal points appointed under article 6 of UNFCCC about article 3, paragraph 7, and the principles of the Aarhus Convention and to ask them to consider such initiatives in that connection as:

(i) Requesting sessions to be open to stakeholders and stakeholders to be given the opportunity to react to the discussions;

(ii) Requesting that the modalities for participation in recently created bodies (e.g., the Green Climate Fund and the Advisory Board of the Climate Technology Centre and Network) be based on best practices, rather than renegotiating existing standards;

(iii) Providing opportunities for stakeholders to participate in informal processes parallel to negotiations;

(iv) Requesting “Aarhus” rights of access to information, public participation and access to justice to be incorporated into projects funded through the Clean Development Mechanism;<sup>4</sup>

(b) Recognized that the hosting of the nineteenth session of the UNFCCC Conference of the Parties in 2013 by Poland and the twenty-first session in 2015 by France — both Aarhus Convention Parties — was a good opportunity for those Parties to promote public participation and improve related policies and practices in climate change negotiations.

## **B. Segment 2: The new United Nations Environment Assembly**

51. A segment on the new United Nations Environment Assembly focused on concrete actions that Parties could take to actively promote the principles of the Aarhus Convention in the upgrading of UNEP, in particular with respect to the further development of paragraphs 5 (e), 7 and 17 of decision 27/2 of the UNEP Governing Council.<sup>5</sup> In the light of presentations made by the Government of France, UNEP and the European ECO Forum, the session Chair:

(a) Invited Parties to check whether their Government had started the process to seek accreditation to the new United Nations Environment Assembly with universal membership (as accreditation was not automatic) and invited those that were not yet accredited to do so, so that they would be entitled to exercise their voice in the negotiations on stakeholder participation in UNEP;

(b) Encouraged Parties to diary the timeline for preparing the outcomes of decision 27/2 on stakeholder participation and to provide their input at the relevant stages;

(c) Encouraged Parties to engage in the UNEP Committee of Permanent Representatives (CPR) negotiations through, e.g., participating in the first open-ended CPR (Nairobi, 24–28 March 2014), and in all relevant meetings of the CPR where the outcomes of decision 27/2 were to be negotiated;

(d) Invited Parties to use the 11 principles agreed by the Global Major Groups and Stakeholders Forum on 17 February 2013 as a useful reference when promoting stakeholder participation in UNEP processes and to take steps to ensure that the level of public participation that had existed in UNEP practice to date was secured and further strengthened;

(e) In keeping with article 2, paragraph 5, of the Aarhus Convention and the central purpose of UNEP, as a forum dedicated to environmental protection, encouraged Parties to consider the effectiveness of the current form of the major groups system, given that it did not recognize any special status for environmental NGOs;

(f) In addition, encouraged Parties to strengthen political support for better civil society engagement through their bilateral relationships with different countries.

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<sup>4</sup> See <http://cdm.unfccc.int/>.

<sup>5</sup> See UNEP/GC.27/17; available as the proceedings of the first universal session of the Governing Council from <http://www.unep.org/gc/gc27/>.

### C. Segment 3: Policy reviews by international financial institutions

52. The segment on policy reviews by the IFIs considered concrete actions that Parties could take to promote the principles of the Aarhus Convention in the policies of EBRD, EIB and the World Bank that were currently under review. In the light of the presentations made by those institutions and also by CEE Bankwatch, the session Chair:

- (a) Encouraged Parties to participate in the consultations regarding the various IFI policies currently under revision including:
  - (i) The EBRD Environmental and Social Policy, Public Information Policy and Project Complaint Mechanism;
  - (ii) The EIB Environment and Social Practices Handbook, Energy Lending Policy and new Guidelines on Public Consultation;
  - (iii) The World Bank's eight environmental and social safeguard policies;
- (b) Invited Parties to draw on the points made in the four presentations delivered in the thematic session when preparing comments for the above consultation processes;
- (c) Encouraged Parties to take the following actions to promote the principles of the Aarhus Convention in the policy reviews currently going on at the EBRD, EIB and the World Bank:
  - (i) Sign-up for updates on the websites of EBRD, EIB and the World Bank;
  - (ii) Send written comments in response to relevant invitations to comment posted on the IFI websites;
  - (iii) Send a representative to take part in any consultation sessions on the various policy reviews organized by each IFI;
  - (iv) Contact their national representatives on the boards of the EBRD, EIB and the World Bank to inform them about article 3, paragraph 7, and the principles of the Aarhus Convention;
- (d) With respect to future policy reviews, invited IFIs to include an invitation to "register for updates" on a highly prominent place on their websites, through which any person could register to receive notifications of opportunities to comment on draft policies/strategies, etc., regarding topics/geographic regions of interest to them.

### D. Other international forums

53. In the light of statements made by observers during the thematic session expressing concerns regarding the failure of some Parties to effectively promote the principles of the Convention in the negotiations for a legally binding agreement on forests in Europe and in the Human Rights Council in the context of discussions on the impact of climate change, the session Chair:

- (a) Encouraged Parties to contact their national representatives involved in the Intergovernmental Negotiating Committee for a Legally Binding Agreement on Forests in Europe, to inform them of their obligations under article 3, paragraph 7, of the Convention and to take steps to ensure that the negotiated agreement met the standards for public participation set by the Aarhus Convention;
- (b) Encouraged Parties to contact their national representatives taking part in the Human Rights Council, to inform them of their obligations under article 3, paragraph 7, of

the Convention and to take steps to ensure their negotiating positions promoted the principles of the Aarhus Convention;

## **E. Future work**

54. In the light of the oral statements made by Parties, including the EU, its member States and Croatia, and observers regarding future work under the Convention on promoting the principles of the Convention in international forums, as well as his own note to the sixteenth session of the Working Group on this topic (AC/WGP-16/Inf.5), the session Chair:

(a) Welcomed the growing 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;

(b) Noted the requests for a short leaflet on the Almaty Guidelines for distribution to Parties' representatives involved in other international negotiation processes, and suggested that NGOs could assist in its dissemination;

(c) Agreed that future thematic sessions should be held regularly on a needs basis and, in addition, that further consideration should be given to other working arrangements, e.g., circulation of papers or the development of online networks featuring details of challenges and good practices in the promotion of the principles of the Convention in international forums;

(d) Agreed that there should be a regular agenda item at each thematic session at which delegates and observers could inform the Working Group of any recent developments of concern regarding public participation in particular international forums dealing with matters relating to the environment;

(e) Noted that the provision of advice to assist Parties to establish effective processes for their public to participate in international forums was an important function and recommended that all such advice should be collated in order to develop a repository of good practice for use by all Parties.

## **F. Agreed outcomes of the thematic session**

55. The Working Group:

(a) Took note of the report by the Chair of the thematic session on promoting the principles of the Convention in international forums, and welcomed the exchange of information regarding challenges encountered and good practices;

(b) Encouraged Parties to consider taking the steps proposed during the thematic session, and reflected in the relevant sections of the present report, to assist them to meet their obligations under article 3, paragraph 7;

(c) Requested the Bureau to prepare a draft decision on the future work regarding the promotion of the Convention in international forums for its submission to the Working Group at its seventeenth meeting for consideration, revision and approval, and for subsequent submission to the Meeting of the Parties. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

## **VIII. Preparations for the fifth session of the Meeting of the Parties**

### **A. Future strategic plan**

56. The Working Group considered the draft Strategic Plan for 2015–2020 (ECE/MP.PP/WG.1/2013/7), as requested by the Meeting of the Parties at its fourth session in order to be ready for consideration and adoption at the fifth session of the Meeting of the Parties.

57. The Working Group requested the Bureau to amend the draft Strategic Plan in the light of the comments by the Working Group, and to prepare an accompanying draft decision, for submission to the Working Group at its seventeenth meeting for consideration, revision and approval, and for subsequent submission to the Meeting of the Parties. The draft decision and draft Strategic Plan would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

### **B. Functioning and implementation of the Convention**

#### **1. Evaluation of the current functioning and implementation of the Convention**

58. The Working Group welcomed the work done by the consultant in preparing the evaluation of the current functioning and implementation of the Convention (ECE/MP.PP/WG.1/2013/8; AC/WGP-16/Inf.8; and AC/WGP-16/Inf.9), which constituted an independent review.

59. The Working Group took note of the evaluation and the comments made by delegations on it, and agreed to reflect comments provided by delegations with regard to the evaluation in the report of the meeting. The written comments submitted to the secretariat were therefore made available on the web page for the meeting.

#### **2. Future work programme**

60. The Working Group requested the Bureau to amend the draft elements of the work programme for 2015–2017 in the light of the comments made at the meeting, for submission to the Working Group at its seventeenth meeting for consideration, revision and approval, and for subsequent submission to the Meeting of the Parties. The draft work programme would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

### **C. Financial matters**

#### **1. Assessment of the current interim scheme of contributions**

61. The Working Group welcomed the work done by the consultant in preparing the assessment of the current interim scheme of contributions (ECE/MP.PP/WG.1/2013/9 and AC/WGP-16/Inf.10), which constituted an independent review.

62. The Working Group took note of the assessment and the comments by delegations on it, and agreed to reflect comments provided by delegations with regard to the assessment in the report of the meeting. The written comments submitted to the secretariat were therefore made available on the web page for the meeting.

## **2. Future financial arrangements under the Convention**

63. The Working Group discussed future financial arrangements on the basis of a document containing draft elements of possible financial arrangements under the Convention (ECE/MP.PP/WG.1/2013/10). Norway and EEB expressed support for a mandatory scheme. The Working Group was not able to reach a consensus on the matter and requested the Bureau to prepare a draft decision on financial arrangements in the light of the comments made on the draft elements for submission to the Working Group at its seventeenth meeting for consideration, revision and approval, and for subsequent submission to the Meeting of the Parties. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the seventeenth meeting of the Working Group.

## **D. Agenda of the fifth session of the Meeting of the Parties**

64. The Working Group considered an outline of the agenda for the fifth session of the Meeting of the Parties (ECE/MP.PP/WG.1/2013/13), which had been prepared by the secretariat in consultation with the Bureaux of the Meetings of the Parties to the Convention and the Protocol on PRTRs in order to facilitate discussion by the Working Group on preparations for both the fifth session of the Meeting of the Parties to the Convention (MOP-5) and the second session of the Meeting of the Parties to the Protocol on PRTRs' (MOPP-2), which would be held back to back. Uzbekistan proposed that the United Nations Secretary-General address the fifth session of the Meeting of the Parties, and the secretariat was requested to explore that possibility.

65. The Working Group agreed with an outline of the agenda of the fifth session, as presented in document ECE/MP.PP/WG.1/2013/13, and agreed to hold a joint high-level segment of MOP-5 with MOPP-2.

66. Delegations shared their views on possible themes for the high-level segment. The Working Group requested the Bureau to prepare a draft declaration, under the leadership of the Chair, in cooperation with the Bureau of the Protocol on PRTRs, and to prepare a draft provisional agenda for MOP-5 on the basis of the outline and in the light of the comments made at the meeting, for their submission to the Working Group at its seventeenth meeting for consideration, revision and approval, and for subsequent submission to the Meeting of the Parties. The draft declaration and draft provisional agenda would be circulated to Parties and stakeholders for comments prior to their finalization for the seventeenth meeting of the Working Group.

## **E. Hosting of the fifth session of the Meeting of the Parties**

67. The Working Group welcomed the report of the Bureau regarding the acceptance of the offer of the Netherlands to host the next sessions of the Convention's and Protocol's Meetings of the Parties and expressed its appreciation to the Netherlands for the offer.

68. The Working Group took note of the information provided by the host country regarding its national preparations.

## **IX. Other business**

69. The Working Group took note of information regarding its next meeting, which was tentatively scheduled to take place in March 2014 in Geneva.

## **X. Adoption of outcomes**

70. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting and requested the secretariat, in consultation with the Chair, to finalize the report and incorporate the adopted outcomes and decisions.

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