



# Economic and Social Council

Distr.: General  
29 September 2010

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

### Working Group of the Parties

#### Twelfth meeting

Geneva, 30 June–2 July 2010

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

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## **I. Introduction**

1. The twelfth 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 30 June to 2 July 2010 at the Palais des Nations in Geneva.

### **A. Attendance**

2. The meeting was attended by delegations from the following Parties to the Convention: Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Italy, Kyrgyzstan, Latvia, Netherlands, Norway, Poland, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkmenistan and United Kingdom of Great Britain and Northern Ireland. The European Union (EU), represented by the Commission of the European Communities, was also present.

3. A delegation from Uzbekistan was also present.

4. Representatives of regional environmental centres, Aarhus Centres and business, professional, research and academic organizations also attended. In addition, representatives of international, regional and national environmental organizations participated in the meeting, many of which coordinated their input within the framework of the European ECO-Forum. All participants are included in the list of participants, which is available online at: <http://www.unece.org/env/pp/wgp.htm>.

### **B. Organizational matters**

5. Ms. Zaneta Mikosa (Latvia), acting Chair of the Working Group, opened the meeting.

6. The Working Group adopted the agenda as set out in the annotated provisional agenda (ECE/MP.PP/WG.1/2010/1).

7. 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 that would be projected on a screen and presented by the Chair verbally, thereby allowing for interpretation. The list of decisions would be distributed to participants by e-mail after the meeting and would be incorporated in the report. This approach was in accordance with a new United Nations policy on promoting environmentally friendly management practices, since it would save a large amount of paper that would need to be used for printing a complete draft report.

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

8. The secretariat reported on the status of ratification of the Convention, the amendment to the Convention and the Protocol on Pollutant Release and Transfer Registers (PRTRs). There were 44 Parties to the Convention, 26 Parties to the Protocol on PRTRs and 26 Parties to the amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMOs). Since the last meeting of the Working Group there had been two new ratifications

of the Convention, by Serbia and Montenegro, and four new ratifications of the amendment to the Convention, by Cyprus, Germany, Portugal and Slovenia. In order for the amendment to enter into force, 27 ratifications were needed by countries that had been a Party to the Convention at the time of the adoption of the amendment. Of the 26 current Parties to the amendment, only 22 counted towards its entry into force. There had been nine new ratifications of the PRTR Protocol, by Austria, Bulgaria, the Czech Republic, Hungary, Portugal, Romania, Slovenia, Spain and the United Kingdom.

9. The Working Group took note of the report by the secretariat on the status of ratification of the Convention, the amendment to the Convention and the PRTR Protocol. It also welcomed the proposal from the Bureau to ask the Chair to write a letter to Parties that had not as yet ratified the amendment to the Convention to proceed with ratification as soon as possible.

### **III. Overseeing implementation and compliance**

#### **A. Compliance mechanism**

10. The secretariat reported that, since the previous meeting of the Working Group, the Compliance Committee had held four meetings at which it had discussed communications concerning Armenia, Austria, Belarus, the EU, Georgia, Poland, the Republic of Moldova, Slovakia, Spain and the United Kingdom. It had adopted findings regarding non-compliance by Spain and the Republic of Moldova and had also followed up with the recommendations of the third session of the Meeting of the Parties (Riga, 2008) concerning non-compliance by Albania, Armenia, Lithuania, Turkmenistan and Ukraine. At the time of its twenty-eighth meeting, in mid-June 2010, the Committee had received its fiftieth communication since its establishment. The Working Group took note of the report by the secretariat, stating that, due to the length limits for United Nations documents, the Committee's reports and findings had not been produced as official documents, and had therefore not been translated, since its twenty-third meeting in March/April 2009. The Working Group reconfirmed the importance of the issue and welcomed the decision of the extraordinary session of the Meeting of the Parties (30 June 2010) requesting that the reports and findings of the Compliance Committee be made available as United Nations documents in the three official languages of the United Nations Economic Commission for Europe (UNECE).

#### **B. Reporting requirements**

11. The secretariat reported on the training on the preparation of national implementation reports (NIRs) that had taken place on the morning of 30 June and presented a discussion paper on the system of national reporting on implementation of the Convention (ECE/MP.PP/WG.1/2010/8). The paper contained additional calculations regarding the costs of outsourcing the editing and translation of NIRs, as requested by the Working Group at its eleventh meeting.

12. The Working Group took note of the report by the secretariat on the training on the preparation of NIRs and welcomed the discussion paper on the system of national reporting. It reconfirmed the importance of making NIRs available in the three official languages of UNECE and mandated the Bureau to find possible solutions to achieve that, including outsourcing of the editing and translation of NIRs in the event that they could not be processed by the United Nations due to resource constraints.

### **C. Provision of country-specific needs-based advice and assistance**

13. The secretariat presented an informal discussion paper on elements for the 2012–2014 work programme (informal document WGP–12/Inf.4), containing a proposal to establish a mechanism to provide country-specific, needs-based advice and assistance. Such an assistance mechanism could operate at countries' request, be facilitative in nature and foster cooperation with partner organizations and civil society, providing support in areas such as accession to, ratification of or transposition into national law of the Convention and its amendment, as well as improving implementation and practical application of relevant national legislation. The assistance mechanism could be based on experiences with similar mechanisms under other conventions. To provide an example of such a mechanism, a representative of the secretariat of the UNECE Convention on Transboundary Waters and International Lakes (Water Convention) made a presentation on the National Policy Dialogues programme carried out under the auspices of the Water Convention. The Working Group took note of the presentation.

14. Many countries thanked the secretariat for its discussion paper, welcoming the opportunity to comment on the document and expressing willingness to cooperate constructively by sending comments, including first views on items and priorities for the future work programme 2012–2014. Several countries stressed the usefulness of the approach described in the paper, noting that it would help to further implementation on the ground.

15. Several organizations disagreed in general with the idea of discontinuing task forces and to downscaling the work in certain areas under the Convention from the regional to the subregional or country level, as was proposed in the discussion paper.

16. The Working Group concluded by welcoming the discussion paper on elements for the 2012–2014 work programme as a good basis for starting the discussion on a future work programme, while regretting that the document was made available at a late stage, and took note of the comments on the discussion paper provided by delegations. Following a proposal from the Bureau, the Working Group agreed to invite Parties, Signatories and observers to provide the secretariat with written comments on the discussion paper and on possible elements for the work programme 2012–2014 addressing, where appropriate, all focal areas of the Strategic Plan 2009–2014, by 20 September 2010. It requested the Bureau, with the assistance of the secretariat, to prepare a draft work programme for 2012–2014 well in advance of the next meeting of the Working Group (by the second half of November 2010), in consultation with the lead countries for the various activities and taking into consideration the comments received.

### **D. Updating of the Implementation Guide**

17. The secretariat reported on progress made with the preparation of the updated version of the Implementation Guide, including procedural and timing aspects. The Working Group took note of that information. It requested the secretariat to distribute a version of the text showing the changes made, as well as a clean version, by the end of July 2010 and agreed that Parties, Signatories and observers would provide comments on the draft Guide by the end of September 2010.

## **IV. Sharing of experiences and capacity-building**

### **A. Genetically modified organisms**

18. The secretariat reported on the preparations for a workshop to be organized jointly with the secretariat of the Convention on Biological Diversity (CBD) on the topic of genetically modified organisms, scheduled to take place in conjunction with the fifth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety to be held in Nagoya, Japan, on 8 and 9 October 2010. It suggested that focal points to the Aarhus Convention could contact CBD focal points in their respective countries, with the aim of having statements by Governments at the CBD Conference of the Parties (CoP) refer to the Aarhus Convention and its amendment on GMO. The secretariat further reported on its participation in the European Biosafety Annual Conference, held from 21 to 23 June 2010, where it had delivered a presentation on the Convention. The Working Group took note of that information.

### **B. Electronic information tools and the clearinghouse mechanism**

19. The secretariat reported that it was exploring the possibility of organizing a workshop on electronic information tools for South-Eastern Europe in the fall of 2010, subject to the identification of a host country, and called on countries in South-Eastern Europe to host the workshop. It further reported on a project related to upgrading the Aarhus Clearinghouse mechanism. The Working Group took note of (a) the report by the secretariat; and (b) a proposal to consider under the project on the Aarhus Clearinghouse a mechanism that would allow national focal points to enter information on country activities directly into the Clearinghouse.<sup>1</sup>

### **C. Public participation**

20. The Chair reported on the outcome of the extraordinary session of the Meeting of the Parties, held on 30 June 2010, including the establishment of the Task Force on Public Participation in Decision-making. A meeting of the Task Force was envisaged for late 2010, at which the Task Force was expected to discuss its workplan. The Working Group took note of that information

21. A representative of the secretariat of the Protocol on Water and Health to the Water Convention informed the Working Group about possible areas of cooperation on public participation between the Protocol and the Aarhus Convention under the auspices of the newly established Task Force. The Working Group welcomed the proposal and requested the Task Force to consider this proposal and explore options for such cooperation as one of its focal areas.

### **D. Access to justice**

22. The Chair of the Task Force on Access to Justice presented the report of the third meeting of that Task Force, held in Geneva on 14 and 15 October 2009 (ECE/MP.PP/WG.1/2010/6), and reported on other relevant activities carried out since the

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<sup>1</sup> The secretariat held consultations after the meeting and it has been clarified that such a feature was already a part of the original set up of the Aarhus Clearinghouse.

previous meeting of the Working Group, including preparations for the next meeting of the Task Force. He expressed concern regarding the slow progress in implementing the activities under the Task Force and called on delegations to provide information on relevant cases for the jurisprudence database, which was currently being developed and would be linked to the Aarhus Clearinghouse. In order to adequately address the situation in countries in Eastern Europe, the Caucasus and Central Asia, he proposed that the Task Force explore the possibility of carrying out a study focusing on adequate and effective remedies, including injunctive relief, and cost issues, with regard to access to justice in environmental matters (art. 9, para. 4, of the Convention) in those countries. He further reported on the organization of a workshop for the high-level judiciary in the subregion, which was initially scheduled to take place in Dushanbe from 25 to 27 August 2010, but had been postponed for several organizational reasons. Finally, he proposed that the next meeting of the Task Force be postponed until 7 and 8 February 2011, so that it could be held back to back with the thirteenth meeting of the Working Group of the Parties.

23. Delegations reported on activities related to access to justice carried out by their respective countries and organizations.

24. A vast majority of those who participated in the discussion expressed their concern that the work of the Task Force on Access to Justice had been too slow, noting that implementation of the access to justice pillar was the weakest under the Convention. The mandate of the Task Force was to promote that pillar, which was needed both in countries that were Parties to the Convention and in observer countries. They also agreed that the work on judiciary trainings was of crucial importance, while noting that there was also a need to train staff of local authorities in the countries of the region on access to justice, as the public often initially approach administrative bodies about environmental issues rather than the courts. Delegations also commented that public interest lawyers needed to be included more in the work on access to justice.

25. The Working Group took note of the information provided by delegations and agreed with the proposals of the Chair of the Task Force regarding the study topics and the postponement of the next meeting of the Task Force. It noted the significance of the high-level judiciary workshop to build capacity in the subregion, as expressed by a number of participants, and requested the Chair and the secretariat to consider options for organizing that event in 2011.

## **E. Inter-agency coordination on capacity-building**

26. The Working Group took note of the report of the secretariat on preparations for the sixth capacity-building coordination meeting, scheduled to take place in late 2010 or the beginning of 2011, if possible back to back with one of the other meetings taking place under the auspices of the Convention.

## **V. Promotion of the Convention**

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

27. The secretariat presented an informal note on a possible procedure for approval of accession by non-UNECE States (informal document WGP-12/Inf.1) and reported on developments regarding accession to the Convention by Guinea-Bissau. The Chair informed the meeting about the decision of the Bureau to write a letter to the competent authority in Guinea-Bissau with a view to clarifying the situation regarding their accession.

Delegations exchanged their views on the issue of accession to the Convention by States from outside the UNECE region and provided comments on the note. The comments included the following: (a) the Aarhus Convention should be left unchanged and developing a procedure to implement article 19, paragraph 3, of the Convention would be the most appropriate and practical solution; (b) the procedure should be as simple as possible in order to avoid an overly burdensome accession; (c) minimum criteria for accession should be developed; (d) expressions of interest in accession should be communicated at least one year before a Meeting of the Parties (MOP) session, in written form and at an appropriate level but without the need for a decision by the Government or parliament; (e) prospective applicant countries would need to take into account the common practice in the proceedings of the Convention, including the three-year period for organizing sessions of the MOP, and to act accordingly; (f) interested countries should demonstrate a political commitment and confirm that their legal system will conform with the requirements of the Convention by the time of accession; and (g) candidate countries could be invited to the relevant meetings under the Convention, as observers.

28. The Working Group took note of the information provided and welcomed, as a good basis for further discussions, the informal note prepared by the secretariat. It agreed that: (a) an amendment to the Convention should not be considered as a possible option; (b) a procedure for accession by non-UNECE countries should be simple, clear and with minimal criteria and should follow the formal steps described in the note; and (c) candidate countries could be invited to be represented by high-level officials at the respective sessions of the MOP where the approval for accession would take place. It requested the Bureau, with the assistance of the secretariat, to prepare a draft decision on accession by non-UNECE countries for consideration at the next meeting of the Working Group, taking into account the comments received.

## **B. Promoting the application of the principles of the Convention in international forums**

29. The Chair of the Task Force on Public Participation in International Forums (PPIF) presented the report of the fourth meeting of the Task Force, held in Geneva on 6 July 2009 (ECE/MP.PP/WG.1/2010/4) and an oral report of the fifth meeting of the Task Force and the workshop held back to back with that meeting in Geneva on 29 June 2010. The Task Force had prepared a draft reporting format for the implementation of article 3, paragraph 7, of the Convention (promotion of the principles of the Convention in international forums) and encouraged Parties to already use the draft reporting format to report on a voluntary basis during the current intersessional period, as part of the 2011 reporting cycle. The draft reporting format had been circulated to national focal points and others during the national implementation report training on 30 June 2010. The Task Force had also discussed the possible structure of the workshop with international forums to be held back to back with its sixth meeting, in February 2011.

30. The Chair of the Task Force further reported on a workshop held back to back with the fifth meeting of the Task Force, including a special session on access to information and public participation in the lead up to, during and after the fifteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), held in Copenhagen in December 2009. A representative of the UNFCCC secretariat had participated in the workshop. The UNFCCC secretariat was currently inviting submissions from all its Parties and Observer Organizations regarding ways to enhance the engagement of observer organizations in its processes (FCCC/SBI/2010/L.21), with a submission deadline of 16 August 2010. Making such a submission would provide an immediate opportunity for Parties to the Aarhus Convention to implement their

obligations under article 3, paragraph 7, of the Convention, and the report on the PPIF workshop held on 29 June might contain useful practical recommendations that Parties might wish to include in their submissions. Parties could consider appointing one or two members of their national delegation for the sixteenth session of the Conference of the Parties to UNFCCC, to be held in Cancun, Mexico, from 29 November to 10 December 2010, to act as a focal point for civil society organizations regarding any problems they might encounter with respect to access to information or public participation during the conference itself. The Chair of the Task Force invited national focal points to report at the next meeting of the Task Force on the initiatives they had been able to take at the national and international level to promote the implementation of article 3, paragraph 7, and the Almaty Guidelines in the lead up to, during and after the sixteenth session of the Conference of the Parties to UNFCCC.

31. The Working Group took note of this information, welcomed the work done by the Task Force and took note of its proposals and the suggestions of its Chair. It welcomed the participation of the UNFCCC secretariat in the workshop on 29 June 2010.

### **C. Awareness-raising activities**

32. The secretariat reported on its activities undertaken since the previous meeting of the Working Group to raise awareness of the Convention and the PRTR Protocol at various events and conferences.

33. A representative of Armenia reported that there were currently 14 Aarhus Centres in the country, which organized training sessions and maintained websites providing information on legislation and legislative channels, thereby improving knowledge not only among non-governmental organizations (NGOs) but also the general population. She also reported on the establishment of a Human Rights Ombudsman, an Organization for Security and Cooperation in Europe (OSCE) project on environmental rights and the Aarhus Convention aimed at raising awareness on national and international law, and seminars organized by the United Nations Development Programme on the implementation of international conventions involving various ministries and NGOs.

34. A representative of the Aarhus Centre Georgia reported on the publication of guidelines in Georgian and English informing the general public on how it could have access to justice (i.e., via the courts) on environmental matters through the different stages of the national legal framework, and the organization of trainings on this topic for regional NGOs. In addition, two public service announcements for television had been produced addressing public participation and access to justice, which would be broadcast through one of the main television channels in Georgia.

35. A representative of the Aarhus Centre Osh, Kyrgyzstan, reported that the OSCE had organized training in Almaty for Aarhus centres in Central Asia. It also reported on preparations for the sixth Ministerial Conference on Environment and Development in Asia and the Pacific, which would be held in Astana in October 2010, and suggested that the secretariat and other interested countries might wish to participate in the conference and its side events.

36. A representative of the European ECO-Forum reported on progress in Kyrgyzstan, where resource centres had been established in different parts of the country to support implementation of the Convention and provide information to the public. The resource centres aimed to strengthen institutional frameworks, foster the development of environmental action plans by local authorities, build capacity for national and local authorities, the judiciary and local communities and to raise awareness.

37. The Working Group took note of this information.

#### **D. Preparation of a communication strategy**

38. The secretariat reported on the development of a communication strategy, including information on the current composition of the expert group, the intention to hire a consultant to prepare the first draft and plans to deliver the strategy for consideration by the Working Group at its thirteenth session. It informed the Working Group that it was still possible for Parties to nominate experts to participate in the work of the Expert Group.<sup>2</sup> The Working Group took note of this information.

### **VI. Implementation of the work programme for 2009–2011, including the financial report for 2009**

39. The secretariat presented the report on implementation of the work programme during 2009, including an overview of financial contributions received for use in 2009 and expenditures incurred in 2009 (ECE/MP.PP/WG.1/2010/7).

40. The secretariat further reported that the new United Nations administrative rules, which had entered into force in April 2010, discouraged the issuing of short-term staff contracts of less than one year's duration. A break of at least three months was now required after 364 days before issuing a new contract, terminating the previous practice of short-term contracts that could be extended over one year. For the sustainability of work it would thus be crucial to ensure staff funding on a long-term basis. The secretariat would therefore be obliged to give priority to securing staff funding, which needed to be reserved at least one year in advance of the issuing of a contract. This applied to staff funded from the Aarhus Convention trust fund (extrabudgetary staff), which meant the extension of those contracts depended on the level of contributions received. Since the current financial scheme was on a voluntary basis and without guidance on the amount of contributions, the level of contributions fluctuated, which made the basis of funding extrabudgetary staff unpredictable and far from secure.

41. The Working Group welcomed the report and took note of the information provided, while regretting the postponement of various activities including the annual capacity-building coordination meeting<sup>3</sup> and meetings of the Task Force on Electronic Information Tools<sup>4</sup> and of the Expert Group on a Communication Strategy.<sup>5</sup> It took note of the reduced level of contributions in 2009 compared to previous years and expressed its concern regarding possible implications for activities under the Convention, reiterating the need for prioritizing the activities. It welcomed the contributions for 2010 received so far, and also welcomed the information on pledges for 2010 provided by delegations (set out in the table below).

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<sup>2</sup> Delegations are invited to submit their nominations to the secretariat by 1 October 2010.

<sup>3</sup> The meeting was postponed due to the reorganization of tasks of the responsible staff member resulting from competing priorities.

<sup>4</sup> The meeting was postponed due to loss of the commitment of a candidate country to host the meeting.

<sup>5</sup> The meeting was postponed due to the departure of the responsible staff member and the need to give priority to other tasks.

| <i>Country</i>         | <i>Pledged contribution for 2010</i>   |
|------------------------|--|
| Austria                | Would contribute the same amount as in 2009  |
| Belgium                | Would contribute the same amount as in 2009  |
| Bosnia and Herzegovina | Amount to be defined   |
| Denmark                | Amount to be defined   |
| France                 | €60,000 (unearmarked); €30,000 (PPIF Task Force); and an additional contribution of €17,600 for the workshop on PPIF that took place on 29 June 2010 |
| Georgia                | Would provide information at a later stage   |
| Netherlands            | €20,000 for the Convention and €20,000 for the PRTR Protocol   |
| Poland                 | Decision pending   |
| Romania                | Would contribute by the end of the year; amount to be defined  |
| Slovenia               | Expected to contribute the same amount as in 2009  |
| Spain                  | Would contribute the same amount as in 2009  |
| United Kingdom         | Contribution was still being considered  |

## VII. Financial arrangements

42. The secretariat presented a draft decision on financial arrangements (informal document WGP.12/Inf.3), prepared at the request of the Bureau, containing several options for the establishment of a new scheme of financial arrangements under the Convention.

43. The EU suggested that the scheme of financial arrangements should be kept under periodic review, that a voluntary scheme be maintained, and that all Parties should collectively ensure that activities under the Convention were funded. The EU was not yet in a position to comment on the application of the United Nations scale of assessments and expressed support for the principles reflected in paragraphs 1 (a), (f), (g), and (h) of the draft decision. Adding that the threshold of a minimum amount of US\$ 200 for contributions should be maintained, the EU reiterated the principle of early contributions and pledged that it would strive to contribute early, taking into account national procedures.

44. Norway and Uzbekistan expressed support for a mandatory scheme and the application of the United Nations scale of assessments.

45. The Working Group took note of the draft decision and requested the Bureau to revise the draft decision with the assistance of the secretariat, taking into consideration the comments provided, and to submit it for consideration by the Working Group at its next meeting.

## **VIII. Cooperation with the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers, including matters arising from the first session of the Meeting of the Parties to the Protocol**

46. The Chair of the Meeting of the Parties to the Protocol on PRTRs reported on the outcome of the first session of the Meeting of the Parties to the Protocol, held in Geneva from 20 to 22 April 2010. The Meeting had celebrated the entry into force of the Protocol and had adopted a number of decisions vital for the continued work under the Protocol for the period 2011–2014 and its financing, including with regard to the translation of national implementation reports. The Meeting had also adopted a Ministerial declaration and decided that the second session of the Meeting of the Parties to the Protocol should take place back to back with the fifth session of the Meeting of the Parties to the Convention. In addition, national focal points for the Protocol had been nominated and a Bureau and Compliance Committee for the Protocol had been elected.

47. The secretariat reported on other relevant developments in the field of PRTRs, including the recent activities of the International PRTR Coordinating Group.

48. Armenia and Turkmenistan expressed their intention to accede to the Protocol in the near future. Several delegations reported on their activities relevant to PRTRs.

49. The Working Group welcomed the information provided and agreed that synergies between the Convention and the PRTR Protocol should be maintained, including in areas such as electronic information tools and promotion and awareness-raising activities. It further agreed that there might be a need to, on a temporary basis, transfer some funds from the budget allocated to PRTR activities in the Programme of Work for 2009–2011, so as to secure the start of the key activities under the Protocol, such as organization of the meetings of the Working Group of the Parties, the Bureau and the Compliance Committee, while noting that this should not compromise the implementation of activities under the Convention. It requested the Bureau to guide the secretariat in this regard and requested the secretariat to prepare a table of any possible financial transfers and present an updated version at each meeting of the Working Group of the Parties to the Convention and the Working Group of the Parties to the Protocol.

## **IX. Preparations for the fourth ordinary session of the Meeting of the Parties**

### **A. Update by the host country and the secretariat**

50. The Minister of Environment of the Republic of Moldova, as host country, reported on preparations for the fourth ordinary session of the Meeting of the Parties (MOP-4), emphasizing that his Government would take all necessary measures to prepare the fourth session adequately. He reiterated his Government's preference to hold the session during the week of 6 to 12 June 2011, back to back with the fourteenth meeting of the Working Group of the Parties. The Meeting could discuss the issue of coordination between central and local authorities regarding the provision of information to the public, as well as obstacles to access to justice and related corruption of Government officials and courts. The Meeting could also discuss how citizens could raise issues through local authorities, and how local authorities could be sufficiently informed to ensure compliance with the Convention. While environmental issues were sometimes not a priority when countries struggled with poverty, problems with implementing the Convention were also due to the

lack of effective cross-sectoral cooperation, which could be another area to explore. In addition, as authorities were not always able to cooperate with NGOs due to, inter alia, logistics and economic challenges, these issues should all be addressed. An action plan on implementation of the Convention was currently being jointly prepared by various Moldovan Government Ministries, and would be adopted after a consultation with civil society organizations.

51. The secretariat reported on a planned preparatory mission to Chisinau, tentatively scheduled for September 2010.

52. The Working Group welcomed the Minister's report and took note of the envisaged dates for the fourth session. It welcomed the plan of the Chair and the secretariat for a mission to Chisinau and requested the secretariat to inform the Working Group on the outcome of the mission as soon as possible.

## **B. Discussion on possible elements of the provisional agenda**

53. Delegations shared their views on possible themes of the fourth ordinary session of the Meeting of the Parties, taking into consideration the outcomes of the discussions on the previous items.

54. The comments included the following: (a) MOP-4 could be comprised of a general and a high-level segment, noting at the same time that ministerial attendance at the last two sessions of the Meeting of the Parties had been low; (b) access to justice and the role of the Convention in promoting sustainable development could be possible subjects for discussion at the high-level segment; (c) the agenda of MOP-4 should be, in general, similar to the agenda of MOP-3, with the exception of items that would not require further discussion; (d) the agenda of MOP-4 should cover all substantive areas of work under the Convention and new issues that were currently under discussion by the Working Group; and (e) discussions at MOP-4 should address good practices, achievements, lessons learned, challenges and obstacles in relation to implementing the Convention. It was further recommended that high-level officials from other than the environment sector (e.g., ministers of justice), could be invited to attend, as appropriate. The Working Group noted the proposals made by delegations on possible themes for the provisional agenda for MOP-4 and requested the Bureau, with the assistance of the secretariat, to prepare a concept note on the provisional agenda, which would be sent to delegations for comments with a deadline of 20 September 2010. It further requested the Bureau, with the assistance of the secretariat, to prepare a draft provisional agenda for MOP-4 for the thirteenth meeting of the Working Group of the Parties (WGP-13). It requested the secretariat to ensure that the documentation for WGP-13 would be available in the three official languages of UNECE well in advance of the meeting, which it agreed to hold from 9 to 11 February 2011 in Geneva.

## **X. Recent and forthcoming developments relevant to the Convention or Protocol**

55. The Chair invited delegations to provide additional information on any relevant events or developments, including with respect to activities at the international, regional, subregional and national levels.

56. A representative of the Association of Local Information Commissions reported on the Aarhus and Nuclear initiative, aimed at improving implementation of the Convention in the nuclear field, identifying both impediments and good practices, and fostering interaction between specialists in the nuclear sphere and Aarhus experts. The initiative was being

supported by the European Commission and included the organization of national and European round tables, leading up to a final conference in late 2011.

57. A representative of Armenia noted the relevance of the Aarhus and Nuclear initiative, expressing interest in participating in the initiative on an expert level and stressing the importance of implementing the Convention with regard to power development.

58. A representative of the Regional Environmental Center for Central and Eastern Europe added that in the context of the Aarhus and Nuclear initiative, a first Hungarian round table had been organized with the help of the Ombudsman for Future Generations and with the participation, inter alia, of agencies supervising the nuclear sector and members of the parliamentary commission on sustainable development. The outcomes could be useful input for the work of the newly established Task Force on Public Participation in Decision-making.

59. A representative of Uzbekistan informed participants that a draft law on environmental monitoring had been discussed at two round tables involving Government officials, NGOs and private experts and the draft had subsequently been submitted to the parliament.

## **XI. Adoption of decisions and close of the meeting**

60. The Working Group revised and 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 to incorporate the adopted outcomes and decisions in it.

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