

Working Group of the Parties to the Aarhus Convention
Thirteenth meeting
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9-11 February 2011
Item 7 (a) of the provisional agenda

DRAFT OUTLINE OF A DECLARATION

Note by the secretariat

At its twenty-sixth meeting, the Bureau agreed to prepare a draft outline for a declaration, with a view to preparations for the fourth session of the Meeting of the Parties (29 June-1 July 2011). It requested the secretariat to provide an initial draft outline for consideration by the Working Group of the Parties at its thirteenth meeting. The Working Group is expected to decide if it wishes to develop a declaration, and if so, which substantive points it should contain and what the timeline and modalities for its preparation should be.

Introduction

A possible Declaration could address the various substantive issues under the Convention, could constitute a short and concise document welcoming achievements to date and noting remaining challenges for the future per substantive issue. The following points could be included in a draft declaration.

Access to Information

An exchange on the use of Information and Communication Technology (ICT) to enhance public access to environmental information has taken place in the context of the work of the Task Force on Electronic Information Tools. In addition, the Aarhus Clearinghouse for Environmental Democracy was developed further and has continued to serve as a platform for the collection and dissemination of information related to the Convention. Although implementation of the information pillar of the Convention appears to be the strongest of the three pillars, some challenges remain in this area, inter alia with regard to product information and accessibility of environmental information held by the private sector. Finally, the use of ICT should be promoted to enhance implementation of the other two pillars of the Convention, namely public participation and access to justice.

Public Participation

The Convention continues to foster public participation in environmental decision-making in the UNECE region and beyond, including with regard to international forums. The Task Force on Public Participation in International Forums has made a significant contribution in this respect, by providing a platform for the promotion of the principles of the Convention in international contexts. Challenges to implementation at the national level are being addressed by the Task Force on Public Participation in Decision-making, established in the previous intersessional period after experience showed that the public participation pillar of the Convention required strengthening. The Task Force is expected to contribute to improving implementation of the public participation provisions of the Convention in the next intersessional period.

Access to Justice

The Task Force on Access to Justice has worked towards advancing public access to justice in environmental matters, inter alia by examining barriers, sharing good practices, organizing training workshops and developing analytical studies on crucial themes. The Task Force has steadily progressed in its efforts to provide helpful information and serve as a resource for authorities and stakeholders, offering assistance in improving implementation of the access to justice pillar of the Convention. Nevertheless, significant challenges remain in this area, including with respect to criteria for standing, effective remedies and litigation costs.

Genetically Modified Organisms

Although constructive work has taken place under the Convention on the topic of GMOs, including through various information and training workshops, ratification of the GMO amendment to the Convention has fallen short of expectations and as a result the amendment has not yet entered into force.

Compliance mechanism

The Compliance Committee has successfully continued its work on review of compliance. The success of the mechanism is proven by its ever increasing use by members of the public and by the fact that other mechanisms have been modelled after it. The workload of the Committee has increased and the secretariat has expanded its resources to support the Committee in pursuing its mission. The question of long-term sustainability of staff resources to support the mechanism should therefore be considered.

Reporting

The Convention's reporting mechanism has been enhanced by elaborating the format for reporting on national implementation of the Convention, addressing implementation of the Almaty guidelines and the GMO amendment, and a large number of Parties has submitted a report on implementation for the third reporting cycle. It has become increasingly clear, however, that the practice of publishing the national implementation reports in the three UNECE languages poses significant challenges, prompting a discussion about various options to address this question.

Strategic Plan

The activities under the Convention have contributed to the implementation of the Strategic Plan 2009-2014. However, some objectives of the Strategic Plan have not yet been fully achieved, and various activities envisaged in the plan remain to be implemented in the next intersessional period.

Capacity-building and awareness-raising

Various capacity-building activities have been implemented by Parties, inter-governmental organizations, NGOs and the secretariat in the previous intersessional period, making a contribution towards improving implementation of the Convention. However, it seems that furthering implementation on the ground remains the biggest challenge in the next intersessional period. In addition, efforts have been made by Parties, stakeholders and the secretariat to raise awareness of the Convention and inform the public about the rights afforded by its provisions. The development of a communications strategy for the Convention and its Protocol is a further step towards increasing awareness in the future.
