

The Aarhus Convention Reporting Mechanism

**National Implementation Reports:
Experiences and Lessons learned**
Geneva, 15 June 2016

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Objective and outline of Presentation

Objective

- Share experience and lessons learned from previous reporting cycles

Outline

- Legal basis of the reporting obligations and role of the Compliance Committee
- Lessons learnt from previous reporting cycles
- Challenges and practical issues during the preparation
 - Process and timing
 - Content and format

Why reporting?

Convention – Article 10 paragraph 2

The Parties shall:

- Keep under continuous review the implementation of the Convention **on the basis of regular reporting by the Parties**
- **Review the policies for as well as legal and methodological approaches** to access to information, public participation in decision-making and access to justice in environmental matters, with a view to further improving them

Reporting requirements

Further elaborated through MOP decisions

- **Decision I/8** (2002)
 - main process and format

- **Decision IV/4** (2011)
 - revised reporting format for all future reporting cycles
 - questions on
 - genetically modified organisms (GMOs)
 - public participation in international forums
 - follow-up on compliance matters

Role of Compliance Committee

Parties & other stakeholders

- **Decision I/7** on review of compliance paragraph 13(c)
- The Committee shall **monitor, assess and facilitate** the implementation of and compliance with the reporting requirements under article 10, paragraph 2, of the Convention
- Guidance issued in 2007 are still relevant

Role of Task Forces

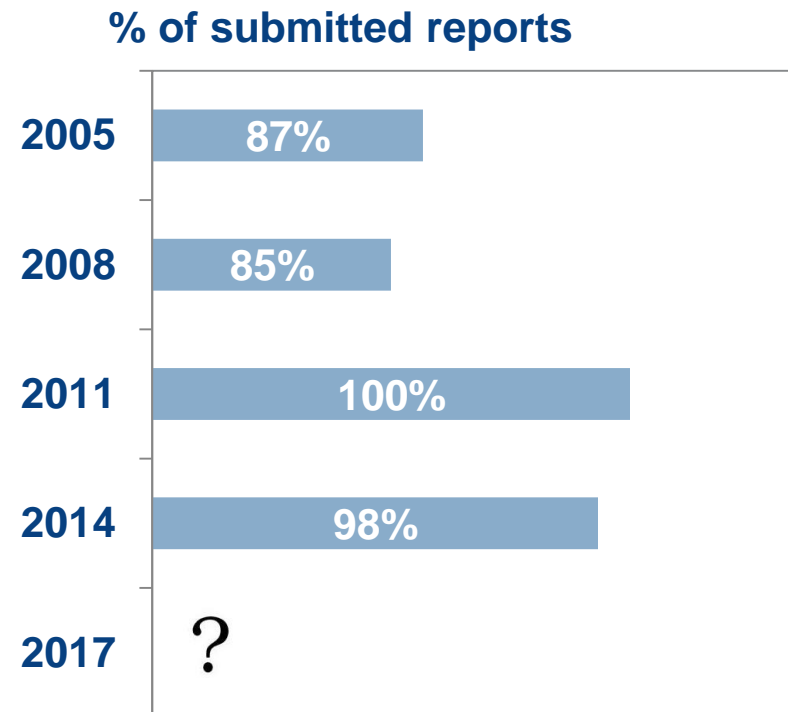
- Use of national implementation reports
to facilitate the exchange of knowledge and experience on
 - access to information,
 - public participation in decision-making and
 - access to justice

Reports submitted

Past reporting cycles

Four reporting cycles since establishment of reporting mechanism (decision I/8)

- First cycle (2005): 26 reports
- Second cycle (2008): 35 reports
- Third cycle (2011): 44 reports
- Fourth cycle (2014): 45 reports (only 1 Party did not report)
- Fifth cycle (2017):



Overall reporting experience

is positive

- Valuable information provided
- Positive developments in law and practice highlighted
- Difficulties in the implementation identified

... but practical challenges for the preparation of NIRs remain



Main challenges

Process and timing of public engagement

- Engage the public in the consultation process from the beginning
- Public participation process is criticized as not having been effective and meaningful from the start of the process
- Reports were submitted after the deadline, some after the MOP

Our recommendation

Process and timing of public engagement

- Start as early as possible
- Identify stakeholders (working groups and general public)
- Provide publicly available drafts in national language
- **Hold two public consultations during report preparation process**
 - First: on possible content of the report, before the first draft
 - Second: for comments, to incorporate in a subsequent draft

Main challenges

Content and format

- Some reports do not provide adequate and clear answers to the questions
- Some reports do not follow the format
- Lack of information on the practice
- Not user friendly for the reader:
 - Long list of instruments without practical information on official interpretation and practice
 - Information provided in answer to a different question
 - No cross-referencing

Our recommendation

Content and format

- Stick to the reporting format - annex to decision IV/4
- Consult Compliance Committee guidance document
- **Work in track changes** to clearly identify **new information**
 - new laws, official interpretation, guidance to the public
- Provide information on **practical implementation**
 - practical measures, administrative circulars and institutional arrangements, capacity building, budgetary allocations
- Address all questions but focus on **areas of difficulty**

Contact & additional information

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<http://www.unece.org/env/pp/reports.html>