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ECONOMIC COMMISSION FOR EUROPE

COMMITTEE ON ENVIRONMENTAL POLICY

**REPORT ON THE SPECIAL SESSION**  
(17 January 1996)

1. The special session of the Committee on Environmental Policy took place in Geneva on 17 January 1996.
2. The meeting was attended by the delegations of: Albania; Austria; Belgium; Bulgaria; Canada; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Italy; Latvia; Lithuania; Netherlands; Norway; Poland; Portugal; Republic of Moldova; Romania; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; Ukraine; United Kingdom.
3. The session was attended by representatives of the European Community (EC).
4. Representatives of the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the World Health Organization/Regional Office for Europe (WHO/EURO), the World Trade Organization, the Council of Europe, the European Environment Agency (EEA), and the Organisation for Economic Co-operation and Development (OECD) also attended.
5. The following non-governmental organizations (NGOs) were represented: Environmental NGOs Coalition; Friends of the Earth (FOE); International Council of Environmental Law (ICEL); Regional Environmental Center (REC); and World Conservation Union (IUCN).
6. The special session was chaired by Mr. I. TOKES (Hungary).
7. At the beginning of the special session, the Chairman reported on the meeting of the Bureau of the Committee which was held in Geneva on 15 January 1996. The report on the Bureau meeting was distributed among the delegations. The Bureau had decided to hold its next meeting on 4 March 1996.

8. The Chairman also reported on the Workshop on the Environmental Performance Review of Bulgaria and on the Ad Hoc Meeting on the Pilot ECE Environmental Performance Review of Estonia, held in Geneva on 15 and 16 January 1996, respectively.

**I. ADOPTION OF THE AGENDA**

9. The agenda as contained in document ECE/CEP/17 was adopted.

**II. OVERVIEW AND EVALUATION OF THE SOFIA MINISTERIAL CONFERENCE WITH PARTICULAR ATTENTION TO THE MINISTERIAL DECLARATION**

10. Referring to the explanatory notes to the provisional agenda (ECE/CEP/17), the Chairman recalled the provisions of the Ministerial Declaration adopted at the "Environment for Europe" Conference in Sofia (Bulgaria) on 25 October 1995 of relevance to the work of the Committee. In addition, he informed the Committee about the ECE publication "Environment for Europe; Some key documents", which was made available in the meeting room.

11. The representative of Bulgaria distributed the draft table of contents of the Sofia Conference proceedings. She announced that the proceedings would be published and distributed at the end of February or the beginning of March 1996.

12. The Chairman introduced the Bureau proposal for a draft decision on the follow-up to the Sofia Conference, for submission to the Economic Commission of Europe for possible approval at its fifty-first session in April 1996.

13. The Committee:

(a) Took note of the results of the Sofia Ministerial Conference of relevance to its activities and decided to bear them in mind when discussing the various agenda items;

(b) Decided to have a general debate on its strategic role at its third session in May, on the basis of a discussion note to be prepared by the Bureau;

(c) Decided to consider the possible elements for a decision by the Economic Commission for Europe on the Sofia Conference follow-up under item 3 (d) of the agenda in the light of the decisions taken on other items.

**III. MATTERS ARISING FROM THE SOFIA CONFERENCE WHICH REQUIRE ACTION BY THE COMMITTEE**

**A. Environmental Programme for Europe (EPE)**

14. The Chairman introduced document CEP/R.11 and the note prepared by the secretariat on the development of a European energy conservation strategy. He reported that the Bureau had recognized that the workload entailed in implementing the Programme and other decisions of the Sofia Conference would be heavy, and had noted the need to screen the Programme elements further and set priorities, as well as to cooperate within ECE, including with other

Principal Subsidiary Bodies, and with other international organizations. The Bureau had tentatively agreed that some two or three priority issues should be selected for further elaboration.

15. The representative of the European Environment Agency (EEA) provided information on the Agency's plans in response to the Sofia Ministerial Declaration and, specifically, to the EPE recommendations. The activities of EEA to implement the relevant recommendations would be carried out as part of its own regular programmes.

16. The representatives of the Commission of the European Communities and of the Regional Environmental Center in Budapest reported on progress in the preparation of the establishment of new regional environmental centres in the newly independent States, based on studies in the Republic of Moldova, the Russian Federation and Ukraine. The new centres would focus on environmental awareness and capacity building, promoting public participation and cooperation among different environmental stakeholders. A technical meeting was held in Brussels (Belgium) in December 1995. Some interested countries from central and eastern Europe expressed regret at not having been invited to this meeting.

17. Referring to the Declaration on Action for Environment and Health, adopted in Helsinki in 1994, the representative of WHO/EURO stressed the importance of properly taking into account health-related environmental problems when evaluating EPE. He also expressed the willingness of WHO/EURO to participate actively in the "Environment for Europe" process and in the preparation of the next Conference.

18. The representative of Switzerland reported that the Swiss Government would organize an intergovernmental open-ended meeting in Geneva on 5 and 6 March 1996 to establish the Task Force on the Pan-European Biological and Landscape Diversity Strategy under the auspices of the Council of Europe and UNEP, in cooperation with OECD and IUCN.

19. The representative of Sweden reported on recent developments concerning military activities and the environment. Since the Sofia Conference, the United States Department of Defense and the Swedish Ministry of Defence had started a joint project to formulate guidance on environmental problems caused by military installations. Further information would be provided to the Committee in May.

20. In the light of the discussion, the Committee decided to

(a) Take note of the documentation submitted and information provided;

(b) Invite the delegations to submit their further proposals and views on possible priority actions for the Committee regarding the Environmental Programme for Europe to the secretariat in writing by the end of January;

(c) Invite the Bureau, with the assistance of the secretariat and in cooperation with the organizations/institutions concerned, to consider further the recommendations of EPE, taking into account the views and information presented at this session and those to be submitted in writing,

and prepare concrete proposals for further consideration together with the programme of work at the third session of the Committee.

B. Public participation

21. With reference to the relevant decisions taken at the Sofia Conference, the Committee discussed the preparation of a convention on public participation.

22. The Committee decided to establish the Ad Hoc Working Group for the preparation of a draft convention on access to environmental information and public participation in environmental decision-making.

23. The Chairman introduced the draft mandate of the Ad Hoc Working Group as proposed by the Bureau. The Committee approved the mandate, as amended, and on the understanding that the Committee could give further guidance during the course of the work, if necessary, and decided to annex it to this report (annex I). The Committee decided that the Ad Hoc Working Group should convene as soon as possible and elect its chairperson. The Committee also asked the secretariat to begin preparations for the meeting immediately.

24. The Committee agreed to consider, at its third session, establishing a group of rapporteurs for the preparation of a questionnaire to review the implementation of the ECE Guidelines on Access to Environmental Information and Public Participation in Environmental Decision-making (ECE/CEP/24), as requested at the Sofia Conference.

C. Organizational arrangements for the next Ministerial Conference "Environment for Europe"

25. The Committee decided to establish the Ad Hoc Preparatory Working Group of Senior Officials "Environment for Europe" for the preparation of the fourth Ministerial Conference to be held in Denmark in 1998, and an executive committee for the preparation of the work of this Working Group.

26. The Chairman introduced the draft mandate of the Ad Hoc Preparatory Working Group as proposed by the Bureau. The Committee approved the mandate, as amended, and decided to annex it to this report (annex II).

27. Mr. Leo BJORNSKOV (Denmark) was elected Chairperson and Mr. Vladislav BIZEK (Czech Republic) Vice-Chairperson of the Ad Hoc Preparatory Working Group. Moreover, Bulgaria, the Czech Republic, Denmark, the Russian Federation, Spain and the United Kingdom were invited to nominate a senior official to the executive committee. A representative of Denmark would chair the executive committee.

28. Mr. BJORNSKOV announced that the Committee would be kept well informed about the preparations of the 1998 Conference.

D. Other issues

29. The Committee adopted the modified Bureau proposal for the draft decision by the Economic Commission of Europe on the third Ministerial Conference "Environment for Europe" as contained in annex III below.

Concerning the preparation of the European energy conservation strategy (para. 6 of the draft decision), the Committee decided to bracket the paragraph because some delegations were not, at this stage, prepared to endorse the proposal.

#### **IV. OTHER BUSINESS**

30. The Committee did not have time to consider the secretariats's report on the results of Committee's work which might have a direct bearing on sustainable human settlements (CEP/R.12), and the secretariat's note on the role of the Committee in international environmental legislation (CEP/R.13) as indicated on the agenda.

Annex I

**MANDATE OF THE AD HOC WORKING GROUP FOR THE PREPARATION  
OF A DRAFT CONVENTION ON ACCESS TO ENVIRONMENTAL INFORMATION  
AND PUBLIC PARTICIPATION IN ENVIRONMENTAL DECISION-MAKING**

1. Pursuant to the pertinent provisions of the Ministerial Declaration adopted at the Ministerial Conference "Environment for Europe" (Sofia, Bulgaria, 23-25 October 1995) and bearing in mind the relevant decisions adopted by the Economic Commission for Europe, the Committee on Environmental Policy has decided to establish the Ad Hoc Working Group for the preparation of a draft convention on access to environmental information and public participation in environmental decision-making, taking into account the corresponding ECE Guidelines and their implementation, relevant provisions of the recent ECE Conventions and of the Rio Declaration on Environment and Development.
2. The Committee invites all ECE member Governments and the European Community to participate actively in the drafting of this convention. Non-governmental organizations (NGOs), particularly those involved in the "Environment for Europe" process, will be invited to participate, as appropriate. For the involvement of major groups, the practice established in the preparations for the Sofia Conference will be followed.
3. The Working Group will prepare provisions for the convention that are aimed at providing practical, concise and action-oriented procedures and tools, and will avoid overlap with existing international legal instruments.
4. The negotiations on the draft convention will be initiated without delay so that the convention can, as far as possible, be finalized by the Committee on Environmental Policy before the 1998 Conference "Environment for Europe" in Denmark and be open for signature by the Ministers during the Conference.
5. The Working Group will, in consultation with the secretariat, make all the necessary practical arrangements on such questions as may be deemed important pending the preparation of the Convention. It will meet as often as necessary and report on progress to the Committee on Environmental Policy at its sessions.
6. The Working Group may set up expert groups, when necessary.

Annex II**MANDATE OF THE AD HOC PREPARATORY WORKING GROUP  
OF SENIOR OFFICIALS "ENVIRONMENT FOR EUROPE"**

1. Pursuant to the Declaration by the Ministers of the Environment of the ECE region at Sofia on 25 October 1995, the "Environment for Europe" process remains essential as a political framework for cooperation in environmental protection in Europe. The Ministers at Sofia called for an efficient and cost-effective structure for the "Environment for Europe" process that would emphasize concrete actions. The ministers also acknowledged the important role of ECE in overseeing the process in close cooperation with relevant agencies and organizations.

2. For the preparation of the next Ministerial Conference, which will take place in Denmark in May 1998, and as agreed at Sofia, the ECE Committee on Environmental Policy has established the Ad Hoc Preparatory Working Group of Senior Officials "Environment for Europe" and an executive committee, which will constitute the Bureau of this Working Group.

3. The Working Group will have its first meeting in spring 1997 in conjunction with the fourth session of the Committee on Environmental Policy. Thereafter, the Working Group will meet as often as necessary and keep the Committee on Environmental Policy informed on its progress.

4. The Working Group is responsible for the substantive preparations for the 1998 Ministerial Conference and, in the run-up to the Conference, will serve as the central coordinating body for the further development of the "Environment for Europe" process. The Working Group will consider work undertaken to implement the recommendations and the decisions of the Sofia Conference. At the first session of the Working Group, the executive committee will present its proposals for the work of the Working Group, including time-schedules.

5. Considering the large amount of substantive work to be done, the Working Group will work in close cooperation with the Task Force for the Implementation of the Environmental Action Programme (EAP) for Central and Eastern Europe, the Project Preparation Committee (PPC) and the European Environment Agency. The Working Group will also cooperate with the Council of Europe, the Commission of the European Communities, the Organisation for Economic Co-operation and Development (OECD), the European Bank for Reconstruction and Development (EBRD), the Organization for Security and Cooperation in Europe (OSCE), the Task Force for the Pan-European Biological and Landscape Diversity Strategy, the United Nations Environment Programme (UNEP), the World Bank, the World Health Organization Regional Office for Europe (WHO/EURO), and other international organizations and institutions, international non-governmental and private sector organizations which might be involved in the preparation of the 1998 Ministerial Conference.

6. The Working Group will submit the documents prepared under its auspices or in cooperation with other international organizations and institutions, including the draft ministerial declaration, to the 1998 Ministerial Conference in Denmark for consideration and possible adoption. The Working

Group will keep the Committee on Environmental Policy informed of the preparation of the documents for the Conference.

7. The Working Group may set up expert groups to elaborate specific issues, when necessary.

8. The ECE secretariat will provide the necessary secretariat assistance and conference facilities to the Working Group in accordance with ECE rules and practices.

Annex III

DRAFT DECISION BY THE ECONOMIC  
COMMISSION FOR EUROPE AT ITS FIFTY-FIRST SESSION

THIRD MINISTERIAL CONFERENCE "ENVIRONMENT FOR EUROPE"

The Economic Commission for Europe,

Recalling its decision G (50) on cooperation in the field of environment and sustainable development,

Reaffirming that environmental cooperation is a priority activity of ECE,

Welcoming the results of the Third Ministerial Conference "Environment for Europe" held in Sofia (Bulgaria) on 23-25 October 1995,

Noting with appreciation the acknowledgement by the Conference of the important role of ECE in overseeing the "Environment for Europe" process in close cooperation with relevant agencies and the tasks given by the Ministers at Sofia to the Committee on Environmental Policy in that regard,

1. Expresses its satisfaction with the actions taken by the Committee on Environmental Policy at its special session on 17 January 1996 to implement the decisions of the Sofia Ministerial Conference on public participation and the organization of the next Conference;
2. Endorses the establishment of the Ad Hoc Preparatory Working Group of Senior Officials for the preparation of the 1998 Ministerial Conference "Environment for Europe" in Denmark and of the Ad Hoc Working Group for the preparation of a draft convention on access to environmental information and public participation in environmental decision-making;
3. Invites the Committee on Environmental Policy to accelerate the extension of the system of national environmental performance reviews to the entire ECE region pursuant to a call by the Ministers at Sofia;
4. Also invites the Committee on Environmental Policy to consider ways and means of focusing its role as a forum for developing regional environmental policies and legal instruments and for better coordination and cooperation with other international organizations and institutions, parliaments and major groups such as business and industry and environmental non-governmental organizations active in the region;
5. Invites all its subsidiary bodies to contribute, within their respective mandates, to the implementation of the Environmental Programme for Europe endorsed by the Sofia Ministerial Conference, and invites the Executive Secretary to establish focal points within the divisions of ECE to this end;

[6. Establishes an intersectoral, interdisciplinary Ad Hoc Working Group on the European Energy Conservation Strategy under the auspices of the Committees on Energy and on Environmental Policy to prepare a strategy document as soon as possible;]

7. Requests the Executive Secretary to ensure that adequate resources are made available for servicing the activities under the auspices of ECE for the implementation of the Sofia Conference's decisions;

8. Invites member States and international organizations and institutions to provide contributions in cash and/or in kind to support the implementation of the ECE activities in question;

9. Requests the Executive Secretary to report to the Commission at its fifty-second session on the implementation of this decision.