



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 to the Convention
(Sixth meeting, Geneva, 5–7 April 2006)
(Item 11 of the provisional agenda)

REPORT ON CAPACITY-BUILDING ACTIVITIES

Note by the secretariat

1. At their second meeting, the Parties to the Convention recognized the importance of capacity-building activities for the implementation of the Convention. Through the Almaty Declaration, they welcomed the activities carried out by international and regional organizations to strengthen the capacities of national authorities and other stakeholders and invited donors to support such activities (ECE/MP.PP/2005/2/Add.1, paras. 17–18). The Parties also identified certain capacity-building needs in the areas of access to justice (decision II/2, paras. 7–13), electronic information tools (decision II/3, para. 3) and general implementation and compliance (decision II/5, para. 10).
2. The Parties took note of the fact that the capacity-building service had been reformed into a wider framework aimed at providing a consistent, structured and well-coordinated approach to capacity-building (ECE/MP.PP/2005/2, paras. 59 and 62). They invited the organizations involved in the framework to examine at their next meeting the material gathered through the reporting process (ECE/MP.PP/2005/2, para. 45).
3. The third meeting of international and regional organizations involved in the capacity-building framework was held on 17–18 November 2005 in Geneva. It was hosted by the United Nations Economic Commission for Europe (UNECE) in its capacity of secretariat to the Convention. Representatives of the following partner organizations were present: UNECE,

United Nations Environment Programme (UNEP), United Nations Institute for Training and Research (UNITAR), Organization for Security and Co-operation in Europe (OSCE), European Commission (EC), Regional Environmental Center for Central and Eastern Europe (REC), Regional Environmental Centre for Central Asia (CAREC), World Resources Institute (WRI), European ECO Forum, GRID-Arendal, Milieukontakt Oost-Europa and Earthjustice. Several members of the Convention's Bureau also participated. The Chair of the Meeting of the Parties, Ms. Hanne Inger Bjurstrøm (Norway), chaired the meeting.

I. OVERVIEW OF ACTIVITIES CARRIED OUT SINCE THE SECOND MEETING OF THE PARTIES

4. International and regional organizations participating in the meeting presented an overview of their capacity-building activities under the Convention undertaken since the second meeting of the Parties. Additional information was made available after the meeting.

5. UNEP reported that it had continued its work on implementation of the Bali Strategic Plan for Technology Support and Capacity Building, adopted by the UNEP Governing Council, as well as work on compliance with and implementation of multilateral environmental agreements (MEAs). Within the framework of the latter, an assessment of public involvement in national reporting under four MEAs was carried out in Ukraine with regard to the UN Framework Convention on Climate Change, the Bucharest Convention on the Protection of the Black Sea Against Pollution, the Convention on Biodiversity and the Aarhus Convention.

6. UNEP's regional Office for Europe (RoE), jointly with UNECE, was developing a Simplified Guide to the Convention. UNEP's global programme on environmental law training for judges included a training event for Chief Justices from the South-East European countries. UNEP also continued its participation in the Environment and Security Initiative (ENVSEC) under which a number of Aarhus Centres were being set up in the Southern Caucasus and Central Asia (ECE/MP.PP/2005/16, paras. 38–39).

7. UNITAR reported that, together with UNECE, it had further implemented the pilot project on development of National Profiles (ECE/MP.PP/2005/16, para. 24). The National Profiles of Tajikistan and Kyrgyzstan had been made available in the Tajik and Kyrgyz languages respectively as well as in Russian and English. Both countries had expressed interest in and requested assistance for the development of action plans for the implementation of the Convention on the basis of the profiles. The last of the three pilot Profiles was being developed in Serbia and Montenegro, with the first draft of the document due to be finalized in the beginning of 2006. UNITAR and UNECE were considering certain revisions to the methodology for the development of national profiles based on the experience gained in implementation of the pilot project. A number of countries such as Armenia, Azerbaijan, Georgia and Moldova had indicated their interest in participating in a similar project. UNITAR and UNECE were discussing the possibility of linking further implementation of the project with countries' preparation for the next cycle of the national implementation reports. Such further activities were subject to availability of additional financial resources.

8. UNITAR had also supported a research project at the University of Cape Town identifying lessons learned in South Africa with regard to public involvement in environmental decision-

making. The project was reviewing a number of case studies to identify opportunities and challenges in implementing public participation programmes under the constraints typically found in developing countries. One of the project's outputs would be a methodology for identifying practical lessons learned.

9. In addition, a joint programme of UNITAR and the International Labour Organization (ILO), the Globally Harmonized System of Classification and Labeling of Chemicals (GHS) Capacity Building Programme, had assisted countries in developing GHS implementation strategies through multi-stakeholder collaboration with the aim of improving chemical hazard communication and workers' and consumers' right –to know. UNITAR also continued to support the PRTR Virtual Classroom, which facilitated capacity-building for application of the PRTR Protocol.

10. OSCE continued to support establishment of the Aarhus Centres at the national and local levels, including within the framework of the ENVSEC programme (ECE/MP.PP/2005/16, paras. 36–39). Establishment of several new centres was envisaged: national centres in Belarus and possibly Albania and a local centre in Azerbaijan. It was also envisaged that in the relevant countries the centres would operate clearing houses for the ENVSEC initiatives.

11. The OSCE Centre in Almaty organized a subregional workshop on the PRTR Protocol in Kazakhstan in September 2005. UNEP and OSCE experts presented a road map for Kazakhstan's accession to the Protocol. On the basis of the workshop's recommendations, a Kazakh National Coordination Team consisting of representatives of the key government agencies, OSCE and non-governmental organizations was established to lay the groundwork for the country's accession to the Protocol. The Team will prepare a report to the Government on the institutional framework and statistical reporting requirements needed to ratify the Protocol.

12. The European Commission was planning to announce a project on implementation of the Aarhus Convention in Central Asia. The tender was forecast for March 2006.

13. The REC was continuing to implement several projects supporting the ratification and implementation of the Aarhus Convention and the PRTR Protocol in South-Eastern Europe. In a project funded by the Dutch Ministry for Foreign Affairs (ECE/MP.PP/2005/16, para. 30), pilot projects at the municipal level were being developed and implemented.

14. Another REC project promoted environmental mediation and related instruments as tools for effective public participation and conflict resolution. The project was being implemented in cooperation with the Austrian Society for Environment, and Technology and some of its activities included collection and analysis of case studies and development of recommendations based on the lessons learned. The project's results and outputs could be used in the work of the Task Force on Access to Justice. In the course of the project, a plan was also being developed for organizing a European information exchange workshop. Project information is accessible at www.rec.org/REC/Programs/PublicParticipation/mediation/default.html.

15. A project on Enhancing Access to Information and Public Participation in Environmental Decision-making was being implemented by the REC under the UNDP/GEF's Danube Regional Project in Bosnia and Herzegovina, Bulgaria, Croatia, Romania and Serbia and Montenegro. The project aimed to assist water sector officials in the Danube River Basin in implementing the

public participation requirements of the EU Water Framework Directive and the Aarhus Convention. It also aimed to strengthen access to information and public participation in addressing water pollution hot spots in the Danube River Basin. Project information is accessible at www.rec.org/REC/Programs/PublicParticipation/DanubeRiverBasin.

16. CAREC reported that it had designed and distributed a number of CD-ROMs with key documents of the second meeting of the Parties of the Convention and the Central Asian NGO pre-conference. CAREC had also distributed information about the PRTR Protocol to the public and industry in Kazakhstan, analysed the existing national reporting system and developed recommendations for the Ministry of Environment. With regard to access to justice, it had carried out an assessment of NGOs' needs. Furthermore, in order to strengthen public involvement, CAREC is facilitating the establishment of a Central Asian network of environmental NGOs.

17. Under the Access Initiative (TAI) (ECE/MP.PP/2005/16, paras. 25–27), for which WRI provides the secretariat, the first assessment had been completed in several countries in the UNECE region, including Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Portugal and Ukraine. Interested organizations in Ireland, Kazakhstan and the United Kingdom were raising funds to carry out assessments. German NGOs had also expressed interest in the initiative. TAI itself was moving towards regional networking and needed to determine to what degree various stakeholders could be involved in the implementation process without jeopardizing the independence of the assessment. In addition, the TAI assessment indicators were being correlated with the provisions of the Aarhus Convention to facilitate their use in the UNECE region.

18. Milieukontakt Oost-Europa was focusing its work in particular on communication as a prerequisite of effective participation. It was organizing training courses on public participation for Central Asian NGOs. In Albania, Croatia, Kyrgyzstan, Moldova, Romania and Russia, Milieukontakt was supporting multi-stakeholder processes for the development of "Green Agendas" — strategies to tackle local and regional environmental problems. It was also supporting a Justice and Environment Network of environmental advocacies from Austria, the Czech Republic, Estonia, Hungary, Poland and Slovakia. Finally, it was implementing projects in Armenia, Georgia and Moldova which used public participation as a tool in facilitating decision-making processes related to obsolete pesticides.

19. The European ECO Forum was, among other things, organizing a campaign to promote ratification of the amendment to the Convention and facilitate NGO discussion of the Guidelines on Public Participation in International Forums. It was also aiming at providing assistance to NGOs in preparing communications to the Convention's compliance review mechanism. The European Environment Bureau (EEB) was carrying out a survey on implementation of the EC Directives relevant to the Aarhus Convention.

20. In addition to continuing its coordinating role within the capacity-building framework, the joint work with UNEP RoE on the Simplified Guide to the Convention (para. 6) and the joint project with UNITAR on the National Profiles (para. 7 above), UNECE had contributed to initiatives implemented by other organizations. The secretariat had attended and contributed to the first regional meeting under the REC's project supporting the ratification and implementation of the Aarhus Convention and the PRTR Protocol in South-Eastern Europe (para. 13), and it had

participated in the pilot project evaluation panel. It had also attended the European meeting under the TAI initiative, where a discussion was held on synergies and links between the project and the implementation of the Convention. Finally, it had contributed to the Kazakh meeting on the PRTR Protocol organized by OSCE (para. 11), providing information on the Protocol's requirements and the technical guidance that was being prepared.

II. INTEGRATION OF INFORMATION ON CAPACITY-BUILDING INTO THE CLEARING HOUSE

21. The secretariat also presented its work on integrating information on capacity-building into the clearing-house mechanism. The model for integration had been developed, and some information was expected to be available in the first half of 2006. The integration approach would build on the existing information on needs and activities available from, *inter alia*, international, regional and, whenever possible, national organizations, national implementation reports, the results of the compliance review and the work of the subsidiary bodies under the Convention.

III. FURTHER WORK IN THE CONTEXT OF THE CAPACITY-BUILDING FRAMEWORK

22. Meeting participants discussed some of the needs and gaps in the regulatory and institutional capacities identified during the meeting of the Parties as well as in the course of their own work in different countries and regions. In particular, they noted that a significant amount of relevant information was contained in the national implementation reports and in the synthesis report prepared by the secretariat. However, it was noted that sometimes this information was not comprehensive enough. It was felt that the recommendations to individual Parties contained in decisions II/5a, II/5b and II/c should be taken into account in implementation of any relevant activities in these countries. Further needs had been identified under various decisions as described in paragraph 1 above.

23. The participants agreed that a strategic approach to capacity-building was needed which would take into account not only the identified needs, but also how these were prioritized at the regional, subregional and national levels. While a significant amount of information on capacity constraints and needs was available from various sources, it was neither sufficiently organized nor comprehensive enough to enable a strategic approach to capacity-building. It was generally agreed, therefore, that various available sources of information had to be pulled together for a clear picture of needs and priorities at various levels. It would also be useful to identify common and diverse elements between needs existing on the different levels and any prioritization of these needs. If such a synthesis of needs assessments was to be carried out, it could be useful to provide, whenever possible, links to any known good practices of addressing such needs and gaps. A focused questionnaire on capacity constraints and their prioritization could be sent to Parties, Signatories and relevant international organizations as part of this exercise.

24. The meeting took note of the Bureau's proposal to use a panel format for the discussion on capacity-building at the sixth meeting of the Working Group of the Parties, with the involvement of the beneficiary governments, NGOs, international and regional organizations and the donor community.

25. It was agreed to hold the fourth meeting under the Capacity-Building Framework in the autumn of 2006, with the exact date to be determined later.