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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

Eighth meeting
Geneva, 31 October–2 November 2007
Item 14 of the provisional agenda

FINANCIAL ARRANGEMENTS

DRAFT DECISION ON FINANCIAL ARRANGEMENTS

Draft decision prepared by the Bureau¹

The Meeting of the Parties,

Recalling article 10, paragraph 3, of the Convention, which states that the Meeting of the Parties may, as necessary, consider establishing financial arrangements on a consensus basis,

Recalling also its decisions I/13 and II/6 through which an interim voluntary scheme of contributions based on a system of shares, open to contributions from Parties, Signatories and other States having opted to participate in it, has been established and maintained,

¹ This document was prepared pursuant to the request of the Working Group at its seventh meeting (ECE/MP.PP/WG.1/2007/2, para. 79).

Determined to ensure that the necessary resources are available for implementing the work programme,

Believing that, in order to achieve this, it is necessary to establish financial arrangements under the Convention based on the principles of a fair sharing of the burden, stable and predictable sources of funding, accountability and sound financial management,

Recognizing the need for a scheme of financial contributions which is transparent and accessible to all Parties and Signatories, as well as to other States and organizations wishing to contribute,

Believing that some non-State entities such as charitable foundations may be interested in contributing financially to the activities under the work programme and should be encouraged to do so,

Recognizing that the interim voluntary scheme has raised significant levels of funding and was a particularly appropriate mechanism at a stage when there were relatively small numbers of Parties,

Mindful, however, that the amounts contributed under the interim voluntary scheme have consistently fallen short of the estimated core costs of implementing the work programme,

Noting that the distribution of the burden has been far from equitable, with significant numbers of Parties and Signatories failing to contribute at all,

Believing that only a firm commitment by all Parties to contribute towards the costs of the work programme will ensure that the core costs are covered and that the distribution of the burden is equitable,

Believing also that the financial arrangements in place under the Convention will need to be kept under periodic review by the Meeting to ensure that they continue to meet the goals of stability, predictability and a fair sharing of the burden,

OPTION 1: GUIDANCE ON AMOUNT OF CONTRIBUTION

1. *Establishes* a [voluntary] scheme of contributions aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

- (a) The Parties should collectively ensure that, as a minimum, the costs of the core activities of the work programme that are not covered by the United Nations regular budget

are covered through the scheme, and should endeavour to ensure that non-core costs are covered²;

(b) Subject to subparagraph (c) below, the burden of covering the costs of the core activities shall be distributed among the Parties to the Convention in proportion to the United Nations scale of assessments;³

(c) The scale shall be adjusted so that no Party is required to contribute [more than [20 per cent] of the estimated core costs to be covered by the scheme or] less than 200 United States dollars;

(d) Each Party shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph (c) to the total estimated costs of the core activities (hereafter, the “core contribution”)

(e) Core contributions shall be made in cash and shall not be earmarked for a particular activity;

(f) Contributions that are surplus to the core contribution may be made in cash or in kind and may be earmarked for a particular activity;

(g) Contributions in cash shall be made through the United Nations Economic Commission for Europe Trust Fund for Local Technical Cooperation (Aarhus Convention project);

(h) Contributions in cash to be used for activities taking place in a given calendar year should be made as early as possible and in any case no later than the end of [October] of that year;

2. *Decides* that the Parties shall contribute each year towards the costs of activities under the work programme [for 2009–2011]⁴ in accordance with the scheme established through paragraph 1, the core contribution of each Party for 2009 being as shown in the annex⁵;

3. *Calls on* Parties to pay their contributions as soon as possible once they are due so as to ensure the smooth functioning of the secretariat and the timely and effective implementation of the decisions of the Meeting;

4. *Requests* the secretariat to circulate to the Parties each year during the month of [October] an updated version of the table indicating core contributions contained in the annex, reflecting any changes to

(a) the estimated costs of core and non-core activities for the next calendar year,

² It is assumed in Options 1 and 2 that the distinction between core and non-core costs is retained, and that quantitative estimates of both are provided in the work programme. It may be worth considering whether it is necessary to quantify the costs of non-core activities.

³ The United Nations scale of assessments is adopted by the General Assembly for a three-year period. It provides the basis for calculating the contributions of Member States to the United Nations regular budget. In December 2006, the General Assembly adopted a scale for the next three-year cycle (2007–2009). The fundamental principle for calculating Member States’ contributions is that “the expenses of the Organization shall be apportioned among Member States according to capacity to pay” (resolution A/RES/58/1 B of 3 March 2004).

⁴ Deleting the words in square brackets would generalize the decision, that is, the scheme would remain in place until altered by a future decision.

⁵ The Bureau has not prepared a draft of the annex referred to here. For a very approximate example of what such an annex might look like, see document ECE/MP.PP/WG.1/2006/9, annex I, table 2, and the associated notes.

- (b) the composition of the Parties, or
- (c) the United Nations scale of assessments

which will take effect for the following calendar year and supersede the previous version;

5. *Invites* Signatories, other interested States and organizations to contribute, in cash or in kind, towards covering the costs of the work programme;

6. *Encourages* Parties that have historically contributed more than their core contribution to maintain their previous levels of contribution;

7. *Calls on* Parties that have so far failed to contribute, or have contributed significantly less than the amounts stipulated in paragraph 1 (d), to increase their contributions during the current and future budget cycles to the specified levels, and requests the Bureau to liaise with such Parties where appropriate concerning the achievement of this goal;

8. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports for review by the Working Group of the Parties in order to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

9. *Also requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required to the content or time frame of the work programme in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

10. *Further requests* the secretariat to prepare a comprehensive report for each meeting of the Parties, including information on how much Parties and other participating States and organizations contributed to the budget of the Convention in cash and in kind, and on how the contributions were spent;

11. *Agrees* to review the operation of the scheme of financial arrangements at its fourth meeting.

OPTION 2: NO GUIDANCE ON AMOUNT OF CONTRIBUTION

1. [*Decides to extend the*] [*Establishes a*] [voluntary] scheme of contributions aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

- (a) The Parties [and Signatories] should collectively ensure that, at a minimum, the costs of the core activities of the work programme that are not covered by the United Nations regular budget are covered through the scheme, and should endeavour to ensure that non-core costs are covered;
- (b) No Party [or Signatory] is expected to contribute less than 200 United States dollars;

- (c) Contributions may be made in cash or in kind;
- (d) Contributions in cash should be made through the United Nations Economic Commission for Europe Trust Fund for Local Technical Cooperation (Aarhus Convention project);
- (e) Contributions in cash to be used for activities taking place in a given calendar year should be made as early as possible and in any case no later than the end of [October] of that year;

2. *Requests* Parties [and [invites] Signatories] to contribute each year, in accordance with the scheme established through paragraph 1, towards covering the costs of activities under the work programme [for 2009–2011], as set out in the annex to Decision III/[...];

3. *Invites* [Signatories,] other interested States and organizations to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Encourages* Parties that have historically contributed more than their core contribution to maintain their previous levels of contribution;

5. *Encourages* Parties [and Signatories] that have so far failed to contribute, or have contributed to a disproportionately small extent by comparison with their economic status, to increase their contributions during the current and future budget cycles, and requests the Bureau to liaise with such Parties [and Signatories] where appropriate concerning the achievement of this goal;

6. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports for review by the Working Group of the Parties in order to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

7. *Also requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required to the content or time frame of the work programme in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

8. *Further requests* the secretariat to prepare a comprehensive report for each meeting of the Parties, including information on how much Parties and other participating States and organizations contributed to the budget of the Convention in cash and in kind, and on how the contributions were spent;

9. *Agrees* to review the operation of the scheme of financial arrangements at its fourth meeting.
