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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

##### **Fifth session**

Maastricht, the Netherlands, 30 June and 1 July 2014

Item 7 (d) of the provisional agenda

##### **Programme of work and operation of the Convention: Financial arrangements**

### **Draft decision V/7 on financial arrangements under the Convention**

#### *Summary*

At its fourth session (Chisinau, 29 June–1 July 2011), the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters tasked the Working Group of the Parties and the Bureau with the preparation of substantive documents for its fifth session (see ECE/MP.PP/2011/2/Add.1, decision IV/6, annex I, item X).

In accordance with that mandate, at its sixteenth meeting (Geneva, 19–21 June 2013), the Working Group considered draft elements of possible financial arrangements under the Convention (ECE/MP.PP/WG.1/2013/10) and requested the Bureau to prepare a draft decision on financial arrangements, on the basis of the comments made, for the Working Group's consideration, revision and approval at its seventeenth meeting, with a view to submitting a finalized draft to the Meeting of the Parties at its fifth session (ECE/MP.PP/WG.1/2013/2, para. 63).

The Bureau prepared the draft decision in accordance with that mandate, and also on the basis of decision IV/7 on financial arrangements (ECE/MP.PP/2011/2/Add.1)<sup>1</sup> and in the light of the outcomes of the assessment of the current interim scheme of contributions (ECE/MP.PP/WG.1/2013/9).<sup>2</sup> As requested by the Working Group, the draft decision was

<sup>1</sup> Available from <http://www.unece.org/env/pp/mop4/mop4.doc.html>

<sup>2</sup> Available from <http://www.unece.org/env/pp/aarhus/wgp16.html>



then distributed for consultation to Parties and stakeholders and a revised version was prepared and submitted to the Working Group at its seventeenth meeting (Geneva, 26–28 February 2014) for further consideration and approval.

At its seventeenth meeting, the Working Group revised and approved, as amended at the meeting, the draft decision on financial arrangements under the Convention (AC/WGP-17/CRP.7)<sup>3</sup> and requested the secretariat to submit it to the Meeting of the Parties for consideration at its fifth session.

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<sup>3</sup> Available from <http://www.unece.org/env/pp/aarhus/wgp17.html>.

*The Meeting of the Parties,*

*Recalling* article 10, paragraph 3, of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which states that the Meeting of the Parties to the Convention may, as necessary, consider establishing financial arrangements on a consensus basis,

*Also recalling* its decisions I/13, II/6, III/7 and IV/7, 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,

*Having considered* the outcomes of the assessment of the current interim scheme of contributions (ECE/MP.PP/WG.1/2013/9),

*Recognizing* the need to:

- (a) Ensure that sufficient resources are available for implementing the Convention's work programme for 2015–2017 adopted through decision V/6;
- (b) [Ensure] [Establish] a scheme of financial contributions that is transparent and accessible to all Parties, Signatories and other States and organizations wishing to contribute;
- (c) Establish financial arrangements under the Convention based on the principles of an equitable sharing of the burden, stable and predictable sources of funding, accountability and sound financial management,

*Noting with regret* that the amounts contributed under the interim voluntary scheme have fallen short of the estimated costs of implementing the work programme for 2012–2014, and regretting that the financial burden has not been evenly distributed, with a significant number of Parties and Signatories not contributing at all,

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

1. [Agrees to continue to use the existing interim] [Establishes a mandatory] 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 the costs of the activities of the work programme that are not covered by the United Nations regular budget are covered through the financial scheme;
- (b) The burden of covering the costs of the activities shall be distributed among the Parties and Signatories to the Convention in proportion to the United Nations scale of assessments<sup>4</sup> with the indicative contribution of each Party for 2015 being as shown in the annex hereto;

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<sup>4</sup> 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 2012, the General Assembly adopted a scale for the period 2013–2015 (A/RES/67/238). 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" (A/RES/58/1 B).

(c) The scale of assessments shall be adjusted so that no Party or Signatory is required to contribute more than 22 per cent<sup>5</sup> of the estimated costs to be covered by the scheme;

(d) Each Party or Signatory shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph 1 (b) to the total estimated costs of the activities, but each contribution should not be less than stated in paragraph 1 (e);

[(e)] No Party or Signatory is expected to contribute less than 500 United States dollars for the Convention's work programme in its contribution for a given calendar year;

[(f)] Contributions shall be made in cash and shall not be earmarked for a particular activity;

[(g)] Additional contributions may be made in cash or in kind and may be earmarked for a particular activity;

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

[(i)] If allowed by the domestic budgetary procedures of the Parties, contributions for a given calendar year should be made by 1 October of the preceding year, or where this is not an option, it is recommended that contributions are made in the first six months of the calendar year, so as to secure payment of staff costs for the smooth functioning of the secretariat, as a priority, and the timely and effective implementation of the priority activities of the respective programme of work;

[(j)] Parties pledge, where possible, prior to the adoption of a work programme by the Meeting of the Parties, their expected annual or multi-annual financial and in-kind contributions. Signatories, other interested States and organizations may wish to indicate their expected contributions as well;

2. *Requests* Parties to contribute each year or to make multi-annual contributions towards the costs of activities under the work programme, in accordance with the scheme referred to in paragraph 1;

3. *Invites* Signatories, other interested States and public entities, as well as the private sector, in accordance with the 2009 Revised Guidelines on Cooperation between the United Nations and the Business Sector,<sup>6</sup> to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Calls upon* countries with economies in transition to finance to the extent possible their own participation in the activities;

5. *Calls upon* international organizations working in countries with economies in transition to support participation of representatives of these countries and non-governmental organizations in the meetings and other activities;

6. *Encourages* Parties that have historically contributed generously to maintain, or return to, their previous levels of contribution;

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<sup>5</sup> In accordance with resolution A/RES/67/238, which refers to 22% for the period from 2013 to 2015.

<sup>6</sup> Issued by the Secretary-General in November 2009. Available from <http://business.un.org/en/documents/6602>

7. *Requests* [all] Parties [to ensure the equitable distribution of the financial responsibility for implementation of the work programme] [that have so far not contributed, or have contributed significantly less than the amounts stipulated under the scheme referred to in paragraph 1, to increase their contributions during the current and future budget cycles to the specified levels so as to ensure the equitable distribution of the financial responsibility for implementation of the work programme,] and requests the Bureau to liaise with [such] Parties where appropriate concerning the achievement of this goal;

[8. *Requests* the secretariat to circulate to the Parties and Signatories each year during the month of May an updated version of the table for the following calendar year, indicating contributions, and reflecting any changes to:

- (a) The estimated costs of activities for the next calendar year;
- (b) The composition of the Parties;
- (c) The United Nations scale of assessments that will take effect for the following calendar year and supersede the previous version;]

[9.] *Also requests* the secretariat, in accordance with the financial rules of the United Nations, to allocate in the Convention Trust Fund by 1 October of each year the sum required for the extension of the contracts of extrabudgetary staff of the secretariat for the upcoming year, as a priority, and also costs needed for implementation of activities in the first quarter of the upcoming year;

[10.] *Further 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 strive to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

[[11.] *Additionally requests* an estimation of the operational costs needed for the effective functioning of the Convention, which should be clearly distinct from the cost of other activities which are subject to the availability of resources;]

[12.] *Requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required in 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;

[13.] *Requests* the secretariat to prepare a comprehensive report on financial matters for each session of the Meeting of the Parties, including information on how much Parties and other participating States and organizations have contributed to the budget of the Convention in cash and in kind, and how the contributions were spent;

[14.] *Agrees* to review the operation of the scheme of financial arrangements at its sixth meeting;

[[15.] *Requests* the [United Nations] [United Nations Economic Commission for Europe] to allocate more resources to support the work under the Convention considering, inter alia, the balance in the use of regular budgetary resources in the different subprogrammes.]

## [Annex

**Indicative contributions for 2015**

<i>Column A: Countries (Parties and Signatories)</i>	<i>Column B: United Nations scale of assessment (percentage)</i>	<i>Column C: Adjusted United Nations scale of assessment (percentage)<sup>a</sup></i>	<i>Column D: Amount to be contributed for 2015 (United States dollars)<sup>b</sup></i>
Albania	0.010	0.027	
Armenia	0.007	0.019	
Austria	0.798	2.134	
Azerbaijan	0.040	0.107	
Belarus	0.056	0.150	
Belgium	0.998	2.669	
Bosnia and Herzegovina	0.017	0.045	
Bulgaria	0.047	0.126	
Croatia	0.126	0.337	
Cyprus	0.047	0.126	
Czech Republic	0.386	1.032	
Denmark	0.675	1.805	
Estonia	0.040	0.107	
European Union <sup>c</sup>	—	—	
Finland	0.519	1.388	
France	5.593	14.955	
Georgia	0.007	0.019	
Germany	7.141	19.095	
Greece	0.638	1.706	
Hungary	0.266	0.711	
Iceland	0.027	0.072	
Ireland	0.418	1.118	
Italy	4.448	11.894	
Kazakhstan	0.121	0.324	
Kyrgyzstan	0.002	0.005	
Latvia	0.047	0.126	
Liechtenstein	0.009	0.024	
Lithuania	0.073	0.195	
Luxembourg	0.081	0.217	
Malta	0.016	0.043	
Monaco	0.012	0.032	
Montenegro	0.005	0.013	
Netherlands	1.654	4.423	
Norway	0.851	2.276	

<i>Column A: Countries (Parties and Signatories)</i>	<i>Column B: United Nations scale of assessment (percentage)</i>	<i>Column C: Adjusted United Nations scale of assessment (percentage)<sup>a</sup></i>	<i>Column D: Amount to be contributed for 2015 (United States dollars)<sup>b</sup></i>
Poland	0.921	2.463	
Portugal	0.474	1.267	
Republic of Moldova	0.003	0.008	
Romania	0.226	0.604	
Serbia	0.040	0.107	
Slovakia	0.171	0.457	
Slovenia	0.100	0.267	
Spain	2.973	7.950	
Sweden	0.960	2.567	
Switzerland	1.047	2.800	
Tajikistan	0.003	0.008	
The former Yugoslav Republic of Macedonia	0.008	0.021	
Turkmenistan	0.019	0.051	
Ukraine	0.099	0.265	
United Kingdom of Great Britain and Northern Ireland	5.179	13.848	
<b>Total</b>	<b>37.398</b>	<b>100.000</b>	

<sup>a</sup> The percentages from the United Nations scale of assessments have been adjusted for the Aarhus Convention by using a multiplier of 2.674, in order to arrive at a total of 100 per cent.

<sup>b</sup> Subject to footnote c below on the contribution of the European Union (EU), the figures in column D would be derived by multiplying the percentage value in column C by the annual estimated cost requirement of the work programme, as specified in the draft decision on the work programme 2015–2017 (ECE/MP.PP/WG.1/2014/L.6). The actual amounts for the contribution of each Party and Signatory between 2015 and 2017 will be included in this annex in due course, subject to the consideration and approval of the draft decision on the work programme for 2015–2017.

<sup>c</sup> A percentage has not been assigned to the EU, since the EU is not included in the United Nations scale of assessments and therefore it is not possible to calculate the level of its contribution on the same basis as with the other Parties and Signatories (i.e., on the basis of the adapted United Nations scale of assessments). Possible alternative ways of estimating the level of contributions to be made by the EU include: (a) using historical contributions of the EU as the basis of calculation, and deducting this from the total estimated cost requirement prior to applying the United Nations scale of assessments to the other Parties; or (b) assigning a chosen percentage, which is not derived from the United Nations scale of assessments.]