

**Task Force on Public Participation in International Forums
(Fourth meeting, Geneva, 6 July 2009)
Agenda item 4**

**Draft terms of reference for developing appropriate
means of reporting on article 3, paragraph 7**

Prepared by the Chair

1. Decision I/8 on reporting requirements adopted by the Meeting of the Parties at its first session, requests Parties, in their implementation reports, to inter alia:

List legislative, regulatory and other measures that implement the general provisions in paragraphs 2, 3, 4, 7 and 8 of article 3.

Explain how these paragraphs have been implemented. In particular, describe:

...

*(d) With respect to **paragraph 7**, measures taken to promote the principles of the Convention internationally;*

...

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 3 listed above,*

...

*Provide further information on the **practical application of the general provisions of the Convention.***

2. Through decision III/5 on reporting requirements adopted by the Meeting of the Parties at its third session, the Meeting:
 - *Requested* Parties, having in mind the shared commitment to promoting and applying the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums, to give special attention in their implementation reports to reporting on measures taken to implement article 3, paragraph 7;
 - *Welcomed* the guidance on reporting requirements prepared by the Compliance Committee (ECE/MP.PP/WG.1/2007/L.4);
 - *Invited* Parties, in subsequent reporting cycles, to follow the methodology for the preparation and submission of the national implementation reports set out in the guidance;
 - *Requested* the Compliance Committee to keep the guidance under review, as appropriate, with a view to assisting Parties with the preparation of their reports, with the involvement of the public, in the next reporting cycle;

3. The guidance on reporting requirements, prepared by the Compliance Committee and welcomed by the Parties in decision III/5 proposes the following list of questions for possible consideration by Parties preparing implementation reports:
 - Is there a practice of including NGO members in delegations representing the State in international environmental negotiations or in any national-level discussion groups forming the official position for such negotiations?
 - What measures have been undertaken by the Party to implement the Guidelines on Public Participation in International Forums adopted at the second meeting of the Parties?
 - Has there been internal consultation between the officials dealing with the Aarhus Convention and officials involved in other international forums in matters relating to the environment with regard to the implementation of the Guidelines?

4. Through paragraph 2(d) of decision III/4, the Meeting of the Parties requested the Task Force to analyse the latest national implementation reports as well as other relevant national background information in order to review the Parties' efforts to implement article 3, paragraph 7, and on that basis to develop appropriate means of reporting to be integrated as appropriate in the general reporting requirements at the fourth ordinary meeting of the Parties.

5. By way of a possible procedure for developing an appropriate means of reporting on article 3, paragraph 7, in accordance with decision III/4, the following is proposed:
 - (a) The Task Force will prepare draft elements for an appropriate means of reporting on article 3, paragraph 7, and submit these to the Working Group for its consideration;
 - (b) The Compliance Committee will be invited to comment on the draft elements and to submit its comments to the Working Group for its consideration together with the draft elements;
 - (c) On the basis of the draft elements prepared by the Task Force and the comments of the Compliance Committee, the Working Group will prepare a draft decision on reporting with respect to article 3, paragraph 7, and transmit it to the Meeting of the Parties for consideration and possible adoption at its fourth session;

6. To assist the Task Force, a quantitative and qualitative analysis of Parties' reporting on article 3, paragraph 7, in the 2008 national implementation reports has been prepared by the secretariat. Excerpts from the 2008 national implementation reports relevant to the implementation of article 3, paragraph 7, of the Convention are attached as Annex I to the analysis. A table summarising the activities to implement article 3, paragraph 7, reported in the 2008 National Implementation Reports is attached as Annex II.

7. In light of the analysis prepared by the secretariat and the various documents listed above, possible draft elements that the Task Force might wish to consider with respect to developing an appropriate means of reporting on article 3, paragraph 7, might include:
 - (i) Measures taken to consult with the Party's officials involved in other international forums about article 3, paragraph 7, and the Almaty Guidelines, indicating whether such measures are ongoing;
 - (ii) Measures taken to promote access to information at the national level regarding international forums;
 - (iii) Measures taken to promote public participation at the national level with respect to international forums, including to invite NGO members to participate in the Party's delegations in international environmental negotiations or to involve NGOs in forming the Party's official position for such negotiations;
 - (iv) Measures taken to promote the principles of the Convention in the procedures of other international forums, including international forums that do not deal solely with environmental matters;
 - (v) Measures taken to promote the principles of the Convention in the substantive output of other international forums;
 - (vi) Any other measures taken to implement the Almaty Guidelines;
 - (vii) Any obstacles encountered in the implementation of article 3, paragraph 7.

7. As noted in the secretariat's analysis, it might also be helpful to clarify as a general reporting issue where Parties undertaking activities to promote the principles of the Convention in other countries but not in the context of an international forum should report on such activities.