

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

Twelfth meeting

Geneva, 30 June – 2 July 2010

Item 7 of the provisional agenda

DRAFT DECISION ON FINANCIAL ARRANGEMENTS

This document was prepared by the secretariat at the request of the Bureau made at its 24th meeting. The document contains a proposed draft decision on financial arrangements for the Aarhus Convention, which is expected to be adopted at the fourth session of the Meeting of the Parties to the Convention. The major issues for consideration by the Parties include:

- (a) whether the scheme should be voluntary; and
- (b) whether the United Nations scale of assessments should apply to contributions.

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, II/6 and III/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,

Recognizing the need to a) ensure that sufficient resources are available for implementing the Convention's work programme; b) establish a scheme of financial contributions which 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 a fair sharing of the burden, stable and predictable sources of funding, accountability and sound financial management,

Noting that the amounts contributed under the interim voluntary scheme have fallen short of the estimated costs of implementing the work programme and that the financial burden has not been evenly distributed, with significant numbers 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 to ensure that they continue to meet the goals of stability, predictability and a fair sharing of the burden,

1. *Establishes* a [voluntary] [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) Subject to subparagraph (c) below, the burden of covering the costs of the activities [shall] [could] be distributed among the Parties to the Convention in proportion to the United Nations scale of assessments;¹
- (c) The scale of assessments shall be adjusted so that no Party is required to contribute [more than 20 per cent of the estimated costs to be covered by the scheme or] less than 200 United States dollars;
- (d) Each Party [shall] [may decide to] 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 activities;
- (e) Contributions shall be made in cash and shall not be earmarked for a particular activity;
- (f) Additional contributions 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, so as to ensure the smooth functioning of the secretariat and the timely and effective implementation of the decisions of the Meeting;

¹ 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 February 2010, the General Assembly adopted a scale for the period 2010–2012 (resolution A/RES/64/248). 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).

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2. *Decides* that the Parties shall contribute each year towards the costs of activities under the work programme in accordance with the scheme established through paragraph 1, the [indicative] contribution of each Party for 2012 being as shown in the annex;
3. *Requests* the secretariat to circulate to the Parties each year during the month of October an updated version of the table for the following calendar year, indicating contributions contained in the annex, reflecting any changes to
- (a) The estimated costs of activities for the next calendar year,
 - (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;
4. *Invites* Signatories, other interested States and organizations to contribute, in cash or in kind, towards covering the costs of the work programme;
5. *Encourages* Parties that have historically contributed generously to maintain their previous levels of contribution;
6. *Also encourages* Parties that have so far not contributed, 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;
7. *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;
8. *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 timeframe of the work programme, in the event that the level of actual and/or pledged contributions does not match the level of funding needed;
9. *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;
10. *Agrees* to review the operation of the scheme of financial arrangements at its fifth meeting.

Annex
United Nations Scale of Assessment-based Levels of Contribution to the Aarhus Trust Fund

Column A: Countries (Parties and Signatories)	Column B: United Nations scale of assessments (percentage)	Column C: Adjusted United Nations scale of assessments¹ (percentage)	Column D: Amount to be contributed for 2012 (US\$)²
Albania	0.010	0.024	
Armenia	0.005	0.012	
Austria	0.851	2.051	
Azerbaijan	0.015	0.036	
Belarus	0.042	0.101	
Belgium	1.075	2.591	
Bosnia and Herzegovina	0.014	0.034	
Bulgaria	0.038	0.092	
Croatia	0.097	0.234	
Cyprus	0.046	0.111	
Czech Republic	0.349	0.841	
Denmark	0.736	1.774	
Estonia	0.040	0.096	
Finland	0.566	1.364	
France	6.123	14.756	
Georgia	0.006	0.015	
Germany	8.018	19.323	
Greece	0.691	1.665	
Hungary	0.291	0.701	
Italy	4.999	12.048	
Kazakhstan	0.076	0.183	
Kyrgyzstan	0.001	0.002	
Latvia	0.038	0.092	
Liechtenstein	0.009	0.022	
Lithuania	0.065	0.157	
Luxembourg	0.090	0.217	
Malta	0.017	0.041	
Moldova	0.002	0.005	
Montenegro	0.004	0.010	
Netherlands	1.855	4.471	
Norway	0.871	2.099	
Poland	0.828	1.995	
Portugal	0.511	1.232	
Romania	0.177	0.427	

Column A: Countries (Parties and Signatories)	Column B: United Nations scale of assessments (percentage)	Column C: Adjusted United Nations scale of assessments¹ (percentage)	Column D: Amount to be contributed for 2012 (US\$)²
Serbia	0.037	0.089	
Slovakia	0.142	0.342	
Slovenia	0.103	0.248	
Spain	3.177	7.657	
Sweden	1.064	2.564	
Tajikistan	0.002	0.005	
The former Yugoslav Republic of Macedonia	0.007	0.017	
Turkmenistan	0.026	0.063	
Ukraine	0.087	0.210	
United Kingdom	6.604	15.916	
Iceland	0.042	0.101	
Ireland	0.498	1.200	
Monaco	0.003	0.007	
Switzerland	1.130	2.723	
European Community³			
Total	41.00	100.00	

¹ The percentages from the UN scale of assessments have been adjusted for the Aarhus Convention by using a multiplier of 2.41, in order to arrive at a total of 100 percent.

² Subject to footnote 3 below on the contribution of the European Community (EC), the figures in column D would be derived from multiplying the fraction in column C by the annual estimated cost requirement of the work programme as specified in the draft decision in the work programme 2012–2014. The actual amounts for the contribution of each Party and Signatory between 2012 and 2014 have not been included in this annex, given that the draft decision on the work programme for 2012–2014 and the associated cost estimates are still to be discussed. These figures could be included either in this annex or be integrated in the decision on the work programme for 2012–2014.

³ A percentage has not been assigned to the EC, since the EC 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 EC include: (a) using historical contributions of the EC 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.