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**ECONOMIC COMMISSION FOR EUROPE**

**COMMITTEE ON ENVIRONMENTAL POLICY**

Working Group for the preparation  
of the first meeting of the Parties to  
the Convention on Access to Information,  
Public Participation in Decision-making and  
Access to Justice in Environmental Matters  
(First meeting, 28-30 November 2001)

**PROVISIONAL AGENDA FOR THE MEETING**

to be held at the Palais des Nations, Geneva, Switzerland  
starting at 10 a.m. on Wednesday, 28 November 2001

1. Election of officers and Bureau.
2. Adoption of the agenda (CEP/WG.5/2001/1).
3. Activities for promoting the ratification of the Convention and its effective application.
4. Substantive preparations for the first meeting of the Parties:
  - (a) Preparation of the provisional agenda and list of documentation;
  - (b) Preparation of a draft decision on the adoption of rules of procedure for the Meeting of the Parties (CEP/WG.5/AC.1/2001/2);

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- (c) Preparation of a draft decision on the establishment of a compliance mechanism (CEP/WG.5/AC.1/2001/2);
  - (d) Preparation of a draft decision on the development of an instrument on pollutant release and transfer registers (CEP/WG.5/AC.2/2001/5, CEP/WG.5/2001/3);
  - (e) Report of the Working Group on Genetically Modified Organisms (CEP/WG.5/AC.3/2001/2);
  - (f) Other possible draft decisions.
5. Organizational preparations for the first meeting of the Parties:
- (a) Dates and venue;
  - (b) Programme of events, including possible informal events.
6. Other elements in the workplan or arising from the second meeting of the Signatories or the seventh and eighth sessions of the Committee on Environmental Policy:
- (a) Workshop on electronic tools and plans for future activities of the task force on electronic tools (CEP/WG.5/2001/4);
  - (b) Workshop on access to justice, development of a handbook and future activities of the task force on access to justice (CEP/WG.5/2001/5);
  - (c) Workshops promoting the implementation of the Convention;
  - (d) Negotiations on a protocol on strategic environmental assessment to the Espoo Convention (MP.EIA/AC.1/2001/2 and 6);
  - (e) Interlinkages between ECE Conventions and proposed follow-up activities (CEP/2001/6).
7. Funding of activities under the Convention.
8. Strengthening linkages with the preparatory process for the World Summit on Sustainable Development and in particular the application on principle 10 of the Rio Declaration.
9. Future meetings of the Working Group.
10. Any other business.

**Provisional timetable**

Wednesday, 28 November 2001	Morning	Items 1-3
	Afternoon	Items 4 (a)-(e)
Thursday, 29 November 2001	Morning	Item 4 (f)
	Afternoon	Item 5
Friday, 30 November 2001	Morning	Items 6-7
	Afternoon	Items 8-10
	5 p.m.	Close of meeting

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## EXPLANATORY NOTES

The first meeting of the Working Group to prepare for the first meeting of the Parties is convened in the light of the recommendation of the Signatories at their second meeting (CEP/WG.5/2001/2, para. 65) and the decision of the Committee on Environmental Policy at its seventh session (ECE/CEP/74, para. 30). The provisional agenda and explanatory notes have been prepared by the secretariat in consultation with the Bureau.

### Item 1 Election of officers and Bureau

The Working Group will elect a chairperson and may elect other officers. The Working Group may also decide to extend the mandate of the Bureau established at the second meeting of the Signatories and, in that case, elect or re-elect members as necessary.

### Item 2 Adoption of the agenda

The Working Group is invited to adopt the agenda as set out in the present document.

### Item 3 Activities for promoting the ratification of the Convention and its effective application

The secretariat will provide an overview of the status of ratification, acceptance, approval and accession, and report on activities undertaken to publicize the entry into force. Representatives of the Parties to the Convention will be invited to inform the Working Group of their activities to promote the effective implementation of the Convention. Representatives of Signatory and non-Signatory States and the European Community which are not Party to the Convention will be invited to inform the Working Group of the steps that they are taking to ratify or, as appropriate, approve, accept or accede to the Convention, including the likely time frame, as well as of the measures that they are taking to apply the Convention pending its entry into force. Representatives of intergovernmental organizations, non-governmental organizations (NGOs) and other bodies will be invited to inform the Working Group of their activities related to the Convention. Delegations may use the opportunity to share information and experiences on projects for the implementation of the Aarhus Convention, e.g. in countries in transition.

### Item 4 Substantive preparations for the first meeting of the Parties

#### (a) Preparation of the provisional agenda and list of documentation

The secretariat will present a provisional list of items for possible inclusion in the provisional agenda for the first meeting of the Parties, together with a provisional list of documents for that meeting. The Working Group may wish to use this as a starting point for discussion.

- (b) Preparation of a draft decision on the adoption of rules of procedure for the Meeting of the Parties

The Chairperson of the Working Group on Compliance and Rules of Procedure, Mr. A. McGlone (United Kingdom), will report on the outcome of its second meeting (26-27 November 2001) and in particular draw attention to the manner in which the issues in annex I to document CEP/WG.5/AC.1/2001/2 remaining to be resolved have been addressed. The Working Group will be invited to take note of the state of progress of the preparation of a draft decision on the rules of procedure for the Meeting of the Parties and, if appropriate, address any issues remaining unresolved at the conclusion of the second meeting of the Working Group on Compliance and Rules of Procedure.

- (c) Preparation of a draft decision on the establishment of a compliance mechanism

The Chairperson of the Working Group on Compliance and Rules of Procedure, Mr. A. McGlone will report on the outcome of its second meeting (26-27 November 2001) and in particular draw attention to the manner in which the issues in annex II to document CEP/WG.5/AC.1/2001/2 remaining to be resolved have been addressed. The Working Group will be invited to take note of the state of progress of the preparation of a draft decision on a compliance mechanism for the Convention and, if appropriate, address any issues remaining unresolved at the conclusion of the second meeting of the Working Group on Compliance and Rules of Procedure.

- (d) Preparation of a draft decision on the development of an instrument on pollutant release and transfer registers

At its second meeting, the Working Group on Pollutant Release and Transfer Registers mandated the preparation of a draft decision of the Parties for consideration by the Working Group charged with the task of preparing for the first meeting of the Parties (CEP/WG.5/AC.2/2001/5, para. 51). The Working Group will be invited to consider document CEP/WG.5/2001/3, which has been prepared by the secretariat, as a possible basis for a draft decision of the Parties on this topic.

- (e) Report of the working group on Genetically Modified Organisms

The Working Group on Genetically Modified Organisms (GMOs) will hold its first meeting on 10-12 October 2001. The report of the meeting (CEP/WG.5/AC.3/2001/2) may not be available in the three official languages due to the short interval between the two meetings. However, its Chairperson will be invited to report on its progress and delegations will be invited to comment as appropriate. Provision has been made for the Working Group on GMOs to reconvene in early 2002.

(f) Other possible draft decisions

Article 10, paragraph 3, of the Convention provides that the Meeting of the Parties may consider establishing financial arrangements on a consensus basis. The Working Group may wish to consider preparing a draft decision for the Meeting of the Parties on this topic.

Article 3, paragraph 7, requires each Party to promote the application of the principles of the Convention in international environmental decision-making processes and within the framework of international organizations in matters relating to the environment. The Working Group may wish to consider preparing a draft decision for the Meeting of the Parties on this topic. It may also wish to consider this topic in conjunction with agenda item 6 (e).

Article 19, paragraph 3, provides for non-ECE States to accede to the Convention. As a request to accede in such cases is subject to the approval of the Meeting of the Parties, the Working Group may wish to consider preparing a draft decision for the Meeting of the Parties on this topic, drawing attention to the possibility of accession by non-ECE States and indicating the likely attitude of the Meeting of the Parties to any such requests.

The Working Group may wish to consider whether any other topics would be appropriate for inclusion in a draft decision.

Item 5     Organizational preparations for the first meeting of the Parties

(a) Dates and venue

According to article 10, paragraph 1, of the Convention, the first meeting of the Parties is required to take place no later than one year after the date of entry into force. As the Convention will enter into force on 30 October 2001, the meeting must take place no later than 30 October 2002. The Working Group is expected to decide upon the date of the meeting, and also upon its duration, on the basis of a proposal from the secretariat.

Regarding the venue, the possibility that the meeting might be hosted outside of the United Nations Office at Geneva has been discussed by the Bureau of the Meeting of the Signatories. Italy has indicated its provisional willingness to host the meeting. The Working Group will be invited to consider the Italian offer together with any other offers received in advance of or during the meeting, and to make a decision thereon.

(b) Programme of events, including possible informal events

The Working Group may wish to consider the possibility of thematically related events being organized outside of the formal agenda of the Meeting of the Parties. The session on strengthening participatory democracy for sustainable development organized by NGOs as part

of the Aarhus Ministerial Conference is one example of such an event. The Working Group may also wish to consider publicity or awareness-raising events to raise the profile of the Convention.

Item 6     Other elements in the workplan or arising from the second meeting of the Signatories or the seventh and eighth sessions of the Committee on Environmental Policy

- (a)     Workshop on electronic tools and plans for future activities of the task force on electronic tools

At the second meeting of the Signatories, it was agreed to establish a task force on electronic tools, to be led by Austria (CEP/WG.5/2000/2, para. 57). The task force held a workshop in Norway in March 2001 on the use of electronic tools in the implementation of the Convention at the invitation and with the financial support of the Norwegian Government. The Working Group is invited to consider the report of the workshop (CEP/WG.5/2001/4) and plans for the future activities of the task force.

- (b)     Workshop on access to justice, development of a handbook and future activities of the task force on access to justice

At the second meeting of the Signatories, it was agreed to establish a task force on access to justice, to be led by Estonia with support from Finland (CEP/WG.5/2000/2, para. 46). The task force will hold a workshop in Estonia on 17-19 September 2001 to discuss issues of access to justice under the Convention and to provide input to a draft handbook on access to justice, funded by the Government of the United Kingdom and drawn up under the responsibility of the Regional Environmental Center for Central and Eastern Europe (REC). The Working Group is invited to consider the report of the workshop (CEP/WG.5/2001/5) and plans for future activities of the task force.

- (c)     Workshops promoting the implementation of the Convention

The Working Group will be informed of the outcome of the workshops on the Convention held in Georgia and Armenia, on 11-13 December 2000 and 15-17 November 2001, involving participants from Governments and non-governmental organizations from the three South Caucasus countries. The secretariat will inform the Working Group of other similar planned workshops.

- (d)     Negotiations on a protocol on strategic environmental assessment to the Espoo Convention

At its seventh session, the Committee on Environment Policy welcomed the recommendation of the Working Group on Environmental Impact Assessment to the Parties to the Espoo Convention to start the preparation of a protocol on strategic environmental

assessment (SEA). The Committee recommended that experts involved in the Aarhus process should be represented in the negotiation of the protocol to explore synergies and matters of common interest (ECE/CEP/74, para. 20). The Working Group will be informed of the progress made by the ad hoc Working Group on the Protocol on SEA at its three negotiating sessions which will have been held at the time of the meeting (MP.EIA/AC.1/2001/2 and 6) and delegations will be invited to comment as appropriate.

(e) Interlinkages between ECE Conventions and proposed follow-up activities

Within the framework of the seventh session of the Committee on Environmental Policy, a round-table discussion on supporting the UNECE multilateral environmental agreements was held to provide a catalysing forum for the governing bodies of the different Conventions to share experience on implementation and to consider, jointly with the Committee, measures to increase the instruments' overall effectiveness. The Chairman of the Meeting of the Signatories to the Aarhus Convention invited the chairpersons and other representatives of the Bureaux of each of the four other Conventions and the Committee to participate in a one-day informal meeting on the relevance of the themes of the Aarhus Convention – access to information, public participation in decision-making and access to justice – in the context of the other Conventions. The meeting took place on 25 June 2001 and its report was submitted to the Committee for consideration at its eighth session (CEP/2001/6). The Working Group is invited to discuss proposed follow-up activities in the light of the Committee's deliberations on the matter.

Item 7 Funding of activities under the Convention

Under the ECE Local Technical Cooperation Trust Fund, a new section on promotion and implementation of the Aarhus Convention has been established. The secretariat will inform the Working Group about the consequences and possibilities of this Trust Fund, which will function alongside the Trust Fund for Assistance to Countries in Transition (TFACT). The Working Group will also be invited to discuss the medium-term and long-term needs for funding of activities under the Convention.

Item 8 Strengthening linkages with the preparatory process for the World Summit on Sustainable Development and in particular the application of the principle 10 of the Rio Declaration

The Working Group may wish to consider how activities under the Convention or related to it can support and contribute to the application of principle 10 in other regions of the world, taking into account the message of the United Nations Secretary-General, Mr. Kofi Annan, in his foreword to the Implementation Guide on the Convention and the preparatory process for the World Summit on Sustainable Development (Johannesburg, South Africa, 2-11 September 2002).



Item 9    Future meetings of the Working Group.

The Working Group is invited to consider whether it should hold a second meeting to prepare for the first meeting of the Parties. The secretariat has made a provisional reservation for such a meeting on 17-19 April 2002.

Item 10    Any other business

Delegations wishing to propose points under this item are requested to inform the secretariat as soon as possible.