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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  
(Third meeting, 8-10 July 2002)

**PROVISIONAL AGENDA FOR THE MEETING**

to be held at the Hotel Histria, Pula, Croatia  
starting at 10 a.m. on Monday, 8 July 2002

1. Adoption of the agenda (CEP/WG.5/2002/13).
2. Ratification status and prospects.
3. Organizational preparations for the first meeting of the Parties.
4. Substantive preparations for the first meeting of the Parties:
  - (a) Provisional agenda and list of documentation (CEP/WG.5/2002/3);
  - (b) High-level panel discussion and Ministerial Statement;
  - (c) Rules of procedure (CEP/WG.5/2002/2);
  - (d) Compliance mechanism (CEP/WG.5/2002/2);
  - (e) Reporting requirements (CEP/WG.5/2002/9 and Add.1);

- (f) Pollutant release and transfer registers (CEP/WG.5/2002/12);
- (g) Genetically modified organisms (CEP/WG.5/AC.3/2002/6, 7 and 8);
- (h) Procedures for the preparation and adoption of work programmes (CEP/WG.5/2002/5);
- (i) Work programme and budget for 2003-2005 (CEP/WG.5/2002/15);
- (j) Financial arrangements (CEP/WG.5/2002/4);
- (k) Other draft decisions (CEP/WG.5/2002/6, 7, 8, 10 and 11);
- (l) Other issues.

- 5. World Summit on Sustainable Development.
- 6. Activities involving cooperation with other conventions' bodies.
- 7. Activities promoting the implementation of the Convention.
- 8. Any other business.
- 9. Adoption of the report.

**Provisional timetable**

Monday, 8 July 2002	Morning	Items	1 – 4 (a)
	Afternoon	Item	4 (b) - (d)
Tuesday, 9 July 2002	Morning	Item	4 (e)
	Afternoon	Item	4 (f) - (i)
Wednesday, 10 July 2002	Morning	Item	4 (j) - (l)
	Afternoon	Items	5 - 9
	6 p.m.		Close of meeting

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## EXPLANATORY NOTES

At its third meeting, the Working Group for the preparation of the first meeting of the Parties will continue preparing both the substantive and the organizational aspects of the first meeting of the Parties. The Working Group will be invited to primarily focus its attention on those issues which were left outstanding at its second meeting, and only briefly to review the other draft decisions, taking account of the discussions at its second meeting (CEP/WG.5/2002/2).

### Item 1     Adoption of the agenda

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

### Item 2     Ratification status and prospects

The secretariat will provide the latest information on the number and identity of the Parties. Delegations from States not yet Party to the Convention but intending to become so will be invited to briefly inform the Working Group of any changes or additions to the information provided at the second meeting regarding the expected dates of ratification, acceptance, approval or accession to the Convention.

### Item 3     Organizational preparations for the first meeting of the Parties

The secretariat and the host country will update the Working Group on the organizational preparations for the first meeting of the Parties. The Working Group will in particular be informed of the high-level participation indicated so far and the organization of the high-level segment, the planned side events and the practical arrangements.

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

#### (a)     Provisional agenda and list of documentation

A provisional annotated draft agenda for the first meeting of the Parties, incorporating a provisional list of documents for the meeting, has been prepared by the secretariat (CEP/WG.5/2002/3). The Working Group may wish to use this as a starting point for discussion. It is envisaged that a number of unofficial documents will also be available at the meeting of the Parties, and that the secretariat will maintain a list of these and ensure that they are accessible to delegations.

#### (b)     High-level panel discussion and Ministerial Statement

At its second meeting, the Working Group agreed on a provisional programme outline (CEP/WG.5/2002/2, para. 13). The ministerial segment of the meeting will last for one full day

and comprise statements, a panel discussion and the adoption of a Ministerial Statement. The Working Group will be invited to work further on the details of the ministerial segment, including the themes for the panel discussions. Furthermore, the Working Group will be invited to start preparing a draft Ministerial Statement on the basis of an informal draft to be prepared by the secretariat.

(c) Rules of procedure

At the second meeting of the Working Group, the Chairman put forward a proposal on how to resolve the main outstanding issues in the draft decisions on rules of procedure and on the compliance mechanism (CEP/WG.5/2002/2, paras. 28 and 29 and annex I). As regards the draft decision on the rules of procedure, the Working Group is expected to use the Chairman's proposal as a basis for attempting to finalize the draft decision.

At the second meeting of the Working Group, an open-ended expert group was established to check the text of the draft rules of procedure from a purely editorial point of view. The Chairman of the expert group, Mr. Alistair McGlone (United Kingdom), will be invited to present the outcome of its work.

(d) Compliance mechanism

The Working Group is expected to continue the work of preparing a draft decision on the establishment of a compliance mechanism, taking as a basis for discussion the proposal put forward by the Chairman at its second meeting (CEP/WG.5/2002/2, paras. 28 and 29 and annex II).

The small expert group established to make editorial suggestions with respect to the draft rules of procedure was also requested by the Working Group to perform the same task with the draft decision on the compliance mechanism. The Chairman of that group will be invited to present the suggestions of the expert group to the Working Group.

The Working Group is also expected to discuss the procedures for nominating and electing the members of the compliance committee on the basis of a proposal prepared by the secretariat.

(e) Reporting requirements

At its second meeting, the Working Group undertook preparatory work on a draft decision establishing a reporting mechanism on the basis of document CEP/WG.5/2002/9 prepared by the secretariat. Various changes to the document were proposed and some were agreed. However, it was noted that the full implications of the draft decision could not be assessed until it was known what information would be required to be reported. The secretariat subsequently prepared a draft annex to the draft decision setting out a possible reporting format (CEP/WG.5/2002/9/Add.1). That document will be discussed at a specially convened task force meeting on 7 July 2002. The Working Group will be invited to use documents CEP/WG.5/2002/9 and Add.1 as a basis for

further developing the draft decision, building on the conclusions reached at its second meeting and taking account of the outcome of the task force meeting.

(f) Pollutant release and transfer registers

At its second meeting, the Working Group reviewed a second version of a draft decision on pollutant release and transfer registers (CEP/WG.5/2002/12). The main outstanding issue concerned the question of whether or not the protocol should be open to adherence by non-Parties to the Convention and non-ECE States. An open-ended ad hoc expert group was established to analyse the legal, administrative, institutional, practical and financial implications of the protocol being open to all States and regional economic integration organizations, whether or not they were Parties to the Aarhus Convention, and to suggest feasible solutions. The Chairperson of the expert group, Mr. Maas Goote (Netherlands), will be invited to present the expert group's conclusions, after which the Working Group is expected to attempt to resolve the issue and any other outstanding issues in the draft decision.

(g) Genetically modified organisms

The Working Group will be informed of the outcome of the third meeting of the Working Group on Genetically Modified Organisms (GMOs), which will have endeavoured to finalize the texts of a draft decision and draft guidelines on GMOs (Geneva, 17-19 June 2002). It is expected that an advance copy (English only) of its report will be available as document CEP/WG.5/AC.3/2002/6. The Working Group for the preparation of the first meeting of the Parties will be invited to review the work carried out by the Working Group on GMOs and if necessary, to attempt to resolve any outstanding issues.

(h) Procedures for the preparation and adoption of work programmes

The Working Group is expected to prepare a draft decision on procedures for the preparation and adoption of work programmes, using as a basis document CEP/WG.5/2002/5, which has been prepared by the secretariat on the basis of discussions at previous meetings of the Working Group and within the Bureau.

(i) Work programme and budget for 2003-2005

The Working Group is expected to prepare a draft decision on a work programme and budget for 2003-2005, using as a basis document CEP/WG.5/2002/15, which has been prepared by the secretariat on the basis of discussions at the second meeting of the Working Group and within the Bureau.

(j) Financial arrangements

The Working Group is expected to continue the process of preparing a draft decision on financial arrangements on the basis of document CEP/WG.5/2002/4, taking into account the

amendments proposed and issues raised at its second meeting (CEP/WG.5/2002/2, para. 55).

(k) Other draft decisions

The remaining draft decisions, namely those on the establishment of an intersessional body, the clearing-house mechanism and capacity-building service, national focal points, electronic information tools and access to justice, will be reviewed by the Working Group, taking into account amendments agreed or proposed at its second meeting, and further developed as necessary (CEP/WG.5/2002/2, 6, 7, 8, 10 and 11). The Working Group may wish to consider whether draft decisions need to be prepared on any other issues.

(l) Other issues

The Working Group may wish to consider whether any other topics would be appropriate for the agenda of the Meeting of the Parties.

Item 5            World Summit on Sustainable Development

The Chairperson will brief the Working Group on relevant outcomes of the Fourth Preparatory Conference for the World Summit on Sustainable Development. The Working Group may wish to exchange information or ideas on ways of raising awareness of the Convention as a possible model for implementing principle 10 of the Rio Declaration on Environment and Development within the context of the World Summit, as well as any implications of the expected outcomes of the World Summit for further work under the Convention.

Item 6            Activities involving cooperation with other conventions' bodies

A meeting of representatives of the Bureaux of each of the five ECE environmental conventions and the Committee on Environmental Policy will take place in Geneva on 1 July 2002. The purpose of the meeting is to investigate possible synergies and areas of cooperation between the instruments and identify any inconsistencies or specific features of different legal texts. Among the specific areas of common interest which will be discussed are compliance, pan-European environmental governance, the linkages between the Aarhus Convention and the other instruments, and public participation in international forums.

In connection with the last two items, two analyses are being prepared, following a request of the Committee: the first on the links between the Aarhus Convention and the other ECE environmental conventions and protocols, the second examining good practices in public participation in international forums. The second study is to be reviewed by a task force and might serve as a basis for the development of guidelines on public participation in international forums, for possible adoption at the Kiev Ministerial Conference (ECE/CEP/80, paras. 34-35).

The Chairperson will inform the Working Group of the outcome of the joint Bureaux meeting. The Working Group will be invited to discuss any implications for the work programme

of the Meeting of the Parties and to exchange ideas on further activities involving cooperation with the other conventions' bodies and the Committee on Environmental Policy.

Item 7            Activities promoting the implementation of the Convention

The secretariat will briefly inform the Working Group of the outcome of the workshop for the five Central Asian ECE member States which took place in Dushanbe, Tajikistan, on 5-8 June 2002.

Item 8            Any other business

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

Item 9            Adoption of the report

The Working Group will be invited to adopt the report of the meeting, subject to finalization by the Chairperson and the secretariat.