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**ECONOMIC COMMISSION FOR EUROPE**

COMMITTEE ON ENVIRONMENTAL POLICY  
(Eleventh session, Geneva, 13 - 15 October 2004)  
(Item 4 (e) of the provisional agenda)

**MINUTES OF THE THIRD INFORMAL MEETING BETWEEN THE BUREAUX OF  
THE COMMITTEE ON ENVIRONMENTAL POLICY AND OF THE GOVERNING  
BODIES OF THE UNECE ENVIRONMENTAL CONVENTIONS  
(Geneva, 7 June 2004)**

**Introduction**

1. A third informal meeting was held on 7 June 2004 between the representatives of the Bureaux of the Committee on Environmental Policy and of the governing bodies of the UNECE environmental conventions, namely the Conventions on Long-range Transboundary Air Pollution, on Environmental Impact Assessment (EIA) in a Transboundary Context, on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention), and on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).
2. It followed up to the informal meeting of 4 July 2003 (CEP/2003/28) to continue sharing experiences and finding synergies and areas of cooperation to assess and promote the implementation of the environmental legal instruments in the region.
3. The discussions focused in particular on activities and programmes to support the implementation of the UNECE environmental agreements
4. The meeting was chaired by Mr. Zaal Lomtadze (Georgia), Chairman of the Committee on Environmental Policy.
5. The representatives of the Bureaux who participated in the meeting are listed in annex I below.

## I. CONVENTIONS' PRACTICAL APPLICATION

6. The participants received information on the current status of ratification of the conventions and their protocols.

7. The representatives of the governing bodies of the five conventions provided information on their implementation and in particular on the major challenges in this regard. They also shared experiences on the capacity-building activities undertaken to address these challenges as well as on the financial issues involved. In addition, for the further information of the Committee on Environmental Policy, each convention's secretariat agreed to provide in writing a short description of the successes achieved and the challenges encountered in implementation (annex II).

8. The third meeting of the Parties to the **EIA Convention** had been held from 1 to 4 June in Croatia. It had also been attended by participants from some southern Mediterranean countries and the Islamic Republic of Iran. Capacity-building activities were being pursued both under the EIA Convention and under its Protocol on Strategic Environmental Assessment (SEA), in particular to assist the countries in Central Asia in their practical implementation. In addition, financial support had been provided to facilitate the participation of representatives from countries in transition, including the East European, Caucasian and Central Asian (EECCA) countries, to the meetings under the Convention, following the criteria established and periodically updated by the Committee. The language barrier was a major challenge for promoting implementation activities, in particular with respect to countries from other regions. The EIA Convention had already been translated into Arabic and Spanish.

9. In implementing the **Aarhus Convention** particular attention was being paid to the challenges faced by the countries in transition. Various capacity-building activities had been carried out by the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the Organization for Security and Co-operation in Europe (OSCE), the Regional Environmental Centres (RECs) and the European Commission aimed at supporting more effective implementation in particular in EECCA and South-Eastern Europe. However, the lack of capacity was not the only challenge. There were also different legal, institutional or political issues. Promoting synergies with other UNECE conventions, in particular with respect to capacity-building activities was currently being looked at more closely. The slow rate of ratification of the Convention by EU member States was also highlighted: out of the 25 EU member States only 12 were Parties to the Convention. However, although formal ratification was still pending in a number of EU member States, many were already taking measures to apply the Convention.

10. The Protocol on Heavy Metals and the Protocol on Persistent Organic Pollutants to the **Convention on Long-range Transboundary Air Pollution** had both entered into force, though only 11 Parties had ratified the Gothenburg Protocol. There were relatively few ratifications from the EECCA countries for any of the protocols and a questionnaire had been sent to them to find out why. In EU countries there might be perceived a lesser need for UNECE-wide provisions with EU regulations now covering 25 countries, however, protocols had also become very technical. This might have created problems either in meeting the technical requirements specified in them or in carrying out the work to ensure that obligations could be met. Detailed

reports from the Convention's Implementation Committee on the implementation of protocols by their Parties were on the Convention's web site. A few countries had not met their reporting obligations, and for a very small number it had proved difficult to communicate on issues of non-compliance. Official communications had been raised to higher governmental levels in order to get the required responses. Implementation was also being addressed at a scientific and technical level in EECCA countries by helping to develop monitoring sites and emissions reporting, notably through a recently approved United Nations Development Account project.

11. Despite the setting-up of a trust fund under the **Water Convention**, there was a shortage of contributions. The need to build capacity in a way which would benefit the countries in transition was emphasized, in particular with due consideration given to the language barrier, given that few professionals in EECCA countries understood English. The capacity-building activities under the Convention focused in particular on the EECCA countries and involved the organization of workshops and seminars on specific aspects of integrated water resources management (legal and regulatory framework, institutional capacity-building, water-related monitoring, public participation in water management and water management plans). A brochure on the Water Convention had recently been prepared for the Commission on Sustainable Development; it had been translated into Russian and Spanish and Arabic, Chinese and French versions would follow. Under the Convention's advisory service, UNECE had been requested to provide assistance to prevent conflicts on transboundary water issues and draw up bilateral and multilateral agreements. The most recent example was the request from Azerbaijan and the Russian Federation on the river Samur. The Water Convention being the only body dealing with water in the region, the secretariat had been increasingly asked to work also on water management in a national context as well as on integrated freshwater management and marine water. However, the secretariat was experiencing difficulties in meeting these additional demands with the resources available for the Meeting the Parties to the Convention.

12. Although there were currently 33 Parties to the **Industrial Accidents Convention**, its implementation was still far from complete, in particular in the EECCA and South-East European countries. Scarce financial resources, and insufficient institutional and human resources remained a substantial barrier to implementation. However, efforts were being made to help these countries to implement the Convention. A workshop on the implementation of the Convention in the Caucasian and Central Asian countries had identified specific needs for assistance. On this basis an internationally supported assistance programme for the EECCA and the South-East European countries was now being drawn up. The Convention required the Parties to report on their implementation. On the basis of individual country reports, the Working Group on Implementation then drafted an overall implementation report. The Meeting was also informed on the exchange of letters between the Chairman of the Conference of the Parties and the Chairman of the Committee and the follow-up to these letters, involving consultations between the Committee's delegates and the focal points responsible for the conventions on the ways in which the Committee could best support the governing bodies in their efforts to assist countries in transition to implement the instruments. The Committee was expected to be informed about the outcome of these consultations at its eleventh session. The Committee's Chairman had also been invited to attend the next meeting of the Conference of the Parties.

13. During the ensuing discussion, the participants considered the capacity-building activities carried out to promote implementation, focusing in particular on their financing, and considered

how the Committee could support them.

14. It was considered useful for a donor country to have a complete picture of the overall financing needs in order to prioritize them and to raise funds accordingly. To that end, information on the capacity-building activities under the conventions should be made available. This could be done, for instance, by posting projects, seminars and other activities that need funding on the conventions' web sites. This could be particularly useful towards the end of the budget year when money might still be available in the UNECE donor countries' administrations. The UNECE secretariat informed the Meeting that it was producing an annual report covering all the ongoing technical assistance activities, including those for the environment. Information on the financing needed to implement the work plans of the UNECE environmental conventions according to member countries' priorities as well as on the contributions and expenditures of the Trust Fund was also available. This information would facilitate the coordination of the activities and the priorities for action at the national level.

15. It was necessary to clearly establish the needs of the countries as regards implementation. Under the Industrial Accidents Convention, for example, a subregional workshop had been organized in Armenia in 2003 to enable donor countries to have an overall view of the priorities for financing. Once the priorities were established, the Committee could discuss them and disseminate them through its delegates to help donor countries identify activities that they wished to support.

16. It was essential for countries to coordinate their activities and priorities for action at the national level. It could be difficult for Governments to decide how to allocate resources for the implementation of the various commitments agreed upon by their officials under the work programmes of all the conventions or to choose between supporting international activities and prioritizing national activities. The possible discrepancies between the short-term and long-term priorities could also complicate the picture. To maximize the national funding opportunities, for instance, for capacity-building in EECCA, it was useful to look into other government budget lines besides the one specifically for environmental protection.

17. There was also an opportunity for the countries in transition to come up with some additional national funding themselves. It was important to encourage this development through building-capacity within the national administrations for drawing up financial projects. In Georgia, for instance, a special unit had been established to focus on project preparation. "Training of trainers" was essential to build capacity. With the rapid changes in the staffing of the ministries, maintenance of the institutional capacity was a real problem. Identifying and further employing technical experts and focal points in the capacity-building activities was put forward as a means of maintaining the institutional memory. The information about the implementation activities of a convention should be widely spread within the relevant administrations.

18. The UNECE secretariat informed the Meeting about its internal training on fund-raising. Although the Environment and Human Settlements Division had successfully raised a fair amount of money, it was looking at further opportunities in view of the limited resources available to it. An intern had already been employed to look into the funding opportunities within foundations and other private entities.

19. The participants also considered briefly the relationships of UNECE with the European Commission and with OSCE with respect to the environment.
20. The meeting agreed on the complementarity of the roles of the EU and UNECE in relation to environmental legislation. It reiterated the added value of the UNECE conventions in providing a forum for the exchange of good practices and promoting cross-sectoral integration. Ratification of the UNECE conventions by the European Commission was important to encourage ratification by the EU member States.
21. UNECE and OSCE had long worked together, especially on the implementation of the UNECE conventions. The issue of formalizing their collaboration was raised at the latest session of UNECE. The initiative of OSCE, UNEP and UNDP on environment and security in South-Eastern and EECCA was also mentioned. It dealt with the inequitable access to critical resources and the transboundary movements of hazardous materials.

## **II. REPORTING ON THE CONVENTIONS' IMPLEMENTATION**

22. The representatives of the governing bodies shared their experience and challenges related to reporting by Parties on their implementation of the conventions.
23. Under the Aarhus Convention, the preparations for the first reporting cycle were currently under way. In accordance with decision I/8, the Parties were requested to submit reports not later than 120 days before the second ordinary meeting of the Parties. At its second meeting, the Working Group of the Parties had agreed on an indicative reporting schedule which would allow for a period of public consultation in the preparation of the reports. According to this schedule, the reports were due early next year. In addition to Parties, Signatories and other States, NGOs and intergovernmental organizations were also invited to submit reports on their activities. A synthesis report would be produced on the basis of the national reports. It would provide more comprehensive information on the implementation of the Convention. The compliance mechanism under the Convention had been operational with respect to communications from the public since October 2003. Since then, five communications from the public had been received and discussed by the Compliance Committee. In accordance with the compliance procedure, the Governments concerned were invited to respond and on that basis the Compliance Committee would decide on the next steps to be taken.
24. Under the Convention on Long-range Transboundary Air Pollution, monitoring stations provided some of the necessary information together with country reports on emissions and on strategies and policies. Under the protocols, seven of which were currently in force, measures taken were reported every other years following the specific obligations contained in each of them. The Implementation Committee studied compliance by considering each protocol in turn and reporting its findings to the Executive Body, which might then invite non-complying countries to respond. Countries that were late in reporting were also deemed in non-compliance. Summary reports on the reporting exercise were made available to policy makers, the public and NGOs, and this could provide some political pressure. Furthermore, work was under way to use clearer language to facilitate reporting. A high priority was being given to reducing the burden on Parties. Reporting from EECCA could be problematic as there were few air monitoring

stations. In an attempt to receive more information from the EECCA countries, the questionnaire referred to above, prepared by the Russian Federation, had been circulated. The responses had highlighted the problems of communication with those countries.

25. Under the Water Convention, there was no formal obligation to report on implementation. However, the Parties had decided to provide specific reports on the implementation of obligations that had been selected by the Meeting of the Parties, such as the establishment of joint bodies as well as monitoring and assessment. This was done at three-year intervals, and considerably reduced the burden of reporting. Moreover, the Parties provided reports on how they had complied with the decisions of the Meeting of the Parties regarding the implementation of soft-law instruments, e.g. guidelines on flood management, recommendations on water and industrial accidents, as well as good practice documents, e.g. ecosystem approach in water management. This kind of reporting also facilitated the identification of new areas for cooperation.

26. Under the Industrial Accidents Convention, individual country implementation reports were submitted to the Working Group on Implementation, which prepared an overall report and made it available to the Conference of the Parties for further consideration. For the period 2002-2004, over 75 per cent compliance had been reached. The overall report was also available on the Convention's web site. The reporting languages were English and Russian. The individual country reports were available only to the competent authorities of Parties through a password-protected page on the web site. The overall report included recommendations and conclusions, which were used for drawing up the work plan for the next years. Reporting could be seen as a capacity-building process. The majority of Parties had found the mechanism very useful.

27. The EIA Convention does not include a provision on reporting. However, its Parties established at their second meeting a mechanism on monitoring implementation by means of a questionnaire. The secretariat had difficulties producing an overall report given that replies had been received from approximately half of the Parties. The first review of implementation had concluded that the Convention was increasingly being applied to activities with transboundary impacts. The country reports would be further analysed. Some countries found the questionnaire too demanding and time-consuming to fill in. It would, consequently, be revised before the fourth meeting of the Parties. An Implementation Committee had also been established, following the example of the Convention on Long-range Transboundary Air Pollution. There had been a discussion on whether the Implementation Committee could consider cases submitted by the public or NGOs. The Implementation Committee was currently discussing its first submission.

28. The Meeting felt that the Committee on Environmental Policy could help to encourage countries to report. To that end, it was thought useful to open the implementation reports to the public or at least to the Committee. Delegates were also encouraged to attend the "Kiev+1" meeting in Tbilisi in October 2004 and to use that opportunity to highlight implementation issues in the presence of a high-level representation from the EECCA countries. The good cooperation between the conventions' governing bodies and the UNECE Working Group on Environmental Monitoring and Assessment in helping individual countries and intergovernmental bodies responsible for data collection to improve the current situation was also a positive move.

### III. NEXT MEETING

29. The Meeting decided that its next informal consultation in 2005 would focus on financial and human resources to implement activities under the UNECE environmental agreements. The Meeting thought it would be useful to discuss staffing both within the conventions and the secretariat in detail and to get a full picture of the funds available by looking into both the extrabudgetary and the regular budget funds. The discussions would be based on background documentation to be made available by the secretariat.

30. Two additional topics might also be raised:

(a) Means for addressing public participation in international forums relevant to the environment. Under the Aarhus Convention, an ad hoc expert group had met at the beginning of June 2004 to discuss this with experts designated by governments, organizations as well as representatives of the secretariats of the environmental conventions. The possible development of guidelines was being examined;

(b) Synergies between the UNECE environmental conventions at both international and national levels.

31. The Meeting decided to schedule its next informal consultation for 6 June 2005. The invitation together with the agenda would be prepared by the UNECE secretariat in consultation with the Bureaux of the governing bodies and of the Committee.

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Annex I  
(English only)

LIST OF PARTICIPANTS

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Annex II

SUCCESSSES ACHIEVED AND CHALLENGES ENCOUNTERED IN THE  
IMPLEMENTATION OF THE  
UNECE ENVIRONMENTAL CONVENTIONS  
July 2004  
(Prepared by the conventions' secretariats)

**I. CONVENTION ON LONG-RANGE TRANSBOUNDARY AIR POLLUTION  
(Geneva, 1979)**

1. This year has been particularly eventful for the Convention with progress being made in a number of different areas and resources stretched to the limit in many instances.
2. The 1998 Protocol on Persistent Organic Pollutants (POPs) entered into force on 23 October 2003 and the first meeting of the Parties to the Protocol was held in December at the session of the Executive Body to the Convention. A new task force on POPs was set up to carry out the technical work for the review processes identified in the Protocol. The review was initiated and the Task Force has held two meetings in 2004 preparing documents for the first stages of the reviews.
3. The 1998 Protocol on Heavy Metals entered into force on 29 December 2003, so the first meeting of the Parties will take place in December 2004 at the session of the Executive Body. Already an expert group has been making early preparations for the specified reviews and there are plans to establish a new task force with similar responsibilities to those of the Task Force on POPs in December.
4. The 1999 Gothenburg Protocol is nearing entry into force. With 11 ratifications and several countries indicating that they are in the final stages of ratification, it is expected that the necessary 16 for entry into force will be achieved later this year or early in 2005. Work preparing for the review process has already started and much of this is being done in collaboration with the European Commission, which is aiming to prepare a thematic strategy on air pollution in 2005. The enlargement of the European Union is one of the challenges facing the Convention, though the close cooperation developed over recent years is benefiting progress in both the EU and UNECE regions. Furthermore, it is enabling the Convention to focus on EECCA. The Working Group on Strategies and Review is planning a special seminar in September 2004 to discuss the results of a questionnaire on barriers to implementation that has been circulated to EECCA countries.
5. Implementation and compliance remain a challenge for all countries in the region. The work of the Convention's Implementation Committee has had a positive influence on Parties meeting their obligations under the Convention's protocols. However, communications with

some Parties have proved difficult at times, and for a few Parties it seems that current emission ceiling obligations will not be met for some years. This is an issue of increasing concern to the Executive Body.

6. Despite the challenges, this year is an occasion to celebrate success. It has been 25 years since the Convention was adopted in November 1979. To mark the occasion several countries are planning national events in November and the Executive Body will hold a special event on 1 December 2004. The secretariat has already received a number of statements of congratulations from ministers. As part of the plans EMEP and the Working Group on Effects are publishing special reports and the Netherlands Government has prepared an international multi-authored book on the history of the Convention.

## **II. CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT (Espoo, 1991)**

7. At the third meeting of the Parties to the Espoo Convention and the first meeting of the Signatories to its Protocol on Strategic Environmental Assessment (SEA), 12 decisions were adopted. They addressed, for instance, implementation and compliance, guidelines (good practice, bilateral and multilateral agreements, subregional cooperation, public participation), a second amendment to the Convention, the exchange of information, a work plan and budget, financial support to delegates, and preparations for the entry into force of the Protocol. These decisions also assure continued support for the participation of delegates from countries with economies in transition in meetings. Moreover, the work plan includes two major activities, one on the Convention and one on the Protocol, with a particular focus on capacity-building in the EECCA countries.

8. The second amendment introduced procedures for 'scoping' within transboundary environmental impact assessment (EIA). It also revised and extended appendix I to the Convention (listing activities subject to EIA) and provided for a number of refinements to the Convention to improve legal certainty in its application.

9. A review of the implementation of the Convention has been completed. It reveals that the Convention is increasingly being applied and that numerous bilateral and multilateral agreements have been prepared to provide a practical framework for transboundary consultations under the Convention. The review also reveals weaknesses, showing where further efforts need to be focused to make the Convention more effective, such as problems with the notification procedure and the limited participation of the public in transboundary consultations. A decision adopted by the Meeting of the Parties suggested that all Parties should further strengthen their implementation of the Convention. It indicated a number of practical means by which implementation might be improved, for example by assuring that: (a) points of contact are competent in the application of the Convention; (b) notifications by Parties of origin are complete; (c) decisions are notified fully and rapidly to affected Parties; and (d) the public is further encouraged to participate in procedures under the Convention. Its decision on the budget was intended to provide more predictable and secure financing for the activities under the

Convention. However, additional funding will be identified in order to cover all items in the budget.

10. The Convention's Implementation Committee has been very active in developing and clarifying its structure and functions prior to the Meeting of the Parties in Cavtat, Croatia. It will examine the outcome of the implementation review and consider the first submission from a Party regarding the compliance of another Party in the near future.

11. Over the past year there has been increasing interest in the Convention and its Protocol from countries outside the UNECE region. The Convention has been amended (though that amendment is not yet in force) to enable such States to accede to the Convention upon approval; The Protocol has a similar provision. The strongest expressions of interest have come from the southern Mediterranean countries and the Islamic Republic of Iran.

12. Finally, the 37 Signatories to the Protocol were asked to indicate when they might be in a position to ratify the Protocol, and about half the respondents reported that they might ratify by the end of 2005. Sixteen ratifications are required for the Protocol to enter into force.

### **III. CONVENTION ON THE PROTECTION AND USE OF TRANSBOUNDARY WATERCOURSES AND INTERNATIONAL LAKES (Helsinki, 1992)**

13. The Parties to the Convention held their third meeting in Madrid on 26-28 November 2003. Recognizing the important role played by the Convention in the establishment and development of transboundary cooperation, the promotion of peace and security and sustainable water management, the Parties decided to open up the possibility of acceding to the Convention also to countries outside the UNECE region. The Parties considered that the ratification of the Convention and its protocols by more UNECE member countries, in particular by countries in South-Eastern Europe and EECCA, and their practical application were priorities. They also recognized the importance of implementation projects and capacity-building activities to assist countries in their efforts to apply the Convention and its protocols in practice. Finally, they reviewed the implementation of the activities under their auspices and took decisions on the programme of work and the resources under the Convention for 2004-2006 (for details, see ECE/MP.WAT/14, 15 and Add.1 and 2 at <http://www.unece.org/env/water/meetings/documents.htm>).

14. Since this meeting a brochure on the aims and purposes of the Convention and its protocols has been published.

15. A "Capacity for Water Cooperation" project has been set up to facilitate the sharing of experience within EECCA as well as between EECCA and other regions in Europe on integrated water resources management, including transboundary issues. It will start in November 2004 with a workshop on legal and regulatory aspects. Other workshops on: joint monitoring and assessments of shared water basins; access to and exchange of information, and public participation; integrated water resources management and river basin management planning

including the EU Water Framework Directive; shared river basins and the relation to regional seas; and the application of the Protocol on Water and Health, will follow in 2005-2006.

16. The Convention's Legal Board advises the future Parties to the Protocol on Water and Health on compliance with its provisions. It is also preparing a model agreement on flood prevention, which will facilitate the drawing-up of bilateral and multilateral agreements.

17. At the request of Azerbaijan and the Russian Federation, the Convention's advisory service will help them to establish a bilateral agreement on sharing water in the Samur river basin.

18. The Working Group on Integrated Water Resources Management is preparing an UNECE seminar on the ecosystem approach in water management, which will provide policy advice on the protection and restoration of water-related ecosystems, such as forests, wetlands and soils, which have economic, social and environmental functions and an decisive role in water resources management and for safe drinking-water supply.

19. The Working Group on Monitoring and Assessment, in addition to pilot projects on rivers, groundwater and lakes, has started a major assessment of European transboundary waters, which will demonstrate the success of the Convention in preventing, controlling and reducing transboundary water pollution.

20. The Working Group on Water and Health is focusing on preparing the first meeting of the Parties to the Protocol on Water and Health, which is tentatively scheduled to take place in 2005.

21. In addition to the work under the Convention, the secretariat is increasingly asked to work on water management in a national context, on integrating freshwater management and on marine water. Examples include the regional report on water and sanitation for the twelfth session of the Commission on Sustainable Development and UNECE involvement in the Partnership on Water for Sustainable Development which is the EECCA component of the EU Water Initiative.

#### **IV. CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS (Helsinki, 1992)**

22. The number of Parties has doubled in the past four years. Their third meeting will take place in Budapest on 27-30 October 2004 and will also include a visit to one of Hungary's hazardous installations.

23. High on the agenda will be the implementation of the Convention, which in many cases is far from complete. The discussion and subsequent decisions taken by the Conference of the Parties will be based on:

(a) A subregional workshop on implementation which discussed the obstacles to accession and implementation and identified concrete needs for external assistance;

(b) The fourth meeting of the joint ad hoc expert group on water and industrial accidents – a joint body under the Industrial Accidents and the Water Conventions created to develop/disseminate guidelines/best practices in preventing accidental water pollution;

(c) The first consultation of the points of contact for the purpose of industrial accident notification and mutual assistance designated within the UNECE Industrial Accident Notification System, which was combined with practical training;

(d) The second report on the implementation of the Convention, prepared by the Working Group on Implementation on the basis of individual country reports. The report identifies the priorities for future work under the Convention to strengthen its implementation.

24. It is expected that the discussion on strengthening the implementation of the Convention will, among other things, result in the adoption of an international assistance programme to build human resource and institutional capacities in the East and South-East European, Caucasian and Central Asian countries to strengthen their efforts to implement it and properly address industrial safety. A firm commitment to implementing the Convention and to bilateral cross-border cooperation will be a prerequisite for assistance.

25. Implementing the assistance programme will be the greatest challenge in the coming years for the beneficiary countries themselves as well as for the Conference of the Parties. The Conference of the Parties has, therefore, turned to the Committee on Environmental Policy to raise awareness of this programme among its delegates and gain their support for it.

26. The effective promotion of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters among UNECE countries for its early entry into force will be another challenge for the Conference of the Parties together with the Meeting of the Parties to the Water Convention.

**V. CONVENTION ON ACCESS TO INFORMATION, PUBLIC  
PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE  
IN ENVIRONMENTAL MATTERS  
(Aarhus, 1998)**

27. Preparations are under way for the second ordinary meeting of the Parties, which will take place in Almaty, Kazakhstan, on 25-27 May 2005. The Working Group of the Parties is the main intersessional body responsible for overseeing the work programme of the Convention and has the primary responsibility for making the necessary substantive preparations for the meeting in Almaty.

28. The Working Group on Pollutant Release and Transfer Registers (PRTRs) has requested the secretariat to prepare papers on options for developing rules of procedure and a compliance mechanism for the Protocol on PRTRs. It has also agreed upon a structured outline for a

guidance document to guide implementation of the Protocol and requested that a first draft of the document should be ready in time for its next meeting in April 2005.

29. The Working Group on Genetically Modified Organisms (GMO) has continued to explore, select and develop options for a legally binding approach to further developing the application of the Convention to GMOs. While several such options have been put forward, no agreement has been reached on the extent to which the Convention's provisions on public participation should apply to decision-making on certain activities involving GMOs.
30. The Task Force on Access to Justice has continued to examine good practices. It has focused on assessing the needs of various stakeholders as well as the impact that costs and delays in access to justice can have on its effectiveness.
31. The Task Force on Electronic Information Tools has provided a forum for exchanging information on good practices and for providing feedback on the development of the Aarhus clearing house, which was launched in July 2004. The clearing house serves to collect, disseminate and exchange information on laws and practices relevant to the rights provided by the Convention. The Task Force has also prepared draft recommendations on the more effective use of electronic tools to provide public access to environmental information.
32. The Working Group of the Parties established an ad hoc expert group on public participation in international forums. The expert group was mandated to consider the scope, format and content as well as the appropriate process for developing possible guidelines on promoting 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 Expert Group is expected to complete its work by November 2004 and the results will be submitted to the Working Group of the Parties for consideration in February 2005.
33. The Convention's Compliance Committee has continued to address the procedural aspects of its own work, including development of a modus operandi, and since the first half of 2004 has begun to receive and deal with communications from the public as well as a submission by a Party about another Party's compliance.
34. Strengthening implementation and enforcement capacities in some of the countries in transition remains one of the major challenges, both for the Convention and for its Protocol on PRTRs. Problems include inadequate legislative frameworks, institutional gaps, cultural tendencies and lack of technical capacity. A joint project by UNECE and the United Nations Institute for Training and Research (UNITAR) to develop national profiles on the Convention is in its pilot phase.