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**ECONOMIC COMMISSION FOR EUROPE
COMMITTEE ON ENVIRONMENTAL POLICY**

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 to the Convention
(Third meeting, 1-3 November 2004)

REPORT OF THE THIRD MEETING¹

1. The third meeting of the Working Group of the Parties to the Convention was held in Geneva on 1-3 November 2004.
2. The meeting was attended by representatives from the Governments of Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Denmark, Finland, France, Georgia, Germany, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Netherlands, Norway, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia and Montenegro, Spain, Sweden, Tajikistan, United Kingdom, United States of America and Uzbekistan. The Commission of the European Communities was also represented.
3. Representatives from the United Nations Environment Programme (UNEP), UNEP/GRID-Arendal and the United Nations Institute for Training and Research (UNITAR) attended the meeting.
4. The Regional Environmental Center for Central and Eastern Europe (REC), the Regional Environmental Centre for Central Asia and the Regional Environmental Centre for Moldova (REC-Moldova) were also represented.
5. The following non-governmental organizations were present: Earthjustice, European ECO Forum and GLOBE Europe.

¹ This document has not been formally edited.

6. Mr. Marc Pallemmaerts (Belgium), Chairman of the Working Group, opened the meeting.

7. Mr. Kaj Bärlund, Director of the UNECE Environment and Human Settlements Division, welcomed the participants. He thanked the government of Kazakhstan for its willingness to host the second ordinary meeting of the Parties, an important event that would provide an opportunity to review how the Convention was being implemented in practice and how the institutions and mechanisms set up at the first meeting of the Parties had functioned. He referred to the important tasks the Working Group of the Parties was facing in the context of preparations for the meeting, in particular with regard to the preparation of national implementation reports, new developments on specific substantive issues and capacity-building activities. Finally, Mr Bärlund encouraged all Signatories and other States not yet Party to the Convention to consider whether they would be in a position to ratify or accede to the Convention before the Almaty conference.

I. ADOPTION OF THE AGENDA

8. The Working Group adopted the agenda for the meeting as set out in document MP.PP/WG.1/2004/8, with the addition of three new items under 'Any other business', namely the follow-up to UNEP Governing Council's decision on enhancing the application of principle 10 of the Rio Declaration on Environment and Development (GC 22/17 II B), the issue of the logo of the Convention and a discussion on the possibility of preparing a draft decision for adoption at the second meeting of the Parties that would provide encouragement to non-member States of UNECE to accede to the Convention.

II. STATUS OF RATIFICATION OF THE CONVENTION AND THE PROTOCOL ON POLLUTANT RELEASE AND TRANSFER REGISTERS (PRTR)

9. The secretariat drew the attention of delegations to an informal paper it had prepared giving an overview of the current status of ratification of the Convention and the Protocol on Pollutant Release and Transfer Registers (PRTRs). The Chairman invited delegations to report on any recent developments on this subject in their countries and to indicate whether they expected their country to be a Party to the Convention by the time of the second meeting of the Parties, which would require the instrument of ratification, acceptance, approval or accession to be deposited 90 days or more before the meeting.

10. The representatives from Austria, Netherlands, Sweden and the United Kingdom reported on the progress in their respective States' preparations for the ratification of the Convention. They all expressed the hope that the ratification instruments would be deposited in time for them to be Parties at the second ordinary meeting of the Parties. The representative of Uzbekistan expressed regret that his Government would not be able to become Party to the Convention before the forthcoming meeting of the Parties, mostly due to the process of restructuring the government. Netherlands, on behalf of the European Union, reported on the progress in the consideration of proposals for a regulation on the application of the Convention's provisions to the European Community's institutions and bodies and a Council decision on the conclusion of the Convention by the European Community, the adoption of which might create conditions for the ratification of the Convention before the second ordinary meeting of the Parties. The representatives of the European Commission and Finland reported on their progress in the preparation for the ratification of the Protocol on PRTR.

III. PREPARATIONS FOR THE SECOND ORDINARY MEETING OF THE PARTIES

(a) Organizational matters

11. Mr. Zhambyl Bekhzhanov, Deputy Minister of Environmental Protection of Kazakhstan, informed the Working Group about the national preparatory process for the organization of the second meeting of the Parties. To ensure an efficient preparatory process, a working group had been set up within the Ministry of Environmental Protection and an interdepartmental body that embraced all key ministries, including Ministries of Internal and Foreign Affairs and the customs services, had been established. He confirmed Kazakhstan's willingness to meet the necessary financial obligations in accordance with the agreement between the host country and the United Nations concerning the hosting of the meeting. The venue for the meeting and hotels for delegates' accommodation had been chosen and the practical arrangements were under way. Representatives of the secretariat had recently visited Almaty to inspect the venue and discuss the preparations, and he thanked the secretariat for its support and assistance.

12. The secretariat expressed its appreciation for the efficient cooperation and warm welcome that it received from the host country during its mission to Almaty (6-10 October 2004) in relation to the preparation for the meeting. It also informed the Working Group about the registration procedure and urged delegations to start the necessary arrangements in order to obtain credentials in due time in accordance with rule 16 of the rules of procedure.

13. The Working Group noted with satisfaction the progress made in the preparatory process and expressed its appreciation to the host country for its efforts. It requested the secretariat and the host country to jointly explore the possibilities for organizing side events during the meeting of the Parties, to be held during lunch hours or at other times not coinciding with the plenary.

14. The Working Group discussed the date for its fifth meeting and provisionally agreed to hold it in Almaty on 23 May 2005. It noted furthermore that additional time might be needed and requested the secretariat and host country to explore the logistical possibilities for starting the meeting on 22 May 2005. It entrusted the Bureau in consultation with the secretariat to take a final decision on the matter.

(b) Draft agenda and list of documentation

15. The Chairman introduced the draft provisional agenda of the second meeting of the Parties (MP.PP/WG.1/2004/10) that had been prepared by the Bureau with the assistance of the secretariat. Delegates welcomed the draft agenda and provided a number of comments on the document. It was agreed that more time should be allocated for the agenda item on the compliance mechanism (Item 6 b) and on synergies between the Aarhus Convention and other relevant multilateral environmental agreements (Item 8). It was suggested that the explanatory notes for the agenda could be shortened in some places.

16. The Working Group agreed that global and regional developments related to principle 10 of the Rio Declaration on Environment and Development was an important subject and should be addressed prior to the high-level segment as well as during it. UNEP informed the Working Group that the issue, including the possible development of global guidelines on the application of principle 10 of the Rio Declaration on Environment and Development, would be discussed by its Governing Council in February 2005.

17. The Working Group expressed its support for the idea of developing global guidelines, which could establish, in a non-binding manner, a set of minimum standards that could then provide a basis for the development of regional instruments of a binding or non-binding nature. Furthermore, it considered that a discussion during the second meeting of the Parties might provide an appropriate opportunity for the UNECE region to provide regional input to the global process envisaged in this initiative. To this end, it was agreed to amend agenda item 8 as follows: “Synergies between the Aarhus Convention and other relevant multilateral environmental agreements, as well as work on issues related to principle 10 of the Rio Declaration on Environment and Development in global and other regional forums”.

18. It was agreed that an information paper providing an overview of developments on this topic would be useful, but that before deciding on whether to develop such a paper specifically for the Meeting of the Parties, it would be important to see what documentation would come out of the UNEP process. In this respect, UNEP was invited to provide the UNECE secretariat with the relevant documents for their further circulation to the national focal points. The Chair also invited delegates to bring to Almaty documents relevant to this subject, preferably in the three official languages of the UNECE.

(c) High-level segment.

19. The Working Group endorsed the themes and the format for the high-level segment and provided a number of comments on the proposed text of the explanatory notes. Delegates agreed that the explanatory notes for panel 1 should give more emphasis to the countries of Eastern Europe, Caucasus and Central Asia. Concerning panel 2, it was suggested that the issue of binding versus non-binding approaches to promoting environmental democracy should receive priority among the proposed subjects for discussion. It was also proposed that this panel could address the Access Initiative. It was suggested that a representative from the judiciary should be invited to participate in Panel 1 and a high-level representative from the secretariat of one of the multilateral environment agreements outside the ECE region should be invited to participate in Panel 2. The Bureau was given a mandate to decide on the composition of the panels.

(d) Almaty Declaration

20. The Working Group decided that the ‘Almaty Declaration’ should have a similar format to the Lucca Declaration and that its first draft should be prepared by the Bureau in time for submission in the official languages to the fourth meeting of the Working Group. Parties were invited to submit any proposals on the text of declaration to the Bureau, through the secretariat, by 10 November 2004.

21. The Working Group asked the Bureau and the secretariat to prepare a revised version of the draft agenda that would take into account the comments made during the meeting.

IV. POLLUTANT RELEASE AND TRANSFER REGISTERS

22. The secretariat reported that work had proceeded on preparation of a draft guidance document to support implementation of the Protocol on Pollutant Release and Transfer Registers. The European Commission had earmarked part of its contribution to the Convention’s Trust Fund to support the development of the guidance document. It was expected that a contractor to draft the document would soon be selected and that the draft guidance document would be prepared, translated and circulated in time for consideration by the Working Group on PRTR at

its second meeting, scheduled for 13-15 April 2005. In addition to soliciting comments on the draft PRTR guidance document from experts on the PRTR Working Group itself, UNECE had proposed to solicit the comments of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) PRTR Coordinating Group, using the PRTR 'Virtual Classroom' as an electronic forum for this purpose.

23. The Working Group took note of the progress report of the secretariat and expressed its appreciation of the efforts being made.

V. GENETICALLY MODIFIED ORGANISMS

24. The secretariat reported on the outcome of the last meeting of the Working Group on Genetically Modified Organisms (GMOs) that had taken place on 18-20 October 2004. After considerable discussion the Working Group had agreed to forward four legally binding options for consideration by the Working Group of the Parties, each supported by many delegations but none commanding general support. The four options were to be annexed to the written report of the meeting of the Working Group on GMOs, which would be made available in due time for the Working Group of the Parties to give them detailed consideration at its fourth meeting. The Working Group on GMOs had also prepared a draft decision of the Meeting of the Parties on genetically modified organisms on the basis of a draft prepared by the secretariat and had agreed to transmit it for further consideration to the Working Group of the Parties, with the operative paragraphs placed in square brackets. Finally, taking into account the Parties' resolution to keep under review the implementation of the Guidelines on access to information, public participation in decision-making and access to justice with respect to genetically modified organisms, the Working Group on GMOs had agreed on a procedure to provide input into the preparation by the secretariat of such a review. The secretariat had been requested to develop and circulate a questionnaire on the experience gained with the implementation of the Guidelines to which delegations should respond by 15 January 2005.

25. The Chairman noted the outcomes of the Working Group on GMOs but expressed concern at the slow rate of progress that had been made in that forum. Many delegations considered that the discussion in the Working Group on GMOs had been difficult and yet to some extent constructive. Some delegations also felt that the exchange of views on problems and needs that had taken place during the meeting in October reflected some progress. Others expressed concern with regard to the future process required to fulfill the mandate given by the Meeting of the Parties. The delegation of the Netherlands, speaking on behalf of the European Union, confirmed that all the options currently on the table would be taken into account in the EU consultative process. The European ECO Forum expressed deep disappointment with the limited results that the GMO Working Group had been able to reach, which it attributed to lack of political will. It registered its dismay at seeing EU legislation and the Cartagena Protocol being used to block developments under the Convention.

26. The Working Group acknowledged that it would be necessary to devote considerable time to the GMO issue at its fourth meeting in order to fulfill the mandate given by the Meeting of the Parties. There was no option of referring any work to any other bodies outside the Working Group of the Parties. The discussions on the issue would start on the first day of the meeting and it was hoped that the four working days allocated would enable the Working Group to make substantial progress. Some issues might need to be referred to an informal drafting group, to be held in parallel with and within the timeframe of the meeting of the Working Group, and

delegations were invited to take note of this possibility when deciding upon the composition of their delegations.

VI. ACCESS TO JUSTICE

27. The Chairman, in his capacity as Chairman of the Task Force on Access to Justice, introduced the outcomes of the third meeting of the Task Force and in particular the draft decision on Access to Justice, indicating parts of the text on which no agreement had been reached within the Task Force.

28. The meeting welcomed the work of the Task Force and its outcomes in general. Several delegations noted that because the advanced unedited copy of the draft decision had only been made available recently and in one language only, they had not had sufficient time to consult with relevant parties on the national level. Most of the delegations that had made general scrutiny reservations on parts of the text indicated that they were not in a position to lift those reservations at this meeting and that they would come back to them at the fourth meeting of the Working Group.

29. Some delegations felt that the Task Force had fulfilled its mandate and that there was no immediate need to extend the mandate beyond the second Meeting of the Parties. The majority supported the concept of further work, although many did not as yet have clear positions as to the form it might take. Some delegations felt that no specific body needed to be established to undertake the work, whereas others felt that without a specifically mandated body, momentum would be lost. Of the latter, some delegations expressed the wish to extend the mandate of the Task Force, whereas others considered that a working group on access to justice would be a more appropriate forum. Some also noted that the importance of access to justice for effective implementation of the provisions of other Conventions required continuation of the work within an international forum in order to both keep it under attention of the Convention's governing bodies and to facilitate domestic activities in some countries.

30. With regard to the scope of any future work, there was general support for practically oriented work with some emphasis being made on the need for exchange of information on good practices and for training. Several proposals were made to focus future work on overcoming barriers in access to justice identified in the work of the current Task Force. Several delegations felt that in order to discuss the form of the future work, more clarity was needed as to the areas such work might focus on. It was also pointed out that the draft decision, while indicating some possible methods of future work, did not preclude other ones.

31. Most of the delegations also supported the idea of involving representatives of ministries of justice, the judiciary and legal professionals. Many, however, felt that such involvement need not be institutionalized, for example in a form of a joint forum. The possibility of establishing a joint forum with involvement of relevant international bodies, such as the Council of Europe's European Committee on Legal Cooperation, was mentioned.

32. The discussion in the Working Group focused mainly on chapter V of the draft recommendations. In the course of the discussion, four alternative options for chapter V outlining different possibilities for further work to support the implementation of article 9, paragraphs 3, 4 and 5, of the Convention were proposed and considered.

33. The Working Group decided to conclude consideration of the draft decision, including the alternative options for chapter V, at its fourth meeting, in advance of which both texts (the draft decision as prepared by the Task Force and the alternative options for chapter V of the recommendations put forward in the Working Group) should be made available in the three official languages. Delegations were invited to note that there might be a need for an informal parallel session on access to justice, if possible just for one or two days of the meeting, and to plan the composition of their delegations accordingly.

VII. ELECTRONIC INFORMATION TOOLS

34. The Chairperson of the Task Force on Electronic Information Tools, Ms Svetlana Zhekova (Bulgaria), presented the outcome of the work of the Task Force on Electronic Information Tools. At its third meeting, following extensive and detailed discussions, the Task Force had agreed on a draft text of recommendations, without any square brackets. It had also agreed on a proposal to extend the mandate of the Task Force beyond the second meeting of the Parties, with some adjustments. Following a decision of the Bureau, both the draft recommendations and the proposal for a new mandate for the Task Force had been put within the framework of a draft decision (MP.PP/WG.1/2004/12/Add.1). The Task Force meeting had also provided the occasion for the launch of the Convention's clearing-house mechanism as a forum for exchange of information on best practices in use of electronic tools and capacity building activities.

35. The Working Group proceeded to discuss the draft decision, including the proposed elements of future work in its paragraph 2, and various amendments were proposed. Some delegations, while expressing general support for the recommendations contained in the annex of the draft decision, felt that elements of the proposed future work could better be dealt with under the programme of work of the Convention and that renewal of the mandate of the Task Force might therefore be unnecessary or premature. Others felt that without a mandated body such as a task force, the work would lose momentum and the aspirations of the Meeting of the Parties in this area would not be realized. It was agreed to insert language in the chapeau of paragraph 2 in square brackets reflecting both options for the conduct of the various elements of work referred to in the subparagraphs.

36. The Working Group convened an ad hoc drafting group to discuss points raised with respect to paragraph 2 of the draft decision and paragraph 18 of the annex. The drafting group reported that it was unable to agree on revision of the text of paragraph 2 but offered suggestions for possible ways forward. In particular, it foresaw a need for interlinkage with the clearing-house mechanism, and further suggested a need to explore the possibility of merging (c) and (d) or making a link between them, at the same time looking into the reference to 'monitoring' in (d). It was also felt that (e) and (f) could be tasks undertaken by the secretariat within the context of the work programme, as interlinkages with other international processes. It suggested amendment of the title of the draft decision to reflect the decision's coverage of the clearing-house mechanism, a suggestion which was accepted by the Working Group.

37. Bulgaria proposed an additional paragraph on developing capacity for public officials, and development of guidance materials and provision of training to public officials in support of the clearing-house mechanism. It was agreed to insert the proposed text in square brackets to serve as a placeholder for any additional language on the clearing-house mechanism and to return to the bracketed sections of the draft decision at the next Working Group meeting, while noting that consensus had been reached on the unbracketed provisions of the draft decision and recommendations.

38. The Working Group thanked the Task Force for its excellent work and thanked the drafting group for its efforts. It agreed to make a number of amendments to the draft decision and to place some of the text in square brackets for further consideration at its fourth meeting, where it would aim to conclude its preparation of the draft decision.

VIII. CLEARING-HOUSE MECHANISM

39. The secretariat presented information on the clearing-house mechanism, consisting of the central node managed by the secretariat and national nodes managed by Parties and Signatories to the Convention. The *Aarhus Clearinghouse for Environmental Democracy* had been formally launched at the third meeting of the Task Force on Electronic Tools, 1-2 July 2004 (<http://aarhusclearinghouse.unece.org>). In its first four months of operation, the Clearinghouse had attracted 3,350 visitors; nearly 2 million pages of information had been viewed. Entries to the Resource Directory had grown in number to 433 since the launch and 11 national nodes had so far been included in the Clearinghouse's Resource Directory. The secretariat presented a list of next steps in the development of the clearing-house mechanism, including development of a content management guide for national node managers, and 'Help' page for users. The secretariat highlighted the need for capacity building for national nodes and further outreach to information resource providers.

40. The Working Group welcomed the progress in developing the clearing-house mechanism and decided to include some provisions on it in the draft decision on electronic information tools. It urged countries to designate national nodes and support the work of the clearinghouse to ensure that this vital information exchange tool was kept alive. Training needs for national nodes would need to be identified and addressed.

IX. CAPACITY-BUILDING ACTIVITIES

41. The secretariat reported on the developments with the capacity building framework. A second informal coordination meeting on capacity building was due to be held on 4 November 2004 as a follow-up to a similar initiative organized in September 2003. It aimed at bringing together some of the key international and other regional organizations involved in national and regional capacity building on the Convention and/or the PRTR Protocol. The participants would be invited to

- exchange information on developments in the initiatives and projects undertaken,
- discuss upcoming projects and initiatives as well as possible ways of building synergies and making the most efficient use of resources, and
- coordinate and facilitate input to the second Meeting of the Parties with regard to capacity building work, including the report to be prepared by the secretariat.

42. The secretariat also informed the meeting about relevant capacity building initiatives to promote ratification and implementation of the PRTR Protocol. It reported that the IOMC PRTR Coordinating Group was developing a high-level PRTR web portal. The Analysis of Costs and Benefits of PRTRs (CEP/WG.5/AC.2/2002/4) and its accompanying cost model were being updated by UNECE, with the support of the Economic Analysis Division, using the negotiated parameters of the Protocol. The secretariat had presented information on the Protocol and model at a series of workshops organized by UNEP.

43. The representative of UNITAR informed the meeting about the progress in the project on development of national profiles implemented jointly with UNECE. The project was currently being implemented in Kyrgyzstan and Tajikistan, and Serbia and Montenegro were due to begin project implementation in January 2005. Representatives of Kyrgyzstan and Tajikistan described project implementation on the national level and emphasized the use they expected to make of the information prepared for the profile in preparation of their national implementation reports and future development of action plans on implementation.

44. The UNITAR representative also drew the meeting's attention to the fact that the PRTR 'Virtual Classroom' had now become operational as a tool available to all countries and organizations interested in facilitating or participating in dialogues on relevant issues.

45. The REC informed the meeting about the results of the Europe Aid funded project in six EECCA countries, which included practical user guides, training materials and pilot projects at national and local levels. The materials were available at www.rec.org/aarhusconvention. Other REC projects included capacity building for setting up a PRTR in the Czech Republic and workshops and guidance materials on the implementation of the PRTR Protocol and the relevant EU legislation in Hungary and Slovakia, funded respectively by the Netherlands and Norway. The REC also presented the Russian-language version of the Handbook on Access to Justice prepared with the support of the UK and available on CD.

46. The representatives of Armenia and Belarus highlighted various resources developed on the national and local level within capacity building projects, including public participation procedures developed in a participatory manner and procedures for dissemination of information, resource and training materials.

47. The representative of REC-Moldova informed the meeting about a project on the development of Local Environmental Action Plans where special attention was paid to implementation of the Convention.

48. The delegation of the European ECO Forum underlined the importance of capacity building for civil society organizations in order to enable them to actively participate in implementation of principle 10 issues. In particular, they called on the relevant parties to facilitate capacity building of the NGOs, in particular in initiatives related to PRTR protocol implementation and public participation in development of national biosafety mechanisms.

49. The meeting took note of the information received.

X. COMPLIANCE MECHANISM

50. The secretariat reported on the activities of the Compliance Committee, in particular the outcome of its fourth and fifth meetings (13-14 May 2004, MP.PP/C.1/2004/4, and 23-24 September 2004, MP.PP/C.1/2004/6). There were at the moment 10 communications from the public and one submission by a Party regarding compliance by another Party. The Committee was expected to review the subject matter of the first five communications and at least some aspects of the submission at its sixth meeting which would take place on 15-17 December 2004 in Geneva.

51. The secretariat also informed the meeting about the process envisaged for the preparation of the Committee's report to the Meeting of the Parties, in accordance with paragraph 35 of

decision I/7. The Committee would focus on this report at its seventh meeting, to be held on 16-18 February 2005. The report would include the Committee's findings, conclusions and/or recommendations to the Meeting of the Parties, if any, and was also expected to address some general matters.

52. In order for the Meeting of the Parties to be in a position to act on any recommendations or proposals that might be put forward by the Compliance Committee, the Working Group decided to give the Bureau a mandate to prepare, in consultation with the secretariat and the Chairman of the Compliance Committee, a draft decision or decisions on compliance for possible adoption by the Meeting of the Parties. The Bureau members were invited to consult on the matter with their respective constituencies. The draft decision(s) would be prepared taking into account the Committee's report and would be put forward for discussion at the fifth meeting of the Working Group of the Parties.

53. Many delegations expressed their support with regard to the general direction of the Committee's work. A question was raised with regard to some of the procedures set out in paragraph 49 of the report of the Committee's fifth meeting (MP.PP/C.1/2004/6). The view was put forward that the individual members of the Committee should refer any requests for information made to them personally for consideration by the whole Committee and that the liberty of Committee members to deal with such requests should be subject to the provisions of decision I/7 related to confidentiality. The secretariat provided clarification that the paragraph in question was related to requests for information which could in any case be handled by the secretariat without any need for involvement of the full Committee, and that the handling of information requests, whether by the secretariat or by a member of the Committee, would in all cases be subject to the confidentiality provisions set out in decision I/7.

54. The secretariat provided also clarification with regard to the relationship between the procedure of information gathering and any meetings that the secretariat or members of the Committee might incidentally have with a communicant or a Party concerned, discussed in paragraph 50 of the same report. The provision was developed in response to the actual situation. It considered situations when either a Committee's member or a member of the secretariat interacted with either Parties concerned or communicants in a context of other meetings unrelated to the review of compliance. The provision aimed at ensuring that such meetings were not in any way to be confused with information gathering, as regulated by decision I/7, and that any relevant information which was intended to be drawn to the attention of the Committee be submitted to the Committee in an official way.

55. The Meeting requested the secretariat to bring this discussion to the attention of the Committee.

56. Some delegations raised a question concerning the status of the Committee's *modus operandi*, and whether this would be addressed by the Meeting of the Parties. The secretariat responded by pointing out that the Committee had necessarily had to be innovative and develop its own *modus operandi* in a flexible way, taking into account its accumulating experience. The Committee had previously taken on board suggestions from the Working Group and it was the secretariat's understanding that the Committee would continue to welcome comments and suggestions from the Working Group and was also expecting the Meeting of the Parties to express its views on the way in which the Committee had been working and on the accumulated body of procedures which it had established, as reflected in its successive reports.

57. The secretariat also drew the attention of Parties, Signatories and environmental NGOs that four of the Committee members were due to stand down at the upcoming Meeting of the Parties. The incoming members should be nominated in accordance with the procedure set in paragraph 5 of decision I/7. The outgoing members were not constrained from standing for re-election for the next term.

XI. REPORTING REQUIREMENTS

58. The secretariat reported on the preparations undertaken by the secretariat to facilitate the first reporting cycle under decision I/8, in particular a memorandum sent to the national focal points outlining a procedure for submission of national reports. It informed the Working Group of a possibility to have the national reports submitted by Parties translated and made available at the second meeting of the Parties in the three official languages. Delegations were informed that, in order to be presented as official documents, national reports would need to be limited in length to 8,500 words, in accordance with the rules applying to all United Nations official documents. The secretariat also informed the Working Group about an online reporting facility, which was developed to facilitate the submission of final versions of national implementation reports.

59. Belgium, referring to its federal structure, informed the meeting that each federal unit was preparing its own report and stated that it would be difficult to prepare only one official report, particularly in the light of the proposed word limit. The secretariat pointed out that each Party was required under decision I/8, paragraph 1, to submit a single report but undertook to look into the question further.

60. The Working Group agreed to take note of the issues raised and to address them, as well as other issues arising from the process of preparation of national implementation reports, at its next meeting. It also agreed to consider, at that meeting, in the light of the experience from the first reporting cycle, whether any changes in the reporting mechanism should be proposed for consideration by the Parties at their second meeting.

XII. PUBLIC PARTICIPATION IN INTERNATIONAL FORUMS

61. The Chairman of the Ad Hoc Expert Group on Public Participation in International Forums, Mr. Attila Tanzi (Italy), reported on the progress made in developing possible guidelines on public participation in international forums. He informed delegates about the outcome of the first meeting of the Expert Group that took place on 3-4 June 2004 and presented the report of that meeting (MP.PP/WG.1/2004/13). The expert group was composed of academics and experts designated by governments, international, intergovernmental and regional organisations, including MEA secretariats, and NGOs. He underlined that the Expert Group had reached agreement on key issues in relation to the scope, format and content of possible guidelines. Interim results of the work of the expert group had been reviewed by the Bureau of the Meeting of the Parties to the Convention at its meeting in July 2004, which had decided to convene a second meeting of the expert group with a view to having a draft of guidelines ready for adoption at the second meeting of the Parties to the Convention. Pursuant to the decision of the Bureau, the second meeting of the Expert Group would take place on 8-10 November 2004 in Geneva.

62. Many delegations asked to ensure that the provisions of the document would be flexible and that its non-binding status would be duly reflected in the text. The Working Group took note of the presentation by the Chairman of the Expert Group and expressed its appreciation of the

significant progress made. It also requested the Expert Group to take into account the comments made.

XIII. PUBLIC PARTICIPATION IN STRATEGIC DECISION-MAKING

63. The Chairman reported on recent developments in this area following the invitation sent upon the request of the Working Group of the Parties at its second meeting to the relevant bodies of the Espoo Convention and the Protocol on Strategic Environmental Assessment (SEA) to explore possibilities to organize a joint workshop. The Chairpersons of the Meeting of the Parties to the Espoo Convention and the Meeting of the Signatories to the Protocol on SEA had responded by generally welcoming the proposal and expressing interest in receiving more detailed information about the objective, approach and nature of the joint workshop.

64. The Working Group of the Parties took note with satisfaction of the positive response of the relevant bodies of the Espoo Convention and Protocol on SEA and confirmed its willingness to co-operate in the preparation of the joint workshop. It proposed to hold the workshop in 2006. In terms of its content, the Working Group agreed that the workshop should be practically focused and proposed to start the preparation of the programme by identifying not only the areas of overlap between the relevant articles of the Convention and the Protocol on SEA, but also areas that were not covered by the Protocol but would fall under articles 7 and 8 of the Convention. The Working Group requested the secretariat to meet with the secretariat of the Espoo Convention and, on the basis of this input, prepare a programme for the workshop as well as a tentative list of invitees.

65. The Working Group agreed that, in order to implement this project, there was a need to secure funding. It requested the secretariat to try to find, in co-operation with the secretariat of the Espoo Convention, a country with a strong interest in both conventions that would be willing to host this event. It was suggested that, in order to make this effort cost-effective, it should be an expert workshop, possibly organized in conjunction with other meetings involving experts and practitioners in the area of strategic environmental decision-making.

66. The European ECO Forum expressed the view that further work on public participation in strategic decision-making should be focused on both articles 7 and 8, which would go beyond the cooperation with the Espoo Convention and lead to a new initiative in the form of a task force or a working group.

XIV. WORK PROGRAMME FOR 2006-2008

67. The secretariat presented a draft decision on the work programme for 2006-2008 (MP.PP/WG.1/2004/15). The draft did not include financial information on the envisaged costs of the implementation of the work programme as it had been felt appropriate to await a decision by the Working Group of the Parties on the specific areas of activity to be covered by the work programme. This information would be included in a revised draft to be presented at the next meeting of the Working Group.

68. There was general agreement in the Working Group that activities related to implementation and compliance should be the most prominent areas of activity in the work programme. The Working Group also agreed that the need to popularize the Convention should be addressed under activity IX (awareness raising and promotion of the Convention and the Protocol on

PRTR). It was suggested that a reference to monitoring the implementation of any guidelines on public participation in international forums should be included under activity X (interlinkages with relevant international bodies and processes). The Working Group agreed to return to this point at its next meeting, when it expected to consider the draft guidelines.

69. In order to be able to further consider the draft decision on the work programme, the Working Group requested the secretariat to prepare, for the next meeting of the Working Group, an overview of contributions and expenditures for 2004, which would also include some explanatory text relating the figures to the implementation of the work programme for 2003-2005. The Working Group agreed to discuss priorities for the work programme for 2006-2008 at its fourth meeting on the basis of a new draft that would include information on the financial requirements for the implementation of each proposed activity. Prioritization by the Meeting of the Parties could be reflected both through the extent to which the costs associated with particular proposed activities were considered to be 'core' requirements as well as through the inclusion of text in the draft decision or in the report of the meeting, as in the report of the first meeting of the Parties. Some delegations requested the secretariat to provide more detailed figures on the breakdown of the estimated costs for each area of activity in the work programme. These figures should not be included in the draft work programme but should be available to the Working Group as background information. It was also agreed that the Working Group would consider at its next meeting whether to make any proposals for changes in the procedure for the preparation, adoption and monitoring of work programme set out in decision I/11.

XV. LONG-TERM STRATEGIC PLAN FOR THE CONVENTION

70. The secretariat presented a background document on long-term strategic planning for the Convention, which provided an analysis of the possible scope and format of a strategic plan for the Convention for a five- to ten-year period.

71. The Working Group welcomed this initiative but raised a number of points for further consideration, including the issues of the most appropriate time frame and the necessary level of detail contained in a strategic plan and work programmes prepared during the period covered by the plan. It requested the Bureau, in consultation with the secretariat, to consider the next steps on this topic and to prepare a new document for consideration at the fourth meeting of the Working Group. It acknowledged that one possible conclusion of the Bureau might be that it would not be possible to adopt a meaningful strategic plan in Almaty, and that the Parties would instead establish a procedure, involving broad consultation, for preparing a strategic plan for consideration and possible adoption at the third ordinary meeting of the Parties.

XVI. FINANCIAL ARRANGEMENTS

72. Mr. Olivier Martin (France), Chairman of the Task Force on Financial Arrangements, presented a draft decision on financial arrangements, prepared on the basis of conclusions reached at the first meeting of the Task Force and subsequent electronic consultation with Task Force members. The draft decision reflected the general agreement that the shares system would be the best option for the time being, providing that certain elements were introduced to increase its stability and predictability as well as to ensure a more equitable system of financial arrangements by facilitating participation of a larger number of States.

73. During the subsequent discussion of the draft decision, a number of amendments were proposed, all relating to the issue of the further work to be undertaken by the Task Force. The Working Group discussed whether substantive changes to the text of draft decisions prepared by task forces and other working groups should be made by the Working Group. The view was expressed by many delegations that it was the proper function of the Working Group to oversee the work of the Convention as a whole and that it was fully within its mandate to discuss substantive issues. On the other hand, some delegations expressed reservations about the practice of reopening substantive discussions within the Working Group on technical issues that had been considered in detail by task forces.

74. The Working Group agreed upon the following amendments to paragraph 6 of the draft decision:

- (a) In subparagraph (a), delete all the words after “shares”;
- (b) Insert new subparagraph after subparagraph (a) to read as follows:

“Consider other measures to increase the stability and predictability of the financial arrangements in the intersessional period;”;

- (c) Amend subparagraph (b) to read as follows:

“Based on the results of the monitoring referred to in subparagraph (a), explore and develop as appropriate one or several options for establishing stable and predictable financial arrangements based on the United Nations scale of assessments or other appropriate scales;”;

and renumber the subparagraphs accordingly.

75. With these amendments, the Working Group agreed to forward the draft decision for consideration by the Meeting of the Parties. The relevant financial information would be inserted in paragraph 2, following agreement on the draft decision on the work programme for 2006-2008.

76. The secretariat presented an informal paper providing an overview of individual contributions received in 2004 for the implementation of the work programme for 2003-2005. The overview indicated that the amount raised was still below the amount needed for the implementation of the work programme adopted by the Parties at their first session. The secretariat also indicated that the burden of contributions was not spread evenly, since a number of Parties that should in principle be able to afford to contribute had not made any contributions so far.

77. The Chairman invited delegations from countries to comment and, where possible, to indicate the number of ‘shares’ that they intended to contribute for the year 2005. The following information was given by delegations regarding their intentions:

Country or delegation	Shares (1 share = US\$ 20,000)
Armenia	General intention to make a contribution for 2005.
Austria	At present not in a position to give concrete information about budget for 2005.
Azerbaijan	General intention to make a contribution for 2005.

Country or delegation	Shares (1 share = US\$ 20,000)
Belarus	No specific information possible at this stage, but general intention to contribute for 2005.
Belgium	No specific information possible at this stage.
Denmark	No specific information at this stage but expect next pledge to be made in 2005.
Finland	½ share for the year 2005, subject to budgetary approval.
France	Approximately 3 shares for the year 2005, subject to budgetary approval.
Germany	3 shares for the year 2005, subject to approval by Parliament.
Ireland	At present not in a position to contribute due to possible constitutional difficulties of contributing to an international convention to which Ireland is not yet Party.
Italy	Not in a position to specify a precise figure at this time, especially since the Ministry of Environment's budget was cut; but there is a general willingness to contribute.
Latvia	General intention to contribute for 2005.
Netherlands	General willingness to contribute, subject to submission of specific request and approval thereof.
Norway	Intention to contribute 1 share for the year 2005, subject to budgetary approval.
Portugal	General intention to make a contribution for 2005.
Republic of Moldova	General intention to make a contribution for 2005.
Spain	Intention to contribute 1 share for 2005.
Sweden	1 share for the year 2005, subject to budgetary approval.
Tajikistan	General intention to make a contribution for 2005.
United Kingdom	General intention to make a contribution for 2005.
Uzbekistan	General intention to make a contribution for 2005.
European Commission	Considering the possibility to maintain the 2004 level of contribution for 2005 (100,000 EUR).

78. The Working Group requested the secretariat to send a letter to all Parties and Signatories calling their attention to the financial situation and reiterating the invitation contained in decision I/13 of the Meeting of the Parties for all governments in a position to do so to contribute financially to the implementation of the agreed work programme in 2005.

XVII. ANY OTHER BUSINESS

A. Development of a Convention Logo

79. The Chairman informed the Working Group of the latest developments in the efforts to establish a logo for the Convention. The United Nations Office of Legal Affairs had maintained its position that the Aarhus Convention bodies were not allowed to use any distinctive parts of the UN logo (e.g. olive branches) in the Convention logo. The Working Group of the Parties took note of these developments and requested the secretariat to continue to work on redesigning the logo without the olive branches. It also decided to keep this matter under review at its subsequent meetings.

B. Decision on Accession of non-UNECE Member States to the Convention

80. The Chairman introduced a document prepared by the Bureau containing elements for a draft decision to be prepared for possible adoption at the second meeting of the Parties encouraging accession of non-UNECE Member States to the Convention. The Working Group expressed interest in the Bureau's proposal and requested that the text be prepared as an official document in time for discussion at its next meeting.

XVIII. ADOPTION OF REPORT AND CLOSURE OF MEETING

81. The Working Group adopted its report based on a draft and entrusted its Chairman and the secretariat with finalizing the text on the understanding that the French- and Russian-speaking delegates would reserve their positions until the report was available in French and Russian as well. The Chairman thanked the delegations for their contributions to the discussions and the secretariat for its efficient assistance in the meeting. Finally, he thanked the interpreters and closed the meeting.