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COMMITTEE ON ENVIRONMENTAL POLICY

REPORT ON THE EIGHTH SESSION

Summary

The Committee on Environmental Policy reviewed progress in the implementation of its programme of work. It considered the outcome of the Regional Preparatory Meeting for the World Summit on Sustainable Development. In this connection, it requested that a comprehensive analysis highlighting the challenges and emerging orientations of environmental policies in the region be prepared as guidance for its future work. The Committee reviewed the environmental performance of Estonia, Romania and Uzbekistan, and discussed some broader policy issues resulting from these reviews. It also adopted new terms of reference for the Expert Group on Environmental Performance. The Committee expressed interest in further supporting the UNECE multilateral environmental agreements and requested the question of interlinkages to be included as a regular item on the agenda of its meetings. The Committee also welcomed the entry into force of the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters and the decision of the governing bodies of the UNECE Conventions on the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents to launch an intergovernmental negotiation process to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities. The Committee discussed its possible substantive input to the fifth Ministerial Conference "Environment for Europe". It also discussed its cross-sectoral activities, in particular the latest key developments within the "transport, environment and health" and the "transport and the environment" processes.

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Introduction

1. The eighth session of the Committee on Environmental Policy took place in Geneva from 25 to 27 September 2001. Mr. Hugo von Meijenfeldt (Netherlands) chaired the meeting.
2. It was attended by delegates from 37 ECE member countries: Armenia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Israel, Italy, Latvia, Lithuania, Monaco, Netherlands, Norway, Poland, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States of America, Uzbekistan and Yugoslavia.
3. The session was attended by representatives of the European Commission.
4. Representatives of the United Nations Environment Programme (UNEP), the World Health Organization's Regional Office for Europe (WHO/EURO) and the World Bank also took part.
5. The following non-governmental organizations (NGOs) were represented: European ECOFORUM, International Council of Environmental Law (ICEL) and Regional Environmental Center for Central and Eastern Europe (REC).

I. ADOPTION OF THE AGENDA

6. The Committee adopted the agenda as contained in document ECE/CEP/79.

II. ADOPTION OF THE REPORT ON THE SEVENTH SESSION AND PROGRESS IN IMPLEMENTING THE PROGRAMME OF WORK

7. The Committee adopted the report on its seventh session, which had taken place in Geneva from 25 to 28 September 2000, as contained in document ECE/CEP/74. It also reviewed the progress in implementing its programme of work based on a report prepared by the secretariat (ECE/CEP/79, annex I).

III. PRESENTATION OF THE ENVIRONMENTAL PERFORMANCE REVIEWS (EPRs) OF ESTONIA, ROMANIA AND UZBEKISTAN AND ADOPTION OF THEIR RECOMMENDATIONS

8. Upon the recommendation of the Ad Hoc Expert Group on Environmental Performance Reviews (EPR Expert Group) and in consultation with the Bureau, the Committee revised the way in which it conducts the environmental performance peer reviews. The new procedure includes the following elements: (a) an expert review of the environmental performance review reports prior to the Committee's session; (b) presentations of the review process by the reviewed countries and of the conclusions of the experts reviewed by the EPR Expert Group; (c) a round-table discussion of key, cross-cutting policy issues common to all reviewed countries (and to UNECE member States generally); and (d) consideration of the EPR reports and adoption of the

recommendations by the Committee.

9. The expert reviews took place on 19-21 September 2001, the week prior to the Committee's session. At the Committee's eighth session, each Environmental Performance Review was presented first by the head of delegation of the reviewed country and then by a rapporteur selected by the EPR Expert Group.

10. In their presentations, the heads of delegation outlined the main environmental issues and constraints facing their countries and emphasized the value of the EPR in helping them to move forward. The rapporteurs from the Expert Group reported on the main conclusions and recommendations that had been discussed in detail with representatives of the reviewed countries. As a result of the expert discussions, some of the recommendations made in the draft environmental performance reviews were modified, and these amendments were also drawn to the Committee's attention. Following the presentations, the Committee held a general discussion on the issues.

11. Subsequent to its peer reviews of Estonia (Second Review), Romania and Uzbekistan, the Committee on Environmental Policy adopted the recommendations in the environmental performance reviews of these three countries, as amended (ECE/CEP/80 Add. 1, 2, and 3).

12. The Committee also accepted the requests of the Government of Georgia and the Government of Yugoslavia for first environmental performance reviews.

IV. ROUND-TABLE DISCUSSION WITH HIGH-LEVEL REPRESENTATIVES OF THE REVIEWED COUNTRIES

13. The Committee hosted a round-table discussion with the heads of delegation from the reviewed countries on four major, cross-cutting issues: the integration of environment in sectoral policies and plans; the use of economic instruments for the environment; the impact of privatization on the environment; and the impact of foreign assistance and international cooperation on environmental management. Members of the Bureau participated as commentators.

14. The Report on major policy issues emerging from the current Environmental Performance Reviews (CEP/2001/4) was available as a basis for the round-table discussion. A summary of the discussion is contained in annex II to the present report.

15. Taking into account the round-table discussion and the peer reviews, the Committee further requested the secretariat to prepare a comprehensive analytical paper based on the environment performance reviews, as possible input to the fifth Ministerial Conference "Environment for Europe".

V. DISCUSSION OF THE REPORT OF THE EPR EXPERT GROUP

16. The Committee reviewed the Report of the Ad Hoc Environmental Performance Expert Group to the UNECE Committee on Environmental Policy (CEP/2001/5). In its report, the Expert Group assessed its work during its first (1997-1999) and second (1999-2001) mandates, made a number of proposals concerning the environmental performance review process, and proposed that the mandate of the Expert Group should be renewed for a third term of two years. The report also contains guidelines for countries for first review, guidelines for countries for second review, and a manual for international experts who assist in the environmental performance reviews.

17. On the basis of the Expert Group's report, the Committee decided that:

(a) There should be a minimum period of three months between a pre-mission and a first review mission and a minimum period of at least four years between a first and a second review;

(b) Prior to a review mission, each international expert should prepare a draft chapter that could serve as the framework for the review and increase the efficiency of the mission;

(c) All environmental performance reviews should be posted on the World Wide Web in order to increase access for everybody, consistent with principle 10 of the Rio Declaration and the Aarhus Convention.

18. The Committee also revised the way in which peer reviews of reviewed countries should be undertaken:

(a) For each country reviewed, a detailed review should be conducted by the EPR Expert Group prior to the Committee's annual session;

(b) The Expert Group should invite experts from other interested countries to participate in these reviews;

(c) The Expert Group should report to the Committee on the discussions and conclusions of the expert review;

(d) Prior to the peer review, the secretariat, with the support of the Expert Group, should prepare a paper that identifies significant policy issues for discussion within the Committee and interaction with the reviewed countries. Issues may be common to all reviewed countries or distinct for each;

(e) The Committee should organize a round-table or panel, including high-level representatives from both the reviewed and reviewing countries, to discuss the significant policy issues identified during the expert review;

(f) The Committee would draw its conclusions based on the round-table and the

results of the expert review, and adopt its recommendations accordingly.

19. The Committee decided that as many first reviews as possible should be carried out before the Fifth Ministerial Conference (Kiev, May 2003), the tenth anniversary of the initiation of the programme by the Ministerial Conference in Lucerne, Switzerland, in 1993.

20. The Committee extended the mandate of the Ad Hoc Expert Group on Environmental Performance for an additional two years and with a membership ranging between eight and twelve persons. Governments interested in nominating a person to serve on the Expert Group were asked to contact the secretariat no later than the end of October with the name, contact information, position and area of expertise of the candidate. The list of candidates would then be forwarded to the Bureau of the Committee, which would elect the members of the EPR Expert Group on behalf of the Committee.

21. The Committee adopted the terms of reference for the Expert Group as contained in annex III below.

VI. MATTERS ARISING FROM THE FIFTY-SIXTH SESSION OF THE COMMISSION OF CONCERN TO THE COMMITTEE

22. The Director of the ECE Environment and Human Settlements Division, Mr. K. Bärlund, highlighted issues of importance to the Committee that had been raised at the last session of the Commission. He drew special attention to the cross-sectoral concerns and, in particular, the cooperation on transport, environment and health, as well as energy and environment. He also referred to the establishment of a Steering Group made up of the Commission's Bureau, the Chairpersons of its Principal Subsidiary Bodies and the Executive Secretary. The Steering Group would discuss and articulate the overall policy and strategic directions of the Commission's work.

23. Mr. Kit Prins, Secretary to the Timber Committee, presented its intersectoral activities and a proposal for joint work to be undertaken with the Committee on Environmental Policy.

24. The Committee:

(a) Invited the UNECE Steering Group to consider the Ministerial Statement of the Regional Preparatory Meeting for the World Summit held on 24-25 September 2001 in Geneva as a way to strengthen inter-sectoral cooperation between the Committee and other UNECE Principal Subsidiary Bodies;

(b) Supported the Timber Committee's request for input and expertise to the study on sustainable forest development and welcomed the willingness of the EU and European ECOFORUM to nominate experts and requested, in particular, countries in transition to do likewise and to inform the secretariat by 30 October 2001.

VII. CONSIDERATION OF THE OUTCOME OF THE REGIONAL PREPARATORY

MEETING FOR THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

25. The Committee expressed its general satisfaction with the Ministerial Statement for the World Summit on Sustainable Development, its global challenges and its priorities for the ECE region. The importance for the Committee to be involved in the follow-up both to cross-sectoral issues and to environmental matters was stressed.

26. Taking also into account its discussions under the agenda items related to the environmental performance reviews, the Committee requested the secretariat to prepare a comprehensive analytical paper based on the policy documentation such as the Ministerial Statement, the environmental performance reviews and the work carried out under the ECE environmental conventions to be considered and further discussed at its ninth session. The analysis should highlight challenges and emerging orientations of environmental policies in the region. The final outcome could provide guidance and serve as reference for the Committee in developing its long-term programme.

VIII. ECE MULTILATERAL ENVIRONMENTAL AGREEMENTS

A. Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

27. The secretariat updated the Committee on developments under the Convention since the seventh session. The Convention was due to enter into force on 30 October 2001, following the deposit of the sixteenth instrument of ratification by Armenia. An ad hoc working group responsible for overseeing the organizational and substantive preparations for the first meeting of the Parties was scheduled to meet on 28-30 November 2001. The meeting of the Parties itself was expected to take place in autumn 2002.

28. The Committee was informed of the activities of the various working groups and task forces that it had established at its previous session:

(a) The Working Group on Compliance and Rules of Procedure, led by the United Kingdom, had met once and had started to prepare draft decisions for the Meeting of the Parties on the two topics. A second meeting of the Working Group would be held on 26-27 November 2001 with a view to resolving a number of outstanding issues;

(b) The Working Group on Pollutant Release and Transfer Registers (PRTRs), led by the Czech Republic, had met twice and had started to prepare a draft instrument on PRTRs with the aim of having a draft text ready for adoption at the Kiev Ministerial Conference. A cost-benefit analysis of PRTRs was being prepared by the ECE Economic Analysis Division in support of the activities of the Working Group;

(c) The Task Force on Genetically Modified Organisms (GMOs), led by Austria, had held its second meeting in December 2000, addressing in particular the issues of public participation in decision-making on GMOs and GMO-related labelling and information. The Working Group on GMOs would hold its first meeting on 10-12 October 2001 and was expected

to prepare a draft decision for the Meeting of the Parties dealing with the issues addressed by the Task Force;

(d) The task forces on access to justice and on electronic information tools had each held workshops promoting the implementation of the Convention in their respective areas.

29. Various other activities had been undertaken with the aim of raising awareness of the Convention and supporting its effective implementation. A workshop had been held for the South Caucasus region and a programme of future workshops had been prepared. The Web site had been greatly improved and a newsletter produced.

30. The secretariat thanked Denmark, Italy, the Netherlands and Norway for their generous financial support to activities. The Danish support had come in the form of an additional person to work in the secretariat on implementation and outreach activities. There was a continuing need for financial support and the Committee was informed that the Trust Fund for Local Technical Cooperation now had a special section for Aarhus-related projects.

31. The Committee:

(a) Welcomed the rapid progress made towards entry into force of the Convention and encouraged countries intending to become Parties to the Convention to accelerate their efforts to ratify or accede to it before the first meeting of the Parties;

(b) Noted and approved the plans for an open-ended ad hoc working group to meet on 28-30 November 2001 to prepare the first meeting of the Parties scheduled for the autumn of 2002;

(c) Noted with approval the work being undertaken within the three working groups and two task forces established under the Convention, and the other activities aimed at supporting the implementation of the Convention;

(d) Welcomed in particular the work to develop a legally binding instrument on pollutant release and transfer registers (PRTRs) and underlined the importance of the draft text being ready in time for adoption at the Kiev Ministerial Conference, so that it would be one of the key outcomes of the Conference;

(e) Accepted the recommendation of the Working Group on PRTRs that the instrument should take the form of a protocol to the Convention, open to accession by non-ECE countries and by non-Parties to the Convention;

(f) Noted the continuing need for financial support to assist countries in complying with the Convention and encouraged donor countries to provide such support.

B. Ongoing activities related to the ECE multilateral environmental agreements which need special attention

32. The Committee was informed about the key current activities within the framework of the UNECE Conventions on Environmental Impact Assessment in a Transboundary Context, on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes.

33. The Committee:

(a) Took note of the progress report on the negotiations of a protocol on strategic environmental assessment and supported the time frame for such a protocol to be adopted at the Kiev Ministerial Conference;

(b) Welcomed the information on the joint special session of the Parties to the Water and Industrial Accidents Conventions and their decision to launch an intergovernmental negotiation process to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of both Conventions.

C. Follow-up to the round-table discussion on supporting the ECE multilateral environmental agreements

34. The Committee agreed that linkages between ECE multilateral environmental agreements were important and noted that it would be useful to include this question as a regular item on its agenda. The Committee further noted the importance of the links with international discussions, such as the current discussion on governance at the various levels, and the need to ensure cohesion between the global and regional levels. The issue of compliance was regarded as a possible topic for discussion between the Bureaux of the Committee and of the governing bodies of the ECE environmental conventions, the outcome of which could be presented at the ninth session of the Committee.

35. The Committee agreed that:

(a) An in-depth legal analysis of the links between the Aarhus Convention and the other ECE environmental conventions and protocols should be undertaken as a first step by the secretariat, or a consultant commissioned by the secretariat, with the support of other interested parties;

(b) An analysis of good practices in public participation in international forums, and its potential problems, should be undertaken by the secretariat, or a consultant commissioned by the secretariat. A task force would then meet to review the results of the analysis. Interested countries and organizations could provide experts to serve on the task force in a personal capacity. Poland indicated its willingness to provide expertise to such a task force, and Italy offered to provide financial and other support. The analysis could provide the basis for the development of guidelines on public participation in international forums for possible adoption at the Kiev Ministerial Conference. A decision on further action, including on whether to prepare

such guidelines, would be taken by the Committee at its next session after preparations by its Bureau.

IX. CROSS-SECTORAL ACTIVITIES WITHIN THE COMMITTEE'S
PROGRAMME OF WORK

A. **Transport, environment and health; transport and the environment**

36. The Committee was informed about the outcome of the High-level Meeting on Transport, Environment and Health (Geneva, 4 May 2001), organized jointly by ECE and the World Health Organization's Regional Office for Europe (WHO/EURO) as a follow-up to the London Charter on Transport, Environment and Health. The High-level Meeting had decided to postpone any final decision to a second High-level Meeting to be convened in summer 2002 prior to the Johannesburg Summit on Sustainable Development and had requested that further preparatory work should be carried out by a tripartite task force. The Meeting had seen a particular need to further justify starting negotiations on a framework convention on transport, environment and health. The Meeting had also endorsed a proposal to rationalize and to streamline the existing international institutional mechanisms under the Vienna and London follow-up processes and to prioritize the related work. This work is also to be finalized for the second High-level Meeting.

37. The Committee was informed about the establishment of a tripartite expert group and the ongoing preparations for its first meeting, which would take place on 26–27 November 2001. In accordance with the specific mandate of the High-level Meeting, the background material being prepared by the UNECE and WHO secretariats would look further into the priorities for future work. In addition, as requested, it would focus on clarifying the possible elements and the other legal aspects of the proposed framework convention. Furthermore, the potential value that the new instrument could add to the existing legal instruments addressing transport-related environment and health concerns would be thoroughly assessed.

38. The Committee:

(a) Took note of the progress reports on the “transport, environment and health” (London) and the “transport and environment” (Vienna) processes and welcomed the proposals to rationalize the international institutional mechanisms established for them,

(b) In view of the decisions to be made on a possible framework convention, requested UNECE member countries to coordinate and prepare their positions for the meeting of the tripartite expert group, scheduled for 26-27 November 2001. It also recommended that the second High-level Meeting on Transport, Environment and Health (June/July 2002) should be held at ministerial level.

B. **Environment and health**

39. The Committee took note of the report on the activities undertaken within the European Environment and Health Committee (EEHC) and the progress made following the London Conference on Environment and Health. In particular information was given on the

establishment of the Working Group for the preparation of the Budapest Conference on Environment and Health (2004) with representatives of Hungary, Italy, United Kingdom, EC, UNECE and the European Public Health Alliance. The importance of the participation of NGOs in the preparatory processes was also stressed. The Committee took note of the development and testing of a methodology for a rapid environment and health risk assessment.

40. The Committee:

- (a) Agreed to renew the mandate of EEHC at its ninth session; and
- (b) Entrusted its Bureau to further consider the possibility of merging the “Environment for Europe” and the “Environment and Health” processes.

C. Energy and the environment (energy pricing)

41. Mr. G. Kowalski, Director of the ECE Energy Division, informed the Committee about the planned activities of the task force on energy and the environment established jointly by the Committees on Environmental Policy and on Sustainable Energy. A three-pronged approach would be applied over the 2001-2005 period to address raising energy prices to economic levels in countries in transition, reforming energy subsidies and internalizing external costs, including taxation, in all ECE countries. The working method would cover task force meetings, workshops and electronic communication.

42. The Committee took note of the planned activities of the joint task force and invited delegations to designate environmental experts to participate in its work and to inform the secretariat by 30 November 2001 accordingly.

X. OTHER ACTIVITIES WITHIN THE COMMITTEE'S PROGRAMME OF WORK AND THEIR CONTRIBUTION TO THE "ENVIRONMENT FOR EUROPE" PROCESS

A. Environmental monitoring

43. The secretariat informed the Committee about the outcome of the first session of the Ad Hoc Working Group on Environmental Monitoring, held on 20-21 September 2001 (CEP/AC.10/2001/2). The Working Group had reviewed the draft table of contents and guidelines for data collection for the Kiev assessment report, considered ongoing monitoring activities at international level, and discussed proposals on monitoring hazardous substances, monitoring inland waters, environmental indicators, waste data and classifications, information technologies and remote sensing, including practical arrangements for action in some of these areas.

44. In the ensuing discussion, the Committee stressed the role of the Working Group in involving the newly independent States in the monitoring and information networks of the European Union. It also held that the Working Group should continue its activities after the Kiev Conference in 2003.

45. The Committee took note of the progress in the work on environmental monitoring and welcomed the outcome of the first session of the Working Group.

B. Energy and the environment (follow-up to the Aarhus decisions)

46. The Committee took note of the information provided by the delegation of Denmark, on behalf of the Danish Chair of the Working Group for the Implementation of the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects. Information on the progress made in the implementation of the Protocol (CEP/2001/9) was provided. It was reconfirmed that a progress report would be prepared for the Kiev Ministerial Conference.

C. Follow-up to the Strategy to Phase Out Leaded Petrol

47. The secretariat provided details of the responses from 48 Parties to the Convention on Long-range Transboundary Air Pollution on the questionnaire on the phasing-out of leaded petrol, which was related to an obligation under the 1988 Protocol on Nitrogen Oxides. The information was available to aid the analytical work to be undertaken by Denmark. A new questionnaire that would provide updated information would be sent to Parties in January 2002. The delegate from Denmark explained that countries that did not provide sufficient information would be contacted to ensure that the responses were as complete as possible. The outcome of the analysis of the responses to the questionnaire would be presented to the Committee at its ninth session.

D. Local initiatives towards sustainable consumption patterns

48. The Committee took note of the secretariat's report on the progress made in the development of a joint project with the Committee on Human Settlements on urban transport patterns and land-use planning. Four introductory reports and nine city case studies had been prepared by various international organizations, research institutions and city councils to be presented at a workshop scheduled for late spring 2002. It is envisaged that based on the workshop's results, guidelines for governments will be prepared for submission to the Bureaux of both Committees at a joint meeting and then, if agreed, to the Fifth Ministerial Conference "Environment for Europe".

E. Compliance and enforcement

49. The Committee took note of, and welcomed, the outcome of the first meeting of the Task Force on Environmental Compliance and Enforcement. It invited the Task Force to continue its work and to report on progress to it and its Bureau.

50. The Committee agreed with the recommendation of the Task Force that the guidelines on environmental compliance and enforcement should focus on the experiences and the developments under the five ECE environmental conventions and should try to identify some common problems or solutions. The guidelines would identify what had been achieved and how, and would indicate procedures and methods that might be used to strengthen compliance and enforcement.

F. Preparations for the fifth Ministerial Conference

51. The Committee exchanged preliminary views on themes and items to be put on the agenda of the fifth Ministerial Conference "Environment for Europe" and emphasized the need to explore the responsibilities not only of governments but also of business and civil society in relation to the Kiev agenda. The Committee noted that these and other issues would be explored more fully at the second meeting of the Working Group of Senior Officials scheduled for 28 September 2001.

XI. FINANCIAL ASSISTANCE TO COUNTRIES WITH ECONOMIES IN TRANSITION AND COUNTRIES' CONTRIBUTIONS TO THE ECE TRUST FUNDS

52. The Committee:

- (a) Took note of the status of the ECE Trust Fund;
- (b) Expressed the need for donor countries to contribute to the Trust Fund;
- (c) Endorsed the eligibility criteria for the financial assistance to representatives of countries in transition to attend ECE meetings in 2002.

XII. OTHER BUSINESS

53. The delegation of Germany reported on a study on "New challenges for the UNECE", which was made available.

XIII. ELECTION OF OFFICERS FOR THE NINTH SESSION

54. The Committee re-elected Mr. H. von Meijenfeldt as its Chairman and elected the following members to its Bureau: Ms. N. Darbynian (Armenia), Ms. H. Cizkova (Czech Republic), Mr. S. Tveretinov (Russian federation), Mr. J. Kahn (Sweden), Ms. S. Vermont (Switzerland), Mr. M. Dimovski (The former Yugoslav Republic of Macedonia) and Ms. L. Poulton (United States of America).

XIV. CLOSING OF THE EIGHTH SESSION

55. The decisions taken by the Committee at its eighth session and prepared by the secretariat in consultation with the Chairman were distributed shortly after the meeting. The secretariat was requested to finalize the report in consultation with the Bureau.

56. The ninth session of the Committee on Environmental Policy is scheduled to take place at Geneva on 4-6 November 2002.

Annex IPROGRAMME OF WORK
(2000-2003)SUBPROGRAMME 01 - ENVIRONMENTFOLLOW-UP TO THE REGIONAL MINISTERIAL MEETING FOR THE WORLD SUMMIT
ON SUSTAINABLE DEVELOPMENT

The Regional (UNECE) Ministerial Meeting for the World Summit on Sustainable Development held in Geneva on 24 and 25 September 2001 adopted a Ministerial Statement that has important implications for the Committee on Environmental Policy.

The Ministerial Statement calls for specific global and regional actions to be taken by member States. This may require, in particular, a certain reorientation of environmental policies in the region, their better integration with social and economic policies, and possible collective initiatives in global forums.

The Committee, jointly with the UNEP/Regional Office for Europe, was actively involved in the preparation of the regional assessment report and the development of the Ministerial Statement.

On the basis of a comprehensive analytical paper to be prepared by the secretariat, the Committee will identify challenges and emerging orientations of environmental policies in the region to provide guidance and serve as reference for the development of its long-term framework.

PROGRAMME ACTIVITY 1

ENVIRONMENTAL PERFORMANCE REVIEWS

The Committee on Environmental Policy included environmental performance reviews of selected ECE countries in its work programme starting in 1996. In 1997, at its fourth session, the Committee established the Ad Hoc Expert Group on Environmental Performance for a period of two years to (a) provide guidance to the ECE secretariat and the Committee on all substantive and organizational matters arising in the implementation of the EPR programme, and (b) assist the secretariat in coordinating the programme with processes under way in other international institutions, and particularly in the Organisation for Economic Co-operation and Development (OECD). The Committee has twice extended the mandate of the Expert Group: in September 1999, at the Committee's sixth session and, in 2001, at its eighth session. The current term of the Expert Group continues to 2003.

Comprehensive environmental performance reviews have been undertaken in Armenia, Croatia, Estonia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, the Republic of Moldova,

Romania, Slovenia, Ukraine and Uzbekistan. Similar reviews were also carried out, in cooperation with OECD, in Belarus, Bulgaria, Poland and the Russian Federation. Second reviews have also been undertaken in Bulgaria and Estonia.

1.1 THE ECE ENVIRONMENTAL PERFORMANCE REVIEW PROGRAMME, INCLUDING WORKING METHODS AND ORGANIZATIONAL MATTERS

Work accomplished:

A programme description was developed by the EPR Expert Group during its first mandate from 1997 to 1999. The programme makes it possible to carry out comprehensive as well as reduced environmental performance reviews, and to organize discussions of general problems and experiences facing national environmental administrations in transition. Continued methodological and organizational guidance will be provided by the EPR Expert Group.

In September 1999, at its sixth session, the Committee on Environmental Policy renewed the mandate of the Expert Group for an additional two years. During its second mandate, the Expert Group met four times: in Erevan, on 26 March 2000, and in Geneva, on 21-22 September 2000, 8-9 March 2001, and 19-21 September 2001. During this period, the Expert Group addressed what it had identified as the main unsolved problems, as well as other issues that became more salient over the two-year period. Among these issues were the optimization of the review process, from pre-mission to follow-up; the structure of the peer review; the closure of the first round of reviews; dissemination of information; cooperation; and the future of the Expert Group itself.

Upon the recommendation of the Expert Group and in consultation with the Bureau, the Committee, at its eighth session, revised the way in which it conducts the peer reviews

The peer reviews of the first environmental performance reviews of Romania and Uzbekistan and the second EPR of Estonia took place at the Committee's eighth session in September 2001. The final EPR reports will be published in late 2001 and early 2002.

Work to be undertaken:

The EPR Expert Group, taking into account the guidance by the Committee at its eighth session, will continue to offer advice and support to the preparations for, and conduct of, the EPRs. It will also carry out a detailed expert review of each EPR prior to the Committee's peer review and report on it to the Committee, and it will assist the secretariat in preparing a paper that identifies significant policy issues for discussion within the Committee and interaction with the reviewed countries.

Environmental performance reviews of Albania, Georgia, the former Yugoslav Republic of Macedonia and Yugoslavia are scheduled to take place before the ninth session of the Committee.

PROGRAMME ACTIVITY 2

“ENVIRONMENT FOR EUROPE” PROCESS/ ENVIRONMENTAL PROGRAMME FOR EUROPE

At the Aarhus Conference, the Environment Ministers reaffirmed their commitment to improving cooperation on environmental protection in the ECE region. They also recognized the political importance of the “Environment for Europe” process as the major long-term pan-European political framework for the promotion of environmentally sound and sustainable development. In particular, the Committee on Environmental Policy was requested to continue to screen the Environmental Programme for Europe, taking into account the report “Europe’s Environment: The Second Assessment”, in order to implement priority actions on a pan-European level and report on progress.

2.1 PREPARATIONS FOR THE FIFTH MINISTERIAL CONFERENCE

The Committee will participate in the substantive and practical preparation of the fifth Ministerial Conference “Environment for Europe” to be held in Kiev (Ukraine) in 2003.

Work accomplished:

The Committee reviewing the themes and items to be put on the agenda, considered provisionally its substantive input for the fifth Ministerial Conference. This will be in the form of policy recommendations or progress reports (see programme activities 2.1 - 2.5). Furthermore, it decided that an analytical review based on the environmental performance reviews should be prepared as possible input to the fifth Ministerial Conference. The Ad Hoc Preparatory Working Group of Senior Officials "Environment for Europe" established by the Committee at its sixth session held its second meeting on 28 September 2001. The report of that meeting is contained in document CEP/AC.11/2001/2.

Work to be undertaken:

The Committee will continue to provide a substantive contribution to the preliminary agenda of the Conference. Meetings of the Ad Hoc Preparatory Working Group of Senior Officials “Environment for Europe” are scheduled for July and November 2002; the Executive Committee of the Working Group will meet in February 2002 in Kiev and again later in the year. Dates of additional meetings are to be determined.

2.2 ENVIRONMENTAL MONITORING

The Ministers at Aarhus recognized that mechanisms for coordinated monitoring, data collection, processing and management in the European region were still inadequate. They agreed to give high priority to improving these mechanisms as well as the state of environmental information to support decision-making and to improve the availability of reliable environmental

information to the public.

Work accomplished:

The Ad Hoc Working Group on Environmental Monitoring, at its first session, reviewed the table of contents and guidelines for data collection for the Kiev assessment report, and it made practical arrangements for action on monitoring hazardous substances, monitoring inland waters, environmental indicators, waste data and classifications, information technologies and remote sensing.

Work to be undertaken:

The Working Group will promote the coordination of efforts in the area of environmental monitoring, and in particular towards preparations for the Kiev Conference “Environment for Europe” in accordance with its work plan. It will in particular:

- (a) Contribute to the development of the third pan-European assessment report, appraise the difficulties encountered and make recommendations on how to improve the situation;
- (b) Undertake an in-depth analysis of a significant area of environmental monitoring, identify good practices to overcome the most pervasive obstacles and develop recommendations;
- (c) Identify areas where harmonization is needed and develop recommendations on priority actions;
- (d) Consider proposals on the role of remotely sensed environmental information and make recommendations, as appropriate.

2.3 COMPLIANCE AND ENFORCEMENT

At its seventh session the Committee decided, upon a proposal put forward by the Netherlands, on the development on guidelines on environmental compliance and enforcement to be ready for adoption at the next Ministerial Conference in Kiev. The Committee mandated an open-ended Task Force led by the Netherlands and with the assistance of the secretariat to start work on the development of such guidelines.

Work accomplished:

The first meeting of the Task Force was held on 22 June 2001 in Geneva. It was attended by experts from 25 countries and organizations. The discussion focused on the possible scope and content of the guidelines and the possible approach and organization of the future work of the Task Force. It was decided that the guidelines should focus on the experiences and the developments under the five ECE environmental conventions and try to identify some common problems or solutions, in spite of the different and specific nature or subject matter of each convention.

Work to be undertaken:

The Task Force will hold regular meetings to prepare the draft guidelines on compliance and enforcement in time for the Kiev Conference.

2.4 FOLLOW-UP TO THE STRATEGY TO PHASE OUT LEADED PETROL

The Aarhus Conference endorsed the Strategy to Phase Out Leaded Petrol for general use by road vehicles as early as possible and no later than 1 January 2005. The Ministers committed themselves to working towards the intermediate targets of the Strategy and to evaluating their fulfilment at the next conference in Kiev in 2003. The Committee will promote the implementation of the Strategy.

Work accomplished:

The Committee was provided with preliminary information on the phasing-out of lead in petrol as reported by the Parties to the Convention on Long-range Transboundary Air Pollution in response to a questionnaire circulated in January 2000.

Work to be undertaken:

A small working group together with the ECE secretariat will review progress on the Pan-European Strategy to Phase Out Added Lead in Petrol based on, among other things, answers to the biennial questionnaire of the Convention on Long-range Transboundary Air Pollution.

2.5 LOCAL INITIATIVES TOWARDS SUSTAINABLE CONSUMPTION PATTERNS

The Environmental Programme for Europe encourages the necessary changes in consumption patterns and individual lifestyles through awareness raising, technical regulations and economic incentives. It furthermore promotes partnerships between governments at various levels, non-governmental organizations and other major groups. The Aarhus Conference recognized that changes in consumption and production patterns must lie at the heart of the transition towards a sustainable ECE region.

Work accomplished:

The Committee on Environmental Policy, in cooperation with the Committee on Human Settlements, organized the Workshop on Encouraging Local Initiatives Towards Sustainable Consumption Patterns in 1998. As a follow-up, the two Committees launched jointly a project on urban transport patterns and land-use planning. The project's steering group developed a detailed work programme.

Work to be undertaken:

The steering group, composed of experts from central and local governments, the private sector, the academic community and NGOs, will develop guidelines on a strategic approach to integrating urban transport management with land-use planning and environmental policies. An international workshop, foreseen for late spring 2002, should lay the basis for the development of these guidelines. If prepared, draft guidelines will be submitted to the Bureaux of the two ECE Committees at a joint meeting and thereafter, if agreed, to the fifth Ministerial Conference "Environment for Europe".

PROGRAMME ACTIVITY 3

INTEGRATION OF ENVIRONMENTAL AND SECTORAL POLICIES

One of the topics of recent debate on environmental policy and within the Committee on Environmental Policy has been that environmental concerns should be integrated in the activities of sectors in society with relevance to the environment. Integrating environmental policies into sectoral policies and strategies is a precondition for the effective implementation of environmentally sound and sustainable development principles. From an environmental point of view, efficient integration would lead to a more effective implementation of environmental policies. Integration is one of the issues that is likely to be addressed at the Fifth Ministerial Conference "Environment for Europe." The scope, direction and product of this work are still to be discussed by the Committee; however, a number of integration processes are under way through negotiation and implementation of legal instruments. For example, the negotiation of a protocol on strategic environmental assessment to the ECE Espoo Convention will further underline the Convention's cross-sectoral approach by integrating environmental and health considerations into strategic decision-making. Another example is the ECE/WHO Protocol on Water and Health and other mechanisms of cross-sectoral integration in which the Committee is directly involved, such as transport, environment and health, environment and health, energy and environment, and agriculture and environment.

3.1 TRANSPORT, ENVIRONMENT AND HEALTH; TRANSPORT AND ENVIRONMENT

3.1.1 Follow-up to the ECE Regional Conference on Transport and the Environment held in Vienna in 1997

The Joint Ad Hoc Expert Group on Transport and the Environment established under the Joint Meeting on Transport and the Environment held two sessions in 2001, mainly to discuss the mid-term review of the Vienna Programme of Joint Action, and its follow-up, and to focus its attention on the implementation of the decisions of the High-level Meeting on Transport, Environment and Health (Geneva, 4 May 2001), which had been organized jointly by the WHO and UNECE secretariats as a follow-up to the London Charter on Transport, Environment and

Health. The Joint Meeting on Transport and the Environment adopted the terms of reference for a joint UNECE – WHO ad hoc expert group on transport, environment and health. In accordance with the decisions of the High-level Meeting, this tripartite expert group is mandated mainly to prepare the final decisions to be taken at the second High-level Meeting to be convened in summer 2002. (See also point 3.1.2.)

Work accomplished:

The Committee sent experts to the first meeting of the Joint Ad Hoc Expert Group on Transport and the Environment organized by the secretariat on 26-27 February 2001.

The Bureaux of the ECE Inland Transport Committee and the Committee on Environmental Policy participated in the fourth session of the Joint Meeting on Transport and the Environment in June 2000. (See also item 3.1.2 below.)

Work to be undertaken:

See item 3.1.2 below.

3.1.2 Follow-up to the third Ministerial Conference on Environment and Health, held in London in June 1999

The Charter on Transport, Environment and Health and the Ministerial Declaration adopted at the 1999 London Ministerial Conference mandated WHO and ECE jointly and in cooperation with other international organizations to provide an overview of relevant existing agreements and legal instruments. Furthermore, recommendations on further steps for making transport sustainable for health and the environment were to be submitted to a meeting of ministers (or their representatives) from the three sectors concerned.

Work accomplished:

As a follow-up to the London Charter, the UNECE and the WHO/EURO secretariats convened a High-level Meeting on Transport, Environment and Health on 4 May 2000, to decide upon further steps needed to make transport sustainable for environment and health. The High-level Meeting considered a synthesis report, Overview of instruments relevant to transport, environment and health and recommendations for further steps, prepared by the two secretariats in close consultation with the member States and relevant international organizations, recommending in particular the negotiation of a new legal instrument, i.e. a framework convention on transport, environment and health. Furthermore, the UNECE and WHO/EURO secretariats proposed to streamline the London and Vienna processes to make the international work in transport, environment and health more effectiveness. The proposed “rationalization” of the two processes implies both the establishment of common priorities for joint action and the streamlining of the institutional mechanisms established under the Vienna and London processes.

The High-level Meeting endorsed the approach on rationalization but chose to postpone any final decision on the proposed instrument until the second High-level Meeting, to be convened in summer 2002, prior to the World Summit on Sustainable Development. The Meeting requested the final decisions to be further prepared at the international level by a tripartite expert group to be established within the framework of the Vienna and London follow-up processes.

To implement the decisions of the High-level Meeting, the Joint Meeting on Transport and the Environment and the London Charter Steering Group were convened in June 2001 to adopt the terms of reference for a joint ad hoc expert group on transport, environment and health. Furthermore, the secretariats prepared a progress report on the tripartite process, which was presented to the Regional Meeting for the World Summit on Sustainable Development (Geneva, 24-25 September 2001), as one of the most practical regional initiatives in implementing Agenda 21.

The members of the Committee have actively participated in the related meetings. The Committee's Bureau met on 2 May 2000 inter alia to discuss the recommendations put forward by the secretariat to the High-level Meeting.

Work to be undertaken:

The UNECE and WHO/EURO secretariats will assist the member States in assuring the follow-up to the High-level Meeting of 4 May 2001. This involves facilitating the work of the tripartite expert group, which is to prepare for the decisions of the second High-level Meeting on Transport, Environment and Health. The expert group is scheduled to meet on 26-27 November 2001 and on 25-26 February 2002. Furthermore, as requested, the Second High-level Meeting, possibly to be held at the ministerial level, will be convened for summer 2002. The Second High-level Meeting shall:

- (a) Finalize the rationalization of the London and Vienna follow-up processes and the consolidation of institutional mechanisms and priorities for future action;
- (b) Decide whether to start negotiations on a framework convention on transport, environment and health;
- (c) Endorse the Vienna mid-term review and the evaluation of the implementation of the London Charter.

Member States are expected to ensure coordinated contributions from their transport, environment and health sectors to the preparatory work leading to the Second High-level Meeting.

3.2 ENVIRONMENT AND HEALTH

The European Environment and Health Committee (EEHC) was established as a result of the 1994 Ministerial Conference on Environment and Health in Helsinki.

The third Ministerial Conference on Environment and Health took place in London from 16 to 18 June 1999. This Conference aimed to set an agenda for environment and health in Europe for the start of the 21st century and to agree on concrete commitments to specific actions to implement the National Environment and Health Action Plans (NEHAPs). EEHC has supervised and supported the drafting of NEHAPs. EEHC, which was also the Steering Committee for the preparation of the London Conference, prepared the substantive proposals for the Conference. One major item was the adoption of the Protocol on Water and Health to the ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes. The London Conference also produced the Charter on Transport, Environment and Health and a ministerial declaration.

Work accomplished:

EEHC held three meetings in 2000 and 2001. It also held an extraordinary meeting in April 2000 to review the consequences of the recent accident in the lower Danube basin. At its sixth session, the Committee on Environmental Policy elected its representatives (Austria, Bulgaria, Italy and Republic of Moldova) to the European Environment and Health Committee. EEHC reviewed the follow-up actions to the London Conference on Environment and Health and adopted its terms of reference and rules of procedure.

Work to be undertaken:

The next EEHC meeting will be held in Istanbul (Turkey) from 19 to 21 November 2001 and will discuss possible items for the next Ministerial Meeting on Environment and Health to be held in Hungary in 2004.

EEHC will continue to support the “Environment for Europe” process by contributing to developing significant strategies and cooperative arrangements leading to harmonization in the region through the Working Group of Senior Officials. It will also continue cooperation with the “environment and health” process, as called for in the Aarhus Ministerial Declaration, so as to develop and implement measures to better protect human health and the environment. The Committee on Environmental Policy will continue to contribute to the European Environment and Health Committee through its representatives.

3.3 ENERGY AND THE ENVIRONMENT

At the Aarhus Conference, the Ministers acknowledged the complex, cross-sectoral nature of energy-efficiency policies and the need for integrating those policies into other sectors, for instance housing, transport and industry. The Ministers agreed to promote action to strengthen international cooperation on monitoring the implementation of energy-efficiency policies.

Work accomplished:

The ECE/OECD Workshop on Enhancing the Environment by Reforming Energy Prices, held in Průhonice near Prague (Czech Republic) from 14 to 16 June 2000, prepared recommendations to ECE Governments. The Chairman of the Working Group on the Implementation of the Energy Charter Treaty Protocol on Energy Efficiency and Related Environmental Aspects (PEEREA) reported to the Committee on progress made in its implementation.

Work to be undertaken:

The Committee on Environmental Policy, in cooperation with the Committee on Sustainable Energy and other relevant international bodies (such as the Energy Charter Treaty Secretariat, the International Energy Agency (IEA) and the secretariat of the United Nations Framework Convention on Climate Change), will monitor the implementation of the energy-related decisions taken at the Aarhus Conference. In particular, it will:

- (a) Undertake, through the task force on energy and the environment established jointly with the Committee on Sustainable Energy and on the basis of the Průhonice Workshop's results, activities on raising energy prices to economic level in countries in transition, reforming energy subsidies and internalizing external costs, including taxation, in all ECE countries. These activities could lead to the development of non-legally binding guidelines for decision makers;
- (b) Consider, at its annual sessions, PEEREA progress reports.

PROGRAMME ACTIVITY 4

REGIONAL ENVIRONMENTAL CONVENTIONS AND PROTOCOLS

Since the 1970s five regional environmental conventions have been negotiated and adopted within the framework of ECE: (i) the Convention on Long-range Transboundary Air Pollution; (ii) the Convention on Environmental Impact Assessment in a Transboundary Context; (iii) the Convention on the Protection and Use of Transboundary Watercourses and International Lakes; (iv) the Convention on the Transboundary Effects of Industrial Accidents; and (v) the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The first four have entered into force and their governing bodies carry responsibility for further work, while the Aarhus Convention will enter into force on 30 October 2001. Furthermore, eight protocols to the Convention on Long-range Transboundary Air Pollution and a Protocol on Water and Health to the Water Convention have been adopted. The Committee will be informed about the progress in the work under the conventions and protocols, as appropriate.

4.1 FOLLOW-UP AND SUPPORT TO THE REGIONAL ENVIRONMENTAL CONVENTIONS

With a view to improving environmental quality in the ECE region, and relying in part on the programme of environmental performance reviews, the Committee will consider and, as appropriate, take measures to make the implementation of the regional environmental conventions and protocols more effective. The Committee will offer a catalysing forum in which all government representatives, including the governing bodies of regional conventions, can share their experience in promoting and assessing the implementation of regional environmental instruments, and then identify means of improving compliance with them. If needed, the Committee will negotiate new legal instruments.

Work accomplished:

A round-table discussion was organized within the framework of the seventh session with the participation of representatives of the governing bodies of the five ECE environmental conventions. The secretariat prepared a background paper in order to facilitate the discussions. As a follow-up to the round-table discussion a meeting between representatives of the Bureaux of the Committee and of the governing bodies of the UNECE environmental conventions regarding public participation was held on 25 June 2001.

Work to be undertaken:

The governing bodies were invited to investigate possible synergies and areas of cooperation between the instruments and to identify any inconsistencies or specific features of the different legal texts. The secretariats and the competent authorities at national level were invited to identify areas of possible joint work. The question of linkages among the ECE legally binding environmental instruments will be included as a regular item on the Committee's agenda. An in-depth legal analysis of the links between the Aarhus Convention and the other ECE environmental conventions and protocols will be undertaken as a first step by the secretariat, or a consultant commissioned by the secretariat, with the support of other interested parties. Furthermore, based on an analysis of good practices and potential problems in public participation in international forums, to be undertaken by the secretariat or a consultant commissioned by the secretariat, a task force will be established to review the results of the analysis. Such analysis could provide the basis for the development of guidelines on public participation in international forums for possible adoption at the Kiev Ministerial Conference.

4.2 CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS

The Convention on Access to Information, Public Participation in Decision-making and

Access to Justice in Environmental Matters was adopted in June 1998 and signed by 39 member States and the European Community. On 1 August 2001, the sixteenth instrument of ratification,

approval or accession was deposited with the Secretary-General. The Convention will consequently, enter into force on 30 October 2001.

Work accomplished:

At its seventh session, the Committee on Environmental Policy approved the report of the second meeting of the Signatories to the Convention and agreed that the three task forces previously established under the work plan, dealing respectively with compliance arrangements (lead country United Kingdom), pollutant release and transfer registers (PRTRs) (lead country Czech Republic), and genetically modified organisms (GMOs) (lead country Austria), should be replaced by working groups on the same topics. The Working Groups on Compliance and on GMOs were each asked to convene after one further meeting of the task forces on those topics. The Working Group on Compliance was asked to take on the additional task of preparing draft rules of procedure for the Meeting of the Parties. Two further task forces were established, dealing with access to justice (lead country Estonia) and electronic information tools (lead country Austria) respectively.

The task force on compliance met once to prepare elements for a draft decision of the Parties. The report of the meeting, together with a secretariat paper assessing possible costs associated with various forms of compliance mechanisms, were submitted to the Working Group on Compliance and Rules of Procedure. The Working Group met once and started to prepare a draft decision on compliance and a draft decision on rules of procedure, the latter on the basis of a draft prepared by the secretariat.

The Working Group on PRTRs met twice and started the work of preparing a draft instrument on pollutant release and transfer registers. The Committee at its eighth session accepted a recommendation from the Working Group that the instrument should take the form of a protocol to the Convention, open to accession by non-ECE countries and by countries not party to the Convention.

The task force on GMOs met once to discuss options for strengthening public participation in decision-making on GMOs under the Convention as well as GMO labelling and related information issues. Its report, together with two consultants' studies, provided the basis for discussions in the Working Group on GMOs, which met once to start the process of preparing a draft decision for the Meeting of the Parties on that topic.

The task forces on electronic information tools and on access to justice each held a workshop aimed at identifying good practices and strengthening the application of the Convention in these areas.

National experts responsible for the Aarhus Convention participated in the preparation of a draft protocol on strategic environmental assessment under the auspices of the Espoo

Convention. A workshop on public participation in the context of policies, programmes, plans and legislation was held in order to generate input to the protocol's negotiations.

Among the other activities undertaken to support the implementation process were the holding of a subregional training workshop on the Convention for both government officials and NGOs in the South Caucasus region (Tbilisi, December 2000) and laying the groundwork for further workshops; significant expansion and improvement of the Web site; publication of new information materials, including a newsletter and translations of the Convention into Chinese and Arabic; the hiring of a project officer to promote implementation and outreach activities, funded by the Danish Environmental Protection Agency; and the setting-up of a new section in the trust fund for Local Technical Cooperation, to facilitate the provision of financial support for activities under the Convention.

Work to be undertaken:

Preparations for the first meeting of the Parties will continue to be a major priority. An open-ended ad hoc working group to prepare for the first meeting of the Parties will meet on 28-30 November 2001 and will hold further meetings as necessary.

The Working Group on Compliance and Rules of Procedure will hold a second meeting on 26-27 November 2001, at which it is expected to complete its preparation of draft decisions on compliance and on rules of procedure.

The Working Group on PRTRs is expected to hold four or five further meetings to prepare a draft protocol on PRTRs to the Aarhus Convention, with a view to the draft protocol being ready for adoption at the Kiev Ministerial Conference. A draft decision of the Meeting of the Parties which would have the effect of mandating the continuation of the work being undertaken by the Working Group under the authority of the Meeting of the Parties will be discussed by the ad hoc working group preparing the first meeting of the Parties.

The Working Group on GMOs will continue its work of preparing a draft decision of the Meeting of the Parties. In this regard, it will pursue two approaches in parallel, namely the preparation of non-binding guidelines covering all GMO issues relevant to the Convention, and the preparation of a formal amendment to the Convention, without prejudice as to whether either or both of these options would ultimately be pursued in the final decision.

Future activities of the task forces on access to justice and electronic information tools will be considered by the ad hoc working group preparing the first meeting of the Parties.

As follow-up to the discussion on promoting synergies between the ECE environmental conventions and protocols, two studies will be undertaken by the secretariat. The first will compare the provisions of the Aarhus Convention with the relevant provisions of each of the other ECE environmental instruments and consider the effects of the recent entry into force of the Convention in the fields covered by those instruments. The second will review good practices in public participation in international decision-making processes.

A second workshop for the South Caucasus region will take place in November 2001, and plans for further workshops, including a second Central Asian workshop in spring or summer 2002, are being developed.

A strategy for increasing public and political awareness of the Convention will be developed. Efforts will be made to promote the Convention as a possible model for the implementation of principle 10 of the Rio Declaration in other regions, particularly in the context of the preparatory process for the World Summit on Sustainable Development.

4.3 CONVENTION ON LONG-RANGE TRANSBOUNDARY AIR POLLUTION

The Convention on Long-range Transboundary Air Pollution was signed in 1979 and entered into force in March 1983. The Parties to the Convention and its protocols will work as agreed in their work-plan for the implementation of the Convention. Emphasis of work continues to be on the implementation of those protocols already in force, and preparation for the review of the three protocols that have not yet entered into force. The review process will use revised models and updated scientific data. It will give increased attention to human health effects, fine particulates and the dynamics of environmental damage and recovery. The nineteenth session of the Executive Body for the Convention will take place from 11 to 14 December 2001. The secretariat will inform the Committee of the activities under the Convention.

4.4 CONVENTION ON THE PROTECTION AND USE OF TRANSBOUNDARY WATERCOURSES AND INTERNATIONAL LAKES

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes was signed in 1992 and entered into force in October 1996. The Parties to the Convention will work as agreed in their 2000-2003 work plan for the implementation of the Convention and its Protocol on Water and Health. The first meeting of the Signatories to the Protocol took place in Budapest on 2-3 November 2000. The third meeting of the Parties to the Convention will take place in Spain in spring 2003. The secretariat will inform the Committee of the activities under the Convention and its Protocol. At a joint special session, the governing bodies of the Industrial Accidents and the Water Conventions decided to launch an intergovernmental negotiation process aimed at drawing up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of both Conventions.

4.5 CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

The Convention on Environmental Impact Assessment in a Transboundary Context was signed in 1991 and entered into force in October 1997. The Convention has at present 38 Parties. They will work as agreed in their work plan for the implementation of the Convention. The

second meeting of the Parties to the Convention took place in February 2001 in Sofia (Bulgaria). One of the major activities under the Convention is the preparation of a protocol on strategic environmental assessment, which is expected to be signed at the Ministerial Conference “Environment for Europe” in May 2003 in Kiev. The secretariat will inform the Committee of the activities under the Convention.

4.6 CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS

The Convention on the Transboundary Effects of Industrial Accidents was signed in 1992 and entered into force on 19 April 2000. The Convention aims to strengthen international cooperation on the prevention of, preparedness for and response to industrial accidents in order to improve overall industrial safety in the ECE region. At present 22 countries and the European Community have ratified or acceded to the Convention. The first meeting of the Conference of the Parties, the Convention’s governing body, was held in Brussels on 22-24 November 2000. At a joint special session, the governing bodies of the Industrial Accidents and the Water Conventions decided to launch an intergovernmental negotiation process aimed at drawing up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of both Conventions.

Annex II

SUMMARY OF THE ROUND-TABLE DISCUSSION

**Round-table on Major policy issues emerging from the current
environmental performance reviews
Estonia, Romania and Uzbekistan**

(26 September 2001)

Integration of environment into other sectors

1. One of the biggest challenges to any country is that of integrating environment into planning and policies for energy, transport, agriculture, water, industry, and other sectors.
2. In Romania, the 1998 National Environmental Action Programme (NEAP) includes priorities for all economic sectors, including, for example, transport, industry and agriculture. Both the NEAP and the National Medium-term Development Strategy for the Romanian Economy from 2000 to 2004 specify the links and coordination required among Ministries in order to implement the proposed action. The oil and gas section has developed environmental policies. The EU Accession Process has also been an efficient tool in promoting sectoral strategies that integrate environmental problems.
3. In Uzbekistan, the integration of environmental considerations into several of the sectors is reflected in both the National Environmental Action Plan (1998) and the National Strategy for Sustainable Development (1999). To harmonize tasks among different governmental institutions and ministries and to coordinate the implementation of the NEAP, in 1999 the Cabinet of Ministers approved the State Programme for Environmental Protection for 1999-2005. Uzbekistan has developed other programmes that integrate environmental and sectoral concerns, in the chemical industry, mining industry, oil and gas industry, transport, agriculture, and health.
4. In Estonia, the National Environmental Strategy (NES) is the main document that brings together environmental problems. The Act on Sustainable Development, adopted in 1995, specifically introduced the concept of integration of environmental, social and economic concerns into all sectors of activity. In 1997 the Act was amended in favour of drawing up master plans for the most important sectors of the economy (energy, transport, agriculture, forestry, tourism, chemicals industry, building materials industry and food industry). Almost all of these sectoral strategies have been completed.
5. Overall, therefore, in all three countries, there has been considerable attention at the policy level to integrating environmental concerns into other sectors. However, to date, less attention has been given to the specifics of implementation.
6. All three countries also have a central environmental authority as well as a number of other authorities with some environmental responsibilities. Nonetheless, there are still problems.

Coordination among institutions remains weak because there is often a lack of interaction among the decision makers in the different ministries. Structure does not automatically ensure cooperation. As a result, coordination has failed to lead to common actions or concrete projects.

7. The situation is more advanced in Estonia, which has just undergone its second environmental performance review. Since the first EPR, the Ministry of Environment and the national bodies for which it is responsible have been reorganized. New units have been set up within the Ministry of Environment to strengthen capabilities in the areas of legislation and strategic planning as the EU accession process has been particularly demanding in these matters over the past four years.

8. Other UNECE member States offered their views on this difficult issue of integration. Overall, it was agreed that integration required political support at the highest level, a good legal framework and a strong institutional framework. Once these were in place, financial resources were required to follow through. Integrative tasks should be specific; they should include targets, actions, financing and deadlines, and they should be developed for national, regional and local levels. Education on the content, direction, purpose and methodologies of integration for people throughout the ministries and local governments was also extremely helpful.

9. Integration works both ways; that is, Environment Ministries need to develop sectoral expertise, and other ministries need to incorporate environmental expertise into their structures, programmes and policies. It may be important to provide all ministries with an opportunity for identifying their own targets within specified environmental guidelines and objectives, rather than attempting to impose them.

10. In some countries, inter-departmental, or inter-ministerial, meetings serve an integration function. These may meet to discuss long-term development plans, for example, and central plans for sustainable development.

11. Some kind of compliance mechanism is important to ensure that directives for integration are carried out. An example is the Commissioner for Environment and Sustainable Development in Canada, who audits implementation.

12. Informal integration mechanisms may be just as important as formal ones. These should also involve the business community and civil society at national, regional and local levels of decision-making.

The use of economic instruments for the environment

13. Romania, Estonia and Uzbekistan had no experience with the use of economic instruments for the environment. In the 1990s all three countries introduced systems for pollution charges and payments for natural resource use to raise revenues for environmental investments, create incentives for pollution control and reduction, enforce permit requirements, and implement the polluter pays principle. Although the present systems of pollution charges are extensive, they do not function properly. They fail to achieve their main goal: to modify the

behaviour of people and institutions toward better environmental protection. The instruments provide little incentive for pollution reduction, and revenue-raising has been their most important goal.

14. The underlying reasons for this are the low prices of natural resources; the low pollution charges; the ineffectiveness of fines and penalties for non-compliance; the high number of pollutants on which charges are levied and the bureaucracy of the system; the low collection rate of pollution charges; wide discretionary powers of environmental authorities; poor understanding of the links between policy instruments, environmental priorities and environmental investment; limited institutional capacity; controversies regarding the use of revenues; and the clear dominance of revenue-raising considerations in the choice and design of the economic instruments.

15. Estonia is one step further in the development of the basic framework for economic instruments, and has developed a comprehensive and consistent range of environmental taxes and charges. Several attempts have been made to introduce advanced economic instruments, such as a package excise tax, a CO₂ tax and substitution schemes.

16. The impact of economic instruments depends on collection rates, on compliance and acceptance by enterprises, on the monitoring and evaluation of the effects of these instruments, on their design, which must be based on consideration of the costs they impose versus the expected environmental improvements, and finally the overall functioning of the market economy.

The impact of privatization on the environment

17. Romania, Estonia and Uzbekistan have seen a significant increase in the share of privatized enterprises in the industrial, agricultural and service sectors and the establishment of a large number of new enterprises over the past few years. Moving these enterprises from the public domain to the private sector is not neutral in environmental terms as it raises the issue of responsibility for environmental impacts from past and ongoing operations as well as the broader concerns of environmental management. The new commercial enterprises often lack experience in responsible environmental management and face strong competitive pressures to 'profit now' and cut costs.

18. Support for privatization implies support for a sufficient degree of private sector insulation from government intervention. At the same time, developing and maintaining a rigorous and balanced environmental regulatory regime is necessary in order to protect environmental health, ensure a clean environment and secure natural resource supplies for the future. Environmental policies, laws and regulations of relevance to privatization should be analysed. This is particularly important in overall country and sector strategies for privatization, or in conjunction with individual sectoral or large-scale privatization projects.

The impact of foreign assistance and international cooperation on environmental management

19. In the early years of transition, poor communication among donors, international financial institutions (IFIs) and recipient countries, together with the lack of a common strategy, often undermined the effectiveness of international assistance and financing. During the transition, cooperation efforts have become more effective and communication has increased. The environmental authorities in Romania, Estonia and Uzbekistan have gained more experience working with donors and IFIs. Offices within the respective ministries and State committees have been set up to manage external assistance.

20. In Uzbekistan, the Cabinet of Ministers adopted a resolution in 1995 on improving the coordination of foreign activity. A special body for implementing this resolution, the Department for the Coordination of External Economic Activity, was established within the Cabinet of Ministers.

21. The process of accession to the European Union (EU) in Romania and Estonia has transformed the nature of assistance and financing. The EU has set up new financing mechanisms, and IFIs support the accession-driven projects. In Romania and Estonia, the accession process has greatly intensified cooperation with the European Commission and EU Member States. New EU grant programmes provide for a considerable increase in funds to be invested in the environment. Technical assistance within the EU programmes provides training of staff for the implementation of international projects.

22. This process draws attention to environmental issues within Romania and Estonia, but it could also threaten to replace domestically determined environmental priorities with those driven by accession requirements.

23. Despite progress, donors, IFIs and the recipient governments can still take important steps to improve the effectiveness of assistance and financing. Donor coordination and donor-recipient communication have in many cases remained insufficient.

Annex III

TERMS OF REFERENCE OF THE EXPERT GROUP ON ENVIRONMENTAL
ON ENVIRONMENTAL PERFORMANCE

Membership

1. The Expert Group should comprise eight to twelve members, with due consideration to geographical balance among countries in the region.
2. It is suggested that, when new members are chosen, due regard should be given to experts from countries that have recently been reviewed.

Terms of reference

3. The ECE Committee on Environmental Policy renews the mandate of the Ad Hoc ECE Expert Group on Environmental Performance for a period of two years for the purposes of:
 - Carrying out the expert review process prior to the peer review to be undertaken by the Committee on Environmental Policy;
 - Providing guidance to the ECE secretariat and the Committee on all substantive and organizational matters arising in the implementation of the ECE programme of Environmental Performance Reviews (EPRs); and
 - Assisting the ECE secretariat in coordinating the ECE EPR programme with processes under way in other international institutions that have a bearing on it, inter alia, the United Nations Environment Programme (UNEP), the World Health Organization (WHO), the World Bank, the European Bank for Reconstruction and Development (EBRD) and the Organisation for Economic Co-operation and Development's (OECD) Environmental Performance Review Programme.
4. The guidance of the Expert Group to ECE and the Committee will include:
 - The identification of opportunities and requirements for improving the conduct of the EPRs (including data needs, indicators and methodologies);
 - The assessment of environmental trends relevant to the EPR process in countries in transition, including the organization of joint meetings, seminars and workshops at regional and subregional levels, where these are demand-driven;
 - The review and improvement of the data and information used for the EPR;
 - Drawing up proposals for follow-up to EPRs to be submitted to the Committee, taking

into account other relevant international activities, including those undertaken by UNEP, WHO, the World Bank, EBRD and the OECD EPR programme, and those related to the European Union approximation process;

– Drawing up proposals on how to improve the adoption of the recommendations contained in the EPR country reports and their implementation.

5. The EPR Expert Group is elected by the Committee on Environmental Policy. The secretariat will invite international institutions pursuing related work to participate in the work of the EPR Expert Group.

6. The EPR Expert Group determines its rules of procedure in accordance with the relevant provisions of its terms of reference and elects its chair.

7. The EPR Expert Group will report annually on its activities to the Committee on Environmental Policy, and may raise any issue that it deems necessary for the implementation of its mandate with the Committee.

Annex IV

CRITERIA FOR FINANCIAL SUPPORT

CRITERIA FOR FINANCIAL SUPPORT BASED ON GDP per capita			
Country		GDP per Capita (\$)	Note: threshold set for financial support in 2001/2002 = \$ 2100; countries with GDP per capita below \$ 1000 are eligible for financial support (travel expenses and DSA 1/); countries with GDP per capita between \$ 1000 and \$ 2100 are eligible for financial support (DSA only); countries exceeding the threshold are not eligible for financial support.
Slovenia		9105	Not eligible for financial support
Czech Republic		4942	
Hungary		4509	
Croatia		4130	
Poland		4082	
Slovakia		3556	
Estonia		3505	
Lithuania		3039	
Latvia		3011	
Yugoslavia		2094	Eligible for financial support (DSA only)
Russian Federation		1725	
Romania		1637	
The FYR of Macedonia		1623	
Bulgaria		1467	
Kazakhstan		1228	
Bosnia and Herzegovina		1166	
Albania		1094	
Belarus		1024	
Turkmenistan		837	Eligible for financial support
Georgia		666	
Ukraine		642	
Azerbaijan		609	
Uzbekistan		546	
Armenia		503	
Republic of Moldova		353	
Kyrgyzstan		265	
Tajikistan		160	
TOTAL COUNTRIES			27
COUNTRIES ELIGIBLE			18
COUNTRIES ELIGIBLE DSA only			9
COUNTRIES ELIGIBLE TRAVEL EXPENSES + DSA			9

1/ DSA – daily subsistence allowance.