

Economic Commission for Europe

Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Fourth session

Chisinau, 29 June–1 July 2011

Excerpt from the addendum to the report of the fourth session of the Meeting of the Parties (ECE/MP.PP/2011/2/Add.1)*

Decision IV/9h on compliance by Ukraine with its obligations under the Convention

Adopted by the Meeting of Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters at its fourth session

The Meeting of the Parties,

Acting under paragraph 37 of the annex to its decision I/7 on the review of compliance,

Mindful of the conclusions and recommendations set out in decision II/5b (ECE/MP.PP/2005/2/Add.8) and decision III/6f with regard to compliance by Ukraine (ECE/MP.PP/2008/2/Add.14),

Taking note of the report of the Compliance Committee (ECE/MP.PP/2011/11) with regard to follow-up on decision III/6f,

Recalling that according to decision III/6f a caution was issued by the Meeting of the Parties, which was to become effective on 1 May 2009, but further to the review and assessment of the Committee based on the information provided by the Party concerned, the caution did not become effective,

1. *Notes* the engagement of the Party concerned demonstrated by its correspondence with the Committee during the intersessional period;

2. *Takes note* of the action plan developed by Ukraine and submitted through the Committee in January 2009;

* The full text of addendum to the report of the fourth session of the Meeting of the Parties (ECE/MP.PP/2011/2/Add.1) is available in English at http://www.unece.org/fileadmin/DAM/env/pp/mop4/Documents/ece_mp.pp_2011_2_add.1_eng.pdf, in French at http://www.unece.org/fileadmin/DAM/env/pp/mop4/Documents/ece_mp.pp_2011_2_add.1_fre.pdf and in Russian at http://www.unece.org/fileadmin/DAM/env/pp/mop4/Documents/ece_mp.pp_2011_2_add.1_rus.pdf.

3. *Endorses* the conclusion of the Committee that Ukraine is still in a state of non-compliance with regard to decision II/5b;
4. *Notes with regret* the very slow progress by the Party concerned in implementing decisions II/5b and III/6f of the Meeting of the Parties;
5. *Urges* therefore the Party concerned to implement the measures requested by the Meeting of the Parties in decision II/5b as soon as possible;
6. *Decides* to issue a caution to the Party concerned;
7. *Also decides* that the caution will be lifted on 1 June 2012, if the Party concerned has fully implemented the measures requested by the Meeting of the Parties in decision II/5b and has notified the secretariat of this fact, providing evidence, by 1 April 2012;
8. *Requests* the Compliance Committee to establish the successful fulfilment of decision II/5b;
9. *Also requests* the Compliance Committee to report to the fifth session of the Meeting of the Parties on whether the Party concerned has fulfilled decision II/5b, with a view to the Meeting of the Parties deciding whether to suspend the special rights and privileges accorded to Ukraine under the Convention;
10. *Invites* the Party concerned to submit to the Committee periodically, namely, in November 2012 and November 2013, detailed information on further progress in implementing the measures referred to in decision II/5b;
11. *Also invites* the Party concerned to consider accommodating an expert mission, with the involvement of Committee members and other experts, as appropriate, with a view to making available to it a wide range of expert opinion on possible ways to implement the measures referred to in decision II/5b;
12. *Requests* the secretariat, and invites relevant international and regional organizations and financial institutions, to provide advice and assistance to the Party concerned as necessary in the implementation of these measures;
13. *Undertakes* to review the situation at its fifth session.