

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

LIST OF DECISIONS AND MAJOR OUTCOMES¹

As adopted by the Meeting of the Parties at its fourth session

Item 1. Opening of the session

The Meeting of the Parties (MOP) took note of the opening remarks by the Deputy Prime-minister of the Republic of Moldova. The MOP also took note of the welcoming remarks by the Minister of Environment of the Republic of Moldova and the Director of the UNECE Environment Division.

Item 2. Adoption of the agenda

The MOP adopted the provisional agenda as set out in document ECE/MP.PP/2011/1.²

Item 3. Status of Ratification of the Convention and the PRTR Protocol

The MOP:

- Took note of the status of ratification of the Convention, its amendment and the PRTR Protocol. Since the previous session of the Meeting of the Parties in 2008, the number of Parties to the Convention had increased from 41 to 44, through ratification by Bosnia and Herzegovina, Montenegro and Serbia. The number of Parties to the amendment to the Convention had risen from 16 to 26 through ratification by Belgium, Cyprus, Germany, Italy, Netherlands, Poland, Portugal, Romania, Slovenia and the United Kingdom. The number of Parties to the PRTR Protocol had increased from 8 to 27, thereby bringing about the entry into force of the Protocol, through ratification by Albania, Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Denmark, Finland, France, Hungary, Lithuania, Norway, Portugal, Romania, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia and the United Kingdom.

¹ This document was not formally edited.

² All pre-session documents are available at <http://www.unece.org/env/pp/mop4/mop4.doc.htm>. All in-session documents will be made available on <http://www.unece.org/env/pp/mop4/mop4.doc.htm> and on <http://www.aarhus.mediu.gov.md/en/documents/>.

- took note of the report by the Chair that at the request of the Bureau, he had written letters to those Parties whose ratification of the GMO amendment would count towards its entry into force, encouraging them to ratify the amendment.
- took note of reports by delegations on recent and anticipated developments concerning ratification, including the report of Serbia stating that it plans to ratify the Protocol on PRTRs by the end of 2012.

Item 4. Substantive issues

(a) Genetically modified organisms

The MOP:

- took note of the keynote addresses on the topic of GMOs by representatives of Austria and the European ECOForum;
- took note of the provided information, including with regard to ratifications needed for the amendment to enter into force;
- agreed on the proposed activities related to GMOs in the draft decision IV/6 on the work programme for 2012-2014 (ECE/MP.PP/2011/L.6)

(b) Access to information, including electronic information tools

The MOP:

- took note of the report by a representative of the United Kingdom, speaking on behalf of the Chair of the Task Force on Electronic Information Tools, on the activities of the Task Force since the third meeting of the Parties.
- took note of other relevant information provided by delegations.
- provisionally adopted decision IV/1 on Access to Information (ECE/MP.PP/2011/L.1), amending paragraph 9 by adding the Republic of Moldova between the square brackets and removing them, and agreed on the proposed activities related to Access to Information in the draft decision IV/6 on the work programme for 2012-2014
- Welcomed the offer of the Republic of Moldova to lead the Task Force.

(c) Public participation in decision-making

The MOP:

- took note of the report by the Chair of the Task Force on Public Participation in Decision-making on the activities of the Task Force since the extraordinary session of the Meeting of the Parties (Geneva, 30 June 2010), as well as of other information provided by delegations.
- decided to extend in time the mandate of the Task Force and endorse the proposed workplan for the Task Force, as contained in document ECE/MP.PP/WG.1/2011/5.

- agreed on the proposed activities related to public participation in the draft decision IV/6 on the work programme for 2012-2014
- Thanked Ireland for its leadership in this area of work, and welcomed its offer to continue leading the Task Force.

(d) Access to Justice

The MOP:

- Took note of the keynote addresses on the topic of access to justice by a representative of Norway and a senior judge from Armenia.
- Took note of the report by the Chair of the Task Force on Access to Justice on the activities of the Task Force, and took note of other information provided by delegations.
- Provisionally adopted decision IV/2 on promoting Access to Justice (ECE/MP.PP/2011/L.2), removing the square brackets in paragraph 16, and agreed on the proposed activities related to access to justice in the draft decision IV/6 on the work programme for 2012-2014
- Thanked Sweden for its leadership in this area of work and welcomed its offer to continue leading the Task Force.

(e) Public participation in international forums

The MOP:

- Took note of the keynote addresses on the topic of public participation in international forums (PPIF) by representatives of Italy and the UNFCCC secretariat.
- Took note of the report by the Chair of the Task Force on Public Participation in International Forums on the activities of the Task Force, and took note of other information provided by delegations.
- Provisionally adopted decision IV/3 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2011/CRP.5) and agreed on the proposed activities related to the promotion of the Almaty Guidelines and awareness raising in the draft decision IV/6 on the work programme for 2012-2014
- Thanked France for its leadership of the Task Force and welcomed its offer to continue leading this area of work.

Item 5. Procedures and mechanisms

(a) Reports on the status of implementation of the Convention

The MOP:

- Took note of the synthesis report and discussed trends and challenges in implementation.

- Recognized the need for timely submission of national implementation reports (NIRs) in order to ensure a good quality of the synthesis report and its timely submission for translation.
- Noted with regret that the majority of Parties did not submit their reports by the set deadline.
- Urged Parties that did not submit their national implementation reports to do so by 20 September 2011.
- Expressed its gratitude to Belgium for providing in-kind translation of the report into French.

(b) Compliance mechanism

The MOP:

- Took note of the report by the Chair of the Compliance Committee on the Committee's activities since the third session of the Meeting of the Parties, including regarding the functioning of the compliance mechanism and findings and recommendations of the Committee with respect to compliance by specific Parties.
- Expressed its gratitude and appreciation to the Chair and the two members of the Committee who would step down from the Committee after the session.
- Provisionally adopted
 - decision IV/9 on general issues of compliance (ECE/MP.PP/2011/CRP.6)
 - decision IV/9a on compliance by Armenia (ECE/MP.PP/2011/L.12)
 - decision IV/9b on compliance by Belarus (ECE/MP.PP/2011/L.13)
 - decision IV/9c on compliance by Kazakhstan (ECE/MP.PP/2011/L.14)
 - decision IV/9d on compliance by the Republic of Moldova (ECE/MP.PP/2011/CRP.7)
 - decision IV/9e on compliance by Slovakia (ECE/MP.PP/2011/L.16)
 - decision IV/9f on compliance by Spain (ECE/MP.PP/2011/CRP.8)
 - decision IV/9g on compliance by Turkmenistan (ECE/MP.PP/2011/L.18)
 - decision IV/9h on compliance by Ukraine (ECE/MP.PP/2011/CRP.9)
 - decision IV/9i on compliance by the United Kingdom. (ECE/MP.PP/2011/L.20)
- When adopting decision IV/9f, the Parties agreed that the second sentence of paragraph 117 of Addendum 1 to the report of the 26th meeting of the Compliance Committee (ECE/MP.PP/C.1/2009/8/Add.1), regarding communication ACCC/C/2008/24 concerning Spain, is not a finding, and that therefore it was not endorsed as such by the MOP.
- agreed on the proposed activities related to the Compliance Committee in the draft decision IV/6 on the work programme for 2012-2014
- elected by consensus the following four new members of the Compliance Committee:
 - Mr. Pavel Černý, nominated by the European ECO Forum;
 - Mr. Ion Diaconu, nominated by the European Union;
 - Ms. Heghine Hakhverdyan, nominated by the Government of Armenia;
 - Mr. Jerzy Jendroska, nominated by the European Union.
- Recalling the report of the 2nd session of the Extraordinary MOP (Geneva, 19-22 April and 30 June 2010) and in particular the establishment of an official mandate for the

Compliance Committee documentation, the Meeting of the Parties mandated the Secretariat, in consultation with the Compliance Committee, to:

- contact the relevant UN services in order to request an extension of the current waiver on the rules regarding the translation by the UN of the Compliance Committee reports and findings until the next session of the MOP;
- explore alternative options for the translations of the Compliance Committee reports and findings, while respecting the equal treatment of the three official languages of the UNECE; and
- report back on the above to the MOP at its next meeting.

(c) Reporting requirements

The MOP provisionally adopted decision IV/4 on reporting requirements (ECE/MP.PP/2011/CRP.2).

(d) Implementation Guide

The MOP took note of the information regarding the revision of the draft Implementation Guide and looked forward to its publication as a valuable tool to facilitate the Convention's implementation.

(e) Capacity-building

The MOP:

- Took note of the information provided by delegations;
- Agreed on the proposed activities related to capacity-building in the draft decision IV/6 on the work programme for 2012-2014.

Item 6. Promotion of the Convention and relevant developments and interlinkages

(a) Accession to the Convention by States from outside the UNECE region

The MOP:

- Took note of the information provided by the secretariat that it has received a letter via e-mail from the Head of the Office of the President of Mongolia addressed to the UNECE Executive Secretary, stating that Mongolia was interested in acceding to the Convention and would like to be informed about how to proceed with the accession and about the obligations it would have as a Party. It also requested the secretariat to explore whether it would be possible to arrange a mission of experts to Mongolia to advise the country on this matter.
- Provisionally adopted decision IV/5 on accession to the Convention by States from outside the United Nations Economic Commission for Europe region (ECE/MP.PP/2011/CRP.3) and agreed to consider inviting prospective parties as observers to the next session of the Meeting of the Parties.
- Asked the Working Group of the Parties, with the assistance of the Secretariat and the Bureau, to monitor the application of the decision IV/5, taking into account progress towards achievement of the relevant objective of the Strategic Plan, and to report about its effectiveness to enable the fifth session of the Meeting of the Parties to have an informed debate and to take any action considered relevant in order to further encourage the accession of non-ECE States.
- The European ECOForum expressed regret that the MOP was not willing to commit to amending the Convention at its fifth session to remove the requirement that accession to the Convention by non-UNECE States be subject to approval by the MOP, but indicated its hope that such an amendment would nonetheless be adopted at that session.

(b) Awareness-raising activities and communication

The MOP:

- Took note of the keynote address by Belgium, introducing the Communication Strategy for the Convention and its Protocol, and of the information provided by delegations concerning awareness-raising;
- Endorsed the Communication Strategy as contained in document ECE/MP.PP/2011/L.10, requesting the secretariat to publish the final version of the document and ensure the proper formatting of its first annex;
- Agreed on the proposed activities related to awareness-raising in the draft decision IV/6 on the work programme for 2012-2014.

(c) Synergies between the Convention and other relevant multilateral environmental agreements

The MOP:

- Took note of the information provided by delegations and the secretariat, including the statement of a representative of the secretariat of the Convention on Biological Diversity;
- Agreed on the proposed activities in the draft decision IV/6 on the work programme for 2012-2014 with regard to relevant interlinkages with other MEAs.

(d) Update on UNEP initiatives on access to information, public participation and access to justice in environmental matters

The MOP:

- Took note of the information provided by UNEP on its activities to promote implementation of the UNEP Guidelines on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, including information on the Eye on Earth Summit (Abu Dhabi, 12-15 Dec. 2011).
- Agreed that the Task Force on Access to Information and relevant bodies under the Protocol on PRTRs should engage to the extent possible with the preparatory process for the Eye on Earth Summit (Abu Dhabi, 12-15 December 2011), participate in the Summit and continue to engage with post-Summit relevant initiatives.

Item 7. Programme of work and operation of the Convention

(a) Implementation of the work programme for 2009–2011, including in relation to the Strategic Plan 2009-2014

The MOP:

- Took note of the Report on the implementation of the work programme for 2009-2011, including in relation to the Strategic Plan 2009-2014 (ECE/MP.PP/2011/9).
- Expressed appreciation for the work done by the secretariat and noted the difficulties posed by administrative requirements and limited and unpredictable funding, which especially impacted the management of human resources.

(b) Work programme for 2012-2014

The MOP:

- Provisionally adopted decision IV/6 on the work programme for 2012-2014 (ECE/MP.PP/2011/CRP.1)³.
- Took note of the information provided by delegations concerning financial contributions contained in the report on implementation of the Work Programme 2009-2011 (ECE/MP.PP/2011/9), and of the following statements concerning additional contributions:
 - (a) Recognizing the need for stability, predictability and fair burden sharing in financial matters, the European Union confirmed that it would maintain its annual pledge of €100,000 until that amount would become 2.5% of the total estimated costs of activities under the work programme not covered by the United Nations regular budget. This percentage represented the usual EU contribution in multilateral environmental agreements and was also reflected in the financial arrangements for the PRTR Protocol, as adopted by the Meeting of the Parties to the Protocol in 2010. This commitment is subject to annual endorsement by the budgetary authorities of the European Union and is without prejudice to the arrangements for State Parties.
 - (b) Austria: had contributed EUR 10,000 for 2011.
 - (c) Czech Republic: would contribute USD 15,000 for 2012.
 - (d) Croatia: intended to continue its annual contribution of 6000 USD in the coming years.

(c) Financial arrangements

The MOP provisionally adopted decision IV/7 on financial arrangements (ECE/MP.PP/2011/CRP.10).

(d) Future Strategic Plan

The MOP provisionally adopted decision IV/8 on strategic planning (ECE/MP.PP/2011/L.8).

Item 8. Report on credentials

The MOP approved the report on credentials by one of the Vice-Chairs of the Bureau, who noted that 35 Parties had submitted credentials and thus a quorum had been reached.

Item 9. Opening ceremony for the High-level Segment

The MOP took note of a welcome address delivered by the Deputy Prime Minister of the Republic of Moldova, and a message on behalf of the UN Secretary-General, delivered by the

³ The MOP revised draft decision IV/6 on the work programme for 2012-2014 (ECE/MP.PP/2011/L.6) and adopted its revised version, as contained in document ECE/MP.PP/2011/CRP.1.

Executive Secretary of the Economic Commission for Europe. It also took note of an address delivered by Mr. Gheorghe Salaru, Minister of Environment, Republic of Moldova.

Item 10. Thematic session: ‘The role of the Aarhus Convention in promoting sustainable development’

The MOP:

- Took note of the presentations by panellists and held a thematic discussion on the role of the Aarhus Convention in promoting sustainable development and Principle 10 of the Rio Declaration.
- Agreed to send a strong message to the United Nations Conference on Sustainable Development (Rio+20), offering the region’s experience within the framework of the Aarhus Convention as an inspiration for delivery on Principle 10 beyond the UNECE region.

Item 11. Discussion and adoption of the Declaration

The MOP adopted the Chisinau Declaration (ECE/MP.PP/2011/CRP.4/rev.1).

Item 12. Election of officers and other members of the Bureau

The MOP elected by consensus Mr. Peters (Netherlands) as Chair and re-elected Ms. Dall’Ora (Italy) and Mr. Narkevitch (Belarus) as Vice-Chairs from among the representatives of the Parties present at the meeting, in accordance with rule 18 of the rules of procedure. It also elected by consensus the following members of the Bureau from among the representatives of the Parties in accordance with rule 22, paragraph 1(b): Mr. Pokorny (Czech Republic), Mr. Legoupil (France), Mr. Brakeland (European Union), Ms. Petkovic (Serbia).

Mr. Wates (European Environmental Bureau) was appointed by the European ECOForum to attend the meetings of the Bureau as an observer, in accordance with rule 22, paragraphs 2 and 4.

Item 13. Date and venue of the fifth ordinary session

The MOP noted an expression of preliminary interest of Ukraine in hosting the next session of the Meeting of the Parties. The MOP mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the fifth ordinary session, taking into account the proposal by Ukraine.

Item 14. Any other business

No issues were discussed under this item.

Item 15. Review and adoption of decisions

Based on the discussions under the preceding agenda items, the Meeting of the Parties formally adopted the following decisions with the agreed amendments by consensus:

- Draft decision IV/1 on access to information (ECE/MP.PP/2011/L.1)
- Draft decision IV/2 on promoting effective access to justice (ECE/MP.PP/2011/L.2)
- Draft decision IV/3 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2011/CRP.5)
- Draft decision IV/4 on reporting requirements (ECE/MP.PP/2011/CRP.2)
- Draft decision IV/5 on accession to the Convention by States from outside the United Nations Economic Commission for Europe region (ECE/MP.PP/2011/CRP.3)
- Draft decision IV/6 on the work programme for 2012–2014 (ECE/MP.PP/2011/CRP.1)
- Draft decision IV/7 on financial arrangements (ECE/MP.PP/2011/CRP.10)
- Draft decision IV/8 on strategic planning (ECE/MP.PP/2011/L.8)
- Draft decision IV/9 on general issues of compliance (ECE/MP.PP/2011/CRP.6)
- Draft decision IV/9a on compliance by Armenia (ECE/MP.PP/2011/L.12)
- Draft decision IV/9b on compliance by Belarus (ECE/MP.PP/2011/L.13)
- Draft decision IV/9c on compliance by Kazakhstan (ECE/MP.PP/2011/L.14)
- Draft decision IV/9d on compliance by the Republic of Moldova (ECE/MP.PP/2011/CRP.7)
- Draft decision IV/9e on compliance by Slovakia (ECE/MP.PP/2011/L.16)
- Draft decision IV/9f on compliance by Spain (ECE/MP.PP/2011/CRP.8)
- Draft decision IV/9g on compliance by Turkmenistan (ECE/MP.PP/2011/L.18)
- Draft decision IV/9h on compliance by Ukraine (ECE/MP.PP/2011/CRP.9)
- Draft decision IV/9i on compliance by the United Kingdom (ECE/MP.PP/2011/L.20)

The MOP also adopted the other major outcomes presented at the meeting as contained in the present document ECE/MP.PP/2011/CRP.11 and requested the secretariat, in consultation with the Chair of the Meeting of the Parties, to finalize the report and to incorporate the adopted outcomes and decisions in it.

Item 16. Close of the meeting
