

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

Fifth session

Maastricht, the Netherlands, 30 June and 1 July 2014

Excerpt from the addendum to the report of the fifth session of the Meeting of the Parties (ECE/MP.PP/2014/2/Add.1)*

Decision V/9e on compliance by Croatia

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 fifth session

The Meeting of the Parties,

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

Taking note of the report of the Compliance Committee under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (ECE/MP.PP/2014/9), as well as the findings of the Committee on communication ACCC/C/2012/66 (ECE/MP.PP/C.1/2014/4) concerning public participation in the adoption of waste management plans,

Encouraged by Croatia's willingness to discuss in a constructive manner the compliance issues in question with the Committee,

1. *Endorses* the following findings of the Committee with regard to communication ACCC/C/2012/66:

(a) The present arrangements under the law of the Party concerned are not sufficiently clear to ensure that the requirement of article 7 for a transparent framework is met. Thus, the Party concerned fails to comply with article 7 of the Convention;

(b) The legislation in force in the Party concerned fails to provide for a consistent and uniform application throughout the territory and is not clear as regards public participation in the preparation of municipality waste management plans, and therefore is not in compliance with article 3, paragraph 1, of the Convention;

2. *Welcomes* the recommendations made by the Committee during the intersessional period in accordance with paragraph 36 (b) of the annex to decision I/7;

* The full text of addendum to the report of the fifth session of the Meeting of the Parties (ECE/MP.PP/2014/2/Add.1) is available in English, French and Russian at http://www.unece.org/env/pp/aarhus/mop5_docs.html#.

3. *Further welcomes* the willingness of the Party concerned to accept the Committee's recommendations, namely, that it ensure that a transparent framework is in place providing for appropriate practical and/or other provisions for the public to participate during the preparation of municipal waste management plans, by, inter alia, including municipal waste management plans in the list of plans relating to the environment which are not formally subjected to strategic environmental assessment but for which public participation is required, so that article 7 of the Convention is clearly applicable to such plans;

4. *Invites* the Party concerned to submit to the Committee periodically (on 31 December 2014, 31 October 2015 and 31 October 2016) detailed information on further progress in implementing the recommendation set out above;

5. *Undertakes* to review the situation at its sixth session.
