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

Compliance Committee

Fortieth meeting

Geneva, 25–28 March 2013

Report of the Compliance Committee on its fortieth meeting

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Introduction

1. The fortieth meeting of the Compliance Committee under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held from 25 to 28 March 2013 in Geneva, Switzerland.

A. Attendance

2. All members were present during the meeting. Members having declared a conflict of interest with respect to particular cases did not participate in closed sessions deliberating on those cases. Representatives of the Governments of the Czech Republic, Belarus and Romania participated in the open sessions, and a representative of Ukraine took part in a relevant session by videoconference.

3. Also participating as observers during the open sessions were members of the public and representatives of non-governmental organizations (NGOs), including: the Coordination Centre of Austrian Environmental Organizations (OEKOBÜERO) (Austria); Earthjustice (Switzerland); Ekologický právní servis (Environmental Law Service) (Czech Republic); Greenpeace (Czech Republic); Justice and Environment (Austria); the Research and Analysis Center "Society and Environment" (Ukraine); European ECO Forum; the European Environmental Bureau; the Green Party/Fichtelgebirge (Germany); and representatives of Irish NGOs that attended several open sessions of the Committee as part of a training (An Taisce The National Trust for Ireland, Coastwatch Environmental Pillar, Friends of the Irish Environment and the Irish Wildlife Trust).

B. Organizational matters

4. The Chair of the Compliance Committee, Mr. Jonas Ebbesson, opened the meeting.

5. The Committee adopted its agenda as set out in document ECE/MP.PP/C.1/2013/1.

I. New submissions and referrals under the Convention

6. The secretariat informed the Committee that no new submissions had been made by Parties concerning compliance by other Parties.

7. The secretariat informed the Committee that no submissions had been made by Parties concerning problems with their own compliance since the Committee's last meeting.

8. No referrals had been made by the secretariat since the Committee's last meeting.

II. Communications from members of the public

9. The Committee confirmed the adoption of the edited version of its findings and recommendations in English, as well as their translation into French and Russian, with regard to communications ACCC/C/2010/53 (United Kingdom of Great Britain and Northern Ireland) and ACCC/C/2011/58 (Bulgaria), as set out in documents ECE/MP.PP/C.1/2013/3 and ECE/MP.PP/C.1/2013/4, respectively.

10. With regard to communication ACCC/C/2008/31 (Germany), the Committee took note of the information submitted by the Party concerned on 19 February and 12 March 2013, and by the communicant on 22 February 2013. It then agreed to continue its deliberations on the matter at its next meetings with a view to completing its draft findings and, as appropriate, recommendations, which would then be sent for comment to the Party concerned and the communicant.

11. With regard to communication ACCC/C/2008/32 (European Union (EU)), the secretariat informed the Committee that no additional information had been received and that the two cases relating to the communication¹ were still pending before the Court of Justice of the EU.

12. Concerning communications ACCC/C/2010/45 and ACCC/C/2011/60 (United Kingdom), the Committee took note of the additional information that had been submitted by the Party concerned on 7 January 2013. Additional information concerning access to justice had also been submitted by the communicant of ACCC/C/2011/60 shortly before the meeting, and the Chair had decided that the information would not be considered. The Committee completed its draft findings in closed session. It requested the secretariat to send the draft findings to the Party concerned and the communicants for comment in accordance with the procedure set out in paragraph 34 of the annex to decision I/7 of the Meeting of the Parties to the Convention. The Committee would take into account any comments when finalizing the findings at its forty-first meeting (25–28 June 2013).

13. With regard to communication ACCC/C/2010/51 (Romania), at its thirty-ninth meeting (11–14 December 2012), the Committee had completed its draft findings in closed session, with the exception of a few minor points that had been finalized by using the electronic decision-making procedure. The findings had then been sent for comments to the Party concerned and the communicant on 29 January 2013. The Party concerned and the communicant had provided comments on 27 February and 6 March 2013, respectively. The Committee noted that the comments received indicated that some aspects of the facts had possibly been incorrectly reflected in the findings, and requested the secretariat to enquire with the parties in order to verify the information. It agreed that it would consider the relevant parts of its draft based on the replies received at its next session, with a view to adopting its findings in closed session. It also agreed that should the draft be substantively changed, it would be resent to the Party concerned and the communicants for comment in accordance with the procedure set out in paragraph 34 of the annex to decision I/7.

14. With regard to communication ACCC/C/2010/55 (United Kingdom), the secretariat informed the Committee that no additional information had been received.

15. At its thirty-ninth meeting, the Committee had completed its draft findings in closed session with regard to communication ACCC/C/2011/59 (Kazakhstan). The findings had then been sent for comments to the Party concerned and the communicant on 19 February 2013. The communicant had provided comments on 6 March 2013 and the Party concerned on 20 March 2013. The Committee finalized its findings, taking into account the comments received. It adopted its findings and instructed the secretariat to prepare official versions of the adopted findings on ACCC/C/2011/59 as a formal pre-session document to its forty-second meeting (24–27 September 2013), and to ensure their availability in the three official United Nations Economic Commission for Europe (ECE) languages. The Committee requested the secretariat to send the finalized findings to the Party concerned and the communicant.

¹ *Council v. Stichting Natuur en Milieu and Pesticide Action Network Europe*, case C-404/12 P and *Commission v. Stichting Natuur en Milieu and Pesticide Action Network Europe*, case C-405/12 P.

16. Concerning communication ACCC/C/2011/61 (United Kingdom), the Committee completed its draft findings in closed session. It requested the secretariat to send the draft findings to the Party concerned and the communicants for comment in accordance with the procedure set out in paragraph 34 of the annex to decision I/7. The Committee would take into account any comments when finalizing the findings at its forty-first meeting.

17. Regarding communication ACCC/C/2011/62 (Armenia), the Committee completed its draft findings in closed session. It requested the secretariat to send the draft findings to the Party concerned and the communicants for comment in accordance with the procedure set out in paragraph 34 of the annex to decision I/7. The Committee would take into account any comments when finalizing the findings at its forty-first meeting.

18. Concerning communication ACCC/C/2011/63 (Austria), the Committee agreed to continue its deliberations on the matter at its forty-first meeting with a view to completing its draft findings and, as appropriate, recommendations, which would then be sent for comment to the Party concerned and the communicant.

19. With regard to communication ACCC/C/2012/66 (Croatia), the Committee took note of the information submitted by the communicant and the Party concerned on 11 February and 15 February 2013, respectively. It then agreed to continue its deliberations on the matter at its forty-first meeting with a view to completing its draft findings and, as appropriate, recommendations, which would then be sent for comment to the Party concerned and the communicant.

20. On communication ACCC/C/2012/67 (Denmark), the Committee took note of the information submitted by the communicant on 20 December 2012 and 6 February 2013, requesting the Committee to suspend consideration of the communication; and by the Party concerned on 8 February 2013, requesting the Committee not to consider the communication any further. The Committee concurred with the decision of the Environmental Appeals Board that an eight-day consultation period for the river management plans fell short of the requirements of the Convention. It considered that since domestic remedies had redressed the issue of the communication the case would be closed. It asked the secretariat to send a letter to the parties informing them of its decision.

21. Concerning communication ACCC/C/2012/68 (United Kingdom and the EU), the Committee took note of the information submitted by the communicant on 8 February 2013 and 22 March 2013, and by the Parties concerned on 11 February 2013. The Committee had also received substantial information from an observer on 3 March 2012. It agreed to send additional questions to the parties and to continue its deliberations on the matter at its fortieth meeting with a view to completing its draft findings and, as appropriate, recommendations, which would be sent for comment to the Party concerned and the communicant.

22. The Committee then entered into discussion in open session on communication ACCC/C/2012/69 (Romania), ACCC/C/2012/70 (Czech Republic) and ACCC/C/2012/71 (Czech Republic) with the participation of representatives of the Parties concerned and the communicants.

23. With respect to communication ACCC/C/2012/69 (Romania), on 5 February 2013 the communicants had submitted additional information at the request of the Committee in response to the comments of the Party concerned of 5 October 2012. The communication alleged the failure of the Party concerned to comply with its obligations under article 4, paragraphs 1 and 2, and article 6, paragraph 6, of the Convention because of the incomplete information available to members of the public in the decision-making for the Rosia Montana mining project. The communication also alleged non-compliance with article 9, paragraph 4, on the grounds that the judicial procedures for access to information took too long to complete. The Committee confirmed that communication ACCC/C/2012/69 was

admissible. At the end of the discussion, parties were invited to address some additional questions in writing.

24. Concerning communication ACCC/C/2012/70 (Czech Republic), the Party concerned had submitted its response on 14 January 2013, and additional information had been submitted by the communicant on 8 March 2013. The communication included allegations of non-compliance with article 7 of the Convention, on the grounds that the Party concerned had prepared an application to the European Commission for free allocation of allowances and its National Investment Plan, both under the revised rules for the EU Emissions Trading System, without proper public participation. The Committee confirmed that communication ACCC/C/2012/70 was admissible. At the end of the discussion, parties were invited to address some additional questions in writing.

25. On communication ACCC/C/2012/71 (Czech Republic), the Party concerned had submitted its response on 14 January 2012 and additional information on 22 March 2013. Additional information had also been submitted by the communicant on 2 February and 4 March 2013. The communication included allegations of non-compliance with article 3, paragraph 9, of the Convention on the grounds that members of the public concerned in Germany had not had the same opportunities as the members of the public concerned in the Czech Republic to participate to the decision-making procedure for the Temelin nuclear power plant.

26. At the beginning of the discussion, Mr. Gerhard Loibl declared a conflict of interest with respect to the case, due to his relationship with the subject at issue that could reasonably be considered as leading to a conflict of interest or which might reasonably be perceived by the Parties or by members of the public as giving rise to such a conflict. The Committee agreed that Mr. Loibl would participate in the proceedings of the communication as an observer only and would thus not take part in any deliberations on the communication in closed sessions.

27. In addition, Mr. Pavel Černý informed the parties of his working relationship with NGOs in the Czech Republic, which were in general perceived as opponents of the project at issue. He stated, however, that he had not been involved in any matter concerning the project and, thus, he did not consider that his occasional relationship with Czech NGOs could reasonably be considered as leading to a conflict of interest. Mr. Alexander Kodjabashev also informed the parties of his working relationship several years ago with an observer supporting the communicant during the discussion, but he stated that he did not consider that the situation could reasonably be considered as leading to a conflict of interest. The Party concerned and the communicant agreed that they did not perceive the situations as giving rise to such a conflict for either Committee member. The Committee decided that Mr. Černý and Mr. Kodjabashev would participate fully as members of the Committee in considering the case. The Party concerned and the communicant accepted the Committee's decision.

28. The Committee confirmed that communication ACCC/C/2012/71 was admissible. At the end of the discussion, parties were invited to address some additional questions in writing.

29. The Committee then deliberated upon communications ACCC/C/2012/69, ACCC/C/2012/70 and ACCC/C/2012/71 in closed sessions. It agreed to continue its deliberations on the matters at its forty-first meeting with a view to finalizing the draft findings and, if appropriate, recommendations, at that meeting. The draft findings would then be sent for comment to the Parties concerned and the communicants.

30. On communication ACCC/C/2012/76 (Bulgaria), the Committee noted that the deadline of 30 March 2013 for the Party to respond had not elapsed and that the Party had

not yet replied. It confirmed that it would discuss the substance of the communication at its forty-first meeting.

31. Concerning communication ACCC/C/2012/77 (United Kingdom), the Committee noted that the deadline of 30 March 2013 for the Party to respond had not elapsed and that the Party had not yet replied. It confirmed that it would discuss the substance of the communication at its forty-first meeting.

32. With respect to communication ACCC/C/2012/78 (Spain), the Committee noted that the deadline of 24 June 2013 for the Party to respond had not elapsed and that the Party had not yet replied. It provisionally scheduled to discuss the substance of the communication at its forty-second meeting.

33. At its thirty-ninth meeting, the Committee had deferred determination on the preliminary admissibility of four communications to its fortieth meeting and had decided to ask the communicants, through the secretariat, to clarify some of their allegations. For two of those communications, the Committee decided to defer again its decision on preliminary admissibility to its forty-first meeting, in one case at the request of the communicant.

34. Turning to the two other communications deferred to the present meeting, communication ACCC/C/2013/79 (Italy), submitted by members of the public represented by Ms. Maria Rita D'Orsogna, alleged non-compliance by the Party concerned with the provisions of the Convention on public participation in connection with the extraction of oil and gas drilling in Abruzzo, Italy, and the construction of a refinery to treat sour gas in the city of Bomba. Further to the request of the Committee for additional information, the communicant had responded that it was not in a position to provide the information and had reserved the right to get back to the Committee in the future. The Committee determined that the case was not admissible for lack of corroborating information on the basis of paragraph 20 (d) in conjunction with paragraph 19 of the annex to decision I/7.

35. Communication ACCC/C/2013/80 (Croatia), submitted by Mr. Lucijan Mohorovich, alleged non-compliance by the Party concerned with the provisions of the Convention on public participation in connection with the proposed construction of a coal power plant in Labin and Krsan. The Committee determined that the case was not admissible for lack of corroborating information on the basis of paragraph 20 (d) in conjunction with paragraph 19 of the annex to decision I/7.

36. The Committee had also received four new communications since its previous meeting. It considered the preliminary admissibility of three new communications (as set out below), and decided to defer its decision on preliminary admissibility of one new communication to its forty-first meeting.

37. Communication ACCC/C/2013/81 (Sweden), submitted by a member of the public, Mr. Bernd Stümer, alleged non-compliance by the Party concerned with the provisions of the Convention on access to information, public participation and access to justice in relation to the permitting process for the issuance of permits for two wind turbines near the town of Strängnäs, Sweden. The Committee decided that the communication was admissible on a preliminary basis. It requested the secretariat to forward the communication to the Party concerned. It was also agreed that questions would be sent to the parties. Ms. Ellen Hey was designated as curator for the case.

38. Communication ACCC/C/2013/82 (Norway), submitted by a member of the public, Ms. Lara Johnstone, alleged non-compliance by the Party concerned with the provisions of the Convention on access to information with regard to information held by media editors and the Norwegian Bar Association, and with the provisions of the Convention on access to justice with regard to the response of the Environmental Appeals Board and the Parliamentary Ombudsman with respect to the related complaints of the communicant. The

Committee determined that the communication was not admissible on the basis of paragraph 20 (c) of the annex to decision I/7.

39. Communication ACCC/C/2013/83 (United Kingdom), submitted by a member of the public, Mr. Robert Latimer, alleged non-compliance by the Party concerned with the provisions of the Convention on access to environmental information. The Committee decided that the communication was admissible on a preliminary basis. It requested the secretariat to forward the communication to the Party concerned. It was also agreed that questions would be sent to the parties. Ms. Dana Zhandayeva was designated as curator for the case.

III. Reporting requirements

40. The secretariat informed the Committee that the former Yugoslav Republic of Macedonia was the only Party to the Convention that had still failed to submit its implementation report, initially due in December 2010. In the meantime, several reminders had been sent to the Party. No response had been received. The Committee expressed its dissatisfaction.

41. The Committee also agreed on a tentative timeline prepared by the Chair and the secretariat for the preparation of the Committee's report to the Meeting of the Parties.

IV. Follow-up on specific cases of non-compliance

42. The Committee reviewed progress in the implementation of decisions IV/9 and IV/9a-i adopted at the fourth session of the Meeting of the Parties (see ECE/MP.PP/2011/2/Add.1).

43. With respect to decision IV/9a (Armenia), the Committee took note of the report submitted by the Party concerned on 5 February 2013. The report had initially been due in November 2012. The Committee noted with regret that the Party concerned had submitted its report late, but in particular lamented the very slow progress with regard to the enactment of the new Environmental Impact Assessment Law, which was expected to implement decision III/6a of the Meeting of the Parties (2008) and its subsequent decision IV/9a (2011). Moreover, the report was very vague. The Committee requested the secretariat to draw the attention of the Party concerned to the extremely slow legislative process during the past five years and to ask for further details about the law. It agreed to review the situation in detail at its forty-second meeting and requested the secretariat to explore the possibility of a videoconference with the Party concerned and interested observers. It would then also start considering its recommendations to the Meeting of the Parties at its fifth session on the matter.

44. With respect to decision IV/9b (Belarus), the Committee took note of the report provided by the Party concerned, which had been submitted within the deadline, as well as the Party concerned's response of 13 February 2013 to the Chair's letter of 5 October 2012. The Committee also took note of the comments on the Party's report submitted by the communicant of communication ACCC/C/2009/37 on 28 February 2013. An observer expressed deep disappointment with respect to the legislative developments. The Committee noted that the nature of the information provided did not allow for an accurate evaluation of the progress achieved. It decided to send a letter to the Party concerned requesting concrete information about the exact dates of the different stages of the legislative process to reach the objectives set in the action plan, originally submitted on 30 March 2012, including information on how the relevant recommendations in communication ACCC/C/2009/44 (ECE/MP.PP/C.1/2011/6/Add.1, para. 90, in particular

subparagraphs (a), (b) and (c)), which referred to the recommendations in communication ACCC/C/2009/37 (see ECE/MP.PP//2011/11/Add.2), and which had been made with the agreement of the Party concerned, had been addressed.

45. The Committee also noted with regret that the response of the Party concerned to the Chair's letter of 5 October 2012, concerning the alleged arrest and detentions of environmental activists, was unsatisfactory, and therefore decided to invite the Party concerned to provide more specific information. The Committee agreed to review the situation in detail at its forty-second meeting and requested the secretariat to explore the possibility of a videoconference with the Party concerned and interested observers and to remind them of the recommendations on communication ACCC/C2009/44 and also the recommendations on communication ACCCC/2009/37, which the Party had accepted. It would then start considering its recommendations on the matter to the Meeting of the Parties at its fifth session.

46. With respect to decision IV/9c (Kazakhstan), the Committee recalled that it had agreed that at its forty-first meeting that it would review the material in detail and also whether the Party concerned had adopted all the necessary legislation to comply with decision III/6c of the Meeting of the Parties and whether it would recommend the Meeting of the Parties to issue a caution at its fifth session. The Committee asked the secretariat to remind the Party that it had to submit a list of relevant case-law as well as regular updates on the progress achieved.

47. With respect to decision IV/9d (Republic of Moldova), the Committee took note of the e-mail of 8 February 2013 from the communicant of ACCC/C/2008/30, which had agreed with the evaluation of the Committee: namely, that the Party's action plan initially submitted in 2011 had addressed implementation of the Convention in general, and not the specific recommendations of the decision, while the follow-up report on the action plan submitted on 3 December 2012 included information about legislation and capacity-building activities that only related in part to specific actions targeting implementation of the plan. The Committee decided to send additional questions to the Party in order to clarify specific actions in its report. It agreed to review the situation in detail at its forty-second meeting and requested the secretariat to explore the possibility of a videoconference with the Party concerned and interested observers. It would then also start considering its recommendations to the Meeting of the Parties at its fifth session in that regard.

48. With regard to decision IV/9e (Slovakia), the Committee took note of the information provided by the Party in its letter of 28 February 2013 addressing the Committee's questions and the comments of the communicant in ACCC/C/2009/41 on the Party's report. It noted that the decision with respect to old permits was not clear. An observer expressed disappointment at the fact that the Party seemed not to show any progress in implementing the recommendations. The Committee decided to ask the Party concerned to clarify that issue. The Committee agreed that it would review the information again at its forty-first meeting.

49. With respect to decision IV/9f (Spain), the Committee recalled that the Party concerned would have to report six months before the fifth session of the Meeting of the Parties. However, in view of new communication ACCC/C/2012/78, the Committee requested the secretariat to invite the Party to inform it about the steps it had already taken to address the recommendations of the decision, along with its response to the communication, which was due to be sent by 24 June 2013. An observer noted that the fact that the decision had set a very late deadline for Spain to report on progress achieved with the recommendations, i.e., six months before the fifth session of the Meeting of the Parties and not more regularly, was a factor that could delay progress by the Party concerned in implementing the recommendations. The Committee took note of the information and

agreed to review the situation on the occasion of the discussion of ACCC/C/2012/78 (Spain), which had been preliminarily scheduled for discussion at its forty-second meeting.

50. Concerning decision IV/9g (Turkmenistan), the Committee recalled that the caution had re-entered into effect on 1 January 2013. It requested the secretariat to remind the Party concerned that it had to make efforts to fulfil the conditions set by the decision as soon as possible and to report to the Committee on 1 June and 1 November 2013 on the progress achieved, including a copy of the draft law on public associations. The Committee agreed that it would review the situation at its forty-first meeting. After the Party's report of November 2013, the Committee would decide on what further steps to be taken and, if the act had been adopted, it would reflect that in its report to the Meeting of the Parties and consider recommending that the caution be lifted.

51. An observer informed the Committee that it was hoped that the issues raised by the Meeting of the Parties in its decisions on Turkmenistan's compliance with the Convention would be taken into consideration by the Universal Periodic Review Working Group under the United Nations Human Rights Council, which was scheduled to review the situation in Turkmenistan at its sixteenth meeting, to be held from 22 April to 3 May 2013 in Geneva.

52. With regard to decision IV/9h (Ukraine), the Committee recalled that on 30 November 2012 the Party concerned had submitted information on the progress achieved in bringing its legislation into compliance with the provisions of the Convention, including the translation of the new law "On amending certain laws of Ukraine in connection to implementation of the Convention on Environmental Impact Assessment in a Transboundary Context" into English. The Committee also took note of the information submitted by the communicant of ACCC/C/2004/3 (Environment People Law) on 27 February 2013. The Committee noted the continuous failure of the Party concerned to implement the public participation procedures of the Convention over the past eight years. It also noted that the report submitted by the Party concerned in November 2012 related primarily to changes introduced by a draft law, which according to recent information, had in the meantime been withdrawn from parliamentary proceedings.

53. The Committee then entered into discussion via teleconference with a representative of the Party concerned, who informed the Committee of the internal ongoing procedures for the approval of legislative amendments in order to reach compliance with the Convention, including the draft law subject to parliamentary proceedings and the amendment of the Law concerning Development Construction, which was also pending. The representative noted that, while the Party concerned had striven to properly include all elements of article 6 of the Convention in the new draft law, some elements remained weak, such as the obligations arising from article 6, paragraph 2 (regarding provision of information to the public concerned about environmental decision-making procedures). The representative of the Party concerned thanked the Committee for its assistance, and said that the statement made during the teleconference would subsequently be provided in writing.

54. An observer expressed its deep concern at the fact that the draft law had been withdrawn and that the current changes to the new draft were not open to public comment. It also noted that there was currently no draft legislation before the parliament with respect to public participation and that public participation, especially in the context of the State ecological expertiza, had significantly deteriorated, while at the same time the scope of review by the competent authorities was much more limited.

55. The Committee requested the Party concerned to comment on the statement made by the observer. It also requested the Party to submit an advance copy of the new draft law, after its approval by all the relevant ministers, and before it was submitted for parliamentary approval, and agreed to review the situation at its next meetings.

56. With respect to decision IV/9i (United Kingdom), the Committee took note of the report of the Party concerned on 28 February 2013 and also of the comments submitted by the Coalition for Access to Justice for the Environment on the same date. It agreed to review the situation in detail at its forty-first meeting and requested the secretariat to explore the possibility of a discussion or possibly videoconference with the Party concerned and interested observers. It would then also start considering its recommendations to the Meeting of the Parties at its fifth session in that connection.

V. Programme of work and calendar of meetings

57. The Committee confirmed that it would hold its forty-first meeting from 25 to 28 June, its forty-second meeting from 24 to 27 September and its forty-third meeting from 17 to 20 December 2013. It also preliminarily agreed to hold its forty-fourth meeting from 24 to 28 March 2014, i.e., for five days rather than four days, in order to allow for more time to finalize any pending matters with the Committee's present composition; its forty-fifth meeting back to back with the fifth session of the Meeting of the Parties, scheduled to take place in the Netherlands from 29 June to 6 July 2014; its forty-sixth meeting from 23 to 26 September 2014; and its forty-seventh meeting from 16 to 19 December 2014.

VI. Other business

58. The Chair informed Committee members that, further to his initiative to launch an informal network for the chairs of the compliance and implementation bodies of the ECE multilateral environmental agreements (MEAs), the first meeting had taken place on 25 March 2013, just prior to the present meeting of the Committee. The chairs of all bodies had been present, with the exception of the Chair of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution and its Protocols, who had been represented by the Chair of the Compliance Committee under the Protocol on Pollutant Release and Transfer Registers. Members of the secretariats had also been present, and part of the meeting had been open for members of the public to attend and put questions. The Chair reported that the chairs had engaged in interesting discussions on the comparative aspects of their procedures and practice. It was agreed that the Chair would prepare a brief to be circulated to the participants and then posted on the ECE Environment Division website, along with a background note prepared for the meeting. It was also agreed that a follow-up meeting would be organized next year.

59. An observer commented on the synergies that could be promoted through the activities of the network and suggested that the Chair explore the possibility of participating in a similar network of chairs of compliance/implementation bodies of the global MEAs.

60. In a similar vein, the secretariat reported that the third meeting of the chairs of the bureaux of the ECE MEAs had taken place in Geneva on 27 February 2013. The chairs had agreed on an informal strategy to strengthen cooperation and synergies among MEAs and the outcome document would soon be available on the website of the ECE Environment Division.

61. The secretariat then informed the Committee that the thirtieth meeting of the Bureau had taken place on 26 February 2013, and that the chairs of the three task forces under the Convention, as well as the Chair of the thematic session of the Working Group of the Parties on promoting the principles of the Convention in international forums and the Chair of the Compliance Committee, had submitted notes on their vision for the direction of each area of work. The notes aimed to facilitate the Bureau deliberations on a new work programme and a new strategic plan for the Convention. The notes would be also made

available to the Working Group of the Parties at its sixteenth meeting. All related documents would be shortly posted on the Convention's website.

62. In that regard, the Chair provided details on his note on promoting effective compliance with the Convention, prepared following the Committee's mandate to submit a note to the Bureau regarding possible measures to be considered by the Meeting of the Parties at its next session (ECE/MP.PP/C.1/2012/10, para. 71). The note drew attention to the increasing number of communications, but in particular, to the increasing number of decisions of the Meeting of the Parties on compliance by individual Parties, and which the Committee was mandated to follow up on. The note proposed more frequent endorsement of the Committee findings and recommendations by the Meeting of the Parties at thematic extraordinary sessions between its ordinary sessions, which normally took place every three years; and also the more systematic use of experts, on the basis of paragraph 25 of the annex to decision I/7 of the Meeting of the Parties.

63. The secretariat also informed the Committee that the Netherlands, the host country for the fifth session of the Meeting of the Parties, which would be held during the week of 30 June–6 July 2014 back to back with the second session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers, had tentatively agreed to hold the meeting in Maastricht.

64. The secretariat reported on the first meeting of the Task Force on Access to Information, which had been held in Geneva from 7 to 8 February 2013; and the fourth meeting of the Task Force on Public Participation in Decision-making, which had been organized with the European Commission's Directorate General for Energy and the Association Nationale des Comités et Commissions Locales d'Information, from 12 to 13 March 2013 in Luxembourg.

65. In the context of the work of the Task Force on Public Participation in Decision-making during the present intersessional period, the secretariat informed the Committee that the third draft of the recommendations on public participation in environmental decision-making was available for public comment until 15 April 2013, and invited Committee members to review it.

66. The secretariat also informed the Committee that the sixth meeting of the Task Force on Access to Justice had been scheduled to be held in Geneva from 17 to 18 June 2013, back to back with the sixteenth meeting of the Working Group of the Parties, which would be held from 19 to 21 June 2013.

67. The secretariat then updated the Committee on the ongoing correspondence between the secretariat, the United Nations Development Programme in Mongolia and Government officials in Mongolia concerning the progress on the accession process.

68. The secretariat also updated the Committee on the progress made in the revision of the implementation guide for the Convention, the final text of which was currently at the final stages of editing in English, and that the final version would soon be available on the Convention's website.

69. The secretariat finally reported on its recent meeting with the Human Rights Council's Independent Expert on human rights and the environment, who was carrying out a mapping exercise during the first year of his mandate and was particularly interested in the work of the Committee.

70. The Committee took note of the information.

VII. Adoption of the report and closure of the meeting

71. The Committee adopted the report of the meeting. The Chair then officially closed the fortieth meeting.
