



Economic and Social Council

Distr.: General
21 December 2017

Original: English

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

Sixth session

Budva, Montenegro, 11–13 September 2017

Report of the sixth session of the Meeting of the Parties

Contents

	<i>Page</i>
I. Introduction	3
A. Attendance	3
B. Organizational matters	3
II. Opening of the session	4
III. Status of ratification of the Convention and the amendment to the Convention	5
IV. Substantive issues	5
A. Access to information, including electronic information tools	5
B. Public participation in decision-making	6
C. Access to justice	6
D. Genetically modified organisms	7
V. Procedures and mechanisms facilitating the implementation of the Convention	9
A. Reporting mechanism	9
B. Compliance mechanism	10
C. Capacity-building	16
VI. Promotion of the Convention and relevant developments and interlinkages	16
A. Accession to the Convention by States from outside the United Nations Economic Commission for Europe region	16

B.	Promotion of the Convention's principles	17
C.	Synergies between the Convention and other relevant multilateral environmental agreements and organizations	18
D.	Global and regional developments on issues related to Principle 10 of the Rio Declaration on Environment and Development	18
E.	Update on United Nations Environment Programme initiatives on access to information, public participation and access to justice in environmental matters	19
VII.	Programme of work and operation of the Convention	19
A.	Implementation of the work programme for 2015–2017	19
B.	Future work programme	20
C.	Financial arrangements	21
VIII.	Report on credentials.....	21
IX.	Election of officers and other members of the Bureau	21
X.	Date and venue of the seventh ordinary session.....	21
XI.	Any other business	22
XII.	Decisions of the Meeting of the Parties.....	22

I. Introduction

1. The sixth session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held in Budva, Montenegro, from 11 to 13 September 2017. The session was organized back to back with the third session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers, which was held on 15 September 2017. A Joint High-Level Segment of the two bodies was held on 14 September 2017. The meetings were held at the invitation of the Government of Montenegro.¹

A. Attendance

2. The sixth session was attended by delegations from the following Parties to the Convention: Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Ukraine and United Kingdom of Great Britain and Northern Ireland.

3. Delegations from Guinea-Bissau and Namibia also attended.

4. In addition, from the United Nations system, representatives of the secretariat of the Convention on Biological Diversity, the United Nations Development Programme, the United Nations Environment Programme (UNEP) and the United Nations Institute for Training and Research were present. Other international organizations represented at the meeting included the Organization for Economic Cooperation and Development and the Organization for Security and Cooperation in Europe (OSCE).

5. Representatives of the judiciary, Aarhus Centres, regional environmental centres, international financial institutions and business, professional, research and academic organizations were also present, as were representatives of international, regional and non-governmental organizations (NGOs), many of whom coordinated their input within the framework of the European ECO Forum.

B. Organizational matters

6. The sixth session of the Meeting of the Parties to the Aarhus Convention was split into a preparatory (11 September), a general (12 and 13 September) and a high-level segment (14 September), the latter being held jointly with the Meeting of the Parties to the Protocol. Two informal groups were established by the Meeting of the Parties to deal with draft decision VI/8f on compliance by the European Union (ECE/MP.PP/2017/25) and the election of the members of the Compliance Committee. During the preparatory segment, the Meeting of the Parties considered the draft decisions on compliance matters, the bracketed text in the draft decision on financial arrangements and factual amendments to the draft decisions on reporting requirements and on access to justice. Most decisions were approved at the

¹ Documents for the meeting, including the texts of statements delivered at the meeting where these were provided by delegates, are available online from a dedicated web page for the meeting: http://www.unece.org/env/pp/aarhus/mop6_docs.html. A list of participants will also be made available on this web page.

preparatory segment. Discussions on these items during the preparatory and general segments are summarized and presented in the present report. All decisions provisionally adopted during the general segment along with the other major outcomes presented at the meeting were forwarded to and formally adopted at the Joint High-Level Segment on 14 September 2017.² In addition, the Meeting of the Parties approved factual amendments to the draft Budva Declaration on Environmental Democracy for Our Sustainable Future during the preparatory segment and forwarded it to the Joint High-level Segment for adoption. With a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations and reducing the amount of paper used, a list of decisions and outcomes adopted at the session was made available to delegations electronically and was read out by the Chair, allowing for interpretation, prior to adoption. The adopted outcomes have been incorporated in the present report. For practical reasons, the adopted decisions are being issued in an addendum to the present report (ECE/MP.PP/2017/2/Add.1). The formal closure of the sixth session took place during the Joint High-Level Segment.

II. Opening of the session

7. In opening remarks to the preparatory segment, Mr. Pavle Radulović, Minister for Sustainable Development and Tourism of Montenegro, highlighted the importance Montenegro gave to applying the principles of environmental sustainability in its decision-making, notably by allocating the necessary financial resources to building and maintaining an environmental infrastructure, creating a new environmental policy to ensure environmental protection and taking the necessary initiatives in key economic activities to fight against climate change. Most importantly, Montenegro had recognized the human rights value of the three pillars of the Aarhus Convention. The level of national implementation of the Convention served to demonstrate the State's sense of responsibility not only towards present but also future generations.

8. Also making an introductory address, the Director of the Environment Division of the United Nations Economic Commission for Europe (ECE) thanked the Government of Montenegro for its hospitality, but also other Parties and interested countries, partner organizations, NGOs and people in the region for their continuous commitment to promoting environmental democracy. Despite remaining challenges, the Aarhus Convention and its Protocol had already brought about tangible results in terms of enhancing access to information, public participation in decision-making and access to justice in environmental matters in many countries in the region. That was very much due to the strong commitment and hard work of all.

9. The Chair of the Meeting of the Parties then outlined the main items for discussion, explained the format for the meeting and formally opened the sixth session on 11 September 2017.

10. The Meeting of the Parties took note of the information provided in opening remarks and adopted its agenda for the session as set out in document ECE/MP.PP/2017/1.

11. In an opening statement for the general segment, Ms. Ivana Vojinović, Deputy Minister for Sustainable Development and Tourism of Montenegro and General Director for Environment and Climate Change, observed that as an "Ecological State" Montenegro had always given great importance to sustainable development and its responsibility towards future generations. The Meeting of the Parties took note of the information provided in the opening statement.

² The meeting report of the Joint High-level Segment is contained in a separate document (ECE/MP.PP/2017/16–ECE/MP.PRTR/2017/2).

III. Status of ratification of the Convention and the amendment to the Convention

12. The secretariat reported on the status of ratification with respect to the Convention and the amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment). Since the previous session of the Meeting of the Parties in 2014, the number of Parties to the Convention had remained unchanged: there were 47 Parties.³ During the same period, the number of Parties to the GMO amendment had risen from 28 to 31, owing to ratifications by France, Georgia and Malta.

13. In that connection, a delegate of Guinea-Bissau reported on progress made by the country towards acceding to the Convention. A representative of the European ECO Forum expressed regret that the Russian Federation had not yet acceded to the Convention.

14. The Meeting of the Parties took note of the information provided by the secretariat and the statements by delegations and welcomed the ratification of the GMO amendment by France, Georgia and Malta.

IV. Substantive issues

A. Access to information, including electronic information tools

15. In the absence of the Chair of the Task Force on Access to Information, the secretariat said the report of the Task Force Chair on the activities of the Task Force since the fifth session of the Meeting of the Parties (Maastricht, the Netherlands, 30 June–1 July 2014) would be made available online. The report would provide highlights of the activities of the Task Force in the intersessional period, including the outcomes of its third, fourth and fifth meetings (Geneva, 3–5 December 2014, 8–10 December 2015 and 10–11 October 2016, respectively).⁴

16. A representative of the European ECO Forum made a keynote statement on access to information, noting in particular the crucial role of the continuous work of the Task Force and the importance of a Shared Environmental Information System.

17. In the ensuing discussion, representatives of Belarus, the European Union, Norway and Switzerland highlighted, among others, different activities that contributed to the promotion of access to information, the importance of a broad interpretation of the scope of environmental information and its effective and timely dissemination, including through the Shared Environmental Information System, and the role of the Task Force in that regard.

18. The Meeting of the Parties took note of the information provided by the secretariat and statements by delegations and thanked the Task Force for the work done during the intersessional period. In particular, it expressed its appreciation to the Republic of Moldova for chairing the Task Force and welcomed its offer to continue leading the work area in the next intersessional period.

³ Additional information on status of ratification of the Convention is available from https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XXVII-13&chapter=27&lang=en.

⁴ The Task Force Chair's written statement is available on the web page for the session under "Statements and Comments" section. Reports of Task Force meetings are available from <http://www.unece.org/env/pp/tfai.html>.

19. The Meeting of the Parties provisionally adopted draft decision VI/1 on promoting effective access to information (ECE/MP.PP/2017/8).

B. Public participation in decision-making

20. The Chair of the Task Force on Public Participation in Decision-making reported on the activities of the Task Force in the intersessional period, including its fifth, sixth and seventh meetings (Geneva, 23–24 February 2015, 10–11 February 2016 and 15–16 December 2016).⁵ The Task Force played a vital role in bringing together experts from governments, civil society and other stakeholders to exchange experiences regarding challenges to public participation in decision-making and to explore possible good practices to address them. Moreover, progress had been achieved in applying the *Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters*⁶ (Maastricht Recommendations), although there were still efforts to be made. Topics that had been considered to merit further consideration included how to ensure: meaningful and early public participation when all options were still open; the availability of all relevant documents to the public; effective means of notification and sufficient time frames during the decision-making to enable the public to participate effectively; effective participation by marginalized groups; that greater account was taken of the comments from the public in the final decision; and that whistle-blowers, environmental activists and other persons exercising their rights in conformity with the provisions of the Convention were protected.

21. In a keynote statement, a representative of the European ECO Forum expressed concern about the speeding up of the public participation process in some of the countries and the need to ensure the participation of marginalized groups. Moreover, it was of great importance that the Maastricht Recommendations were translated into national languages.

22. In the following discussion, statements were made by delegations from Parties, i.e., Belarus, the European Union, Norway and Switzerland, and by representatives of the Aarhus Centre Sarajevo, Friends of the Earth, the Irish Environment Network and the Regional Environmental Centre for Central and Eastern Europe. Speakers stressed, among others, the critical importance of effective public participation and sharing good practices and problems. Moreover, they highlighted the important work that had been done under the Task Force and by partners to support capacity-building on public participation. The delegation of Belarus expressed its appreciation for the support provided by Italy for capacity-building activities in the area of public participation, namely a study tour for civil servants.

23. The Meeting of the Parties took note of the information provided by speakers and thanked the Task Force for the work done during the intersessional period. It expressed its appreciation to Italy for chairing the Task Force and welcomed the country's offer to continue leading the work area in the next intersessional period.

24. The Meeting of the Parties provisionally adopted draft decision VI/2 on promoting effective public participation in decision-making (ECE/MP.PP/2017/9).

C. Access to justice

25. The Chair of the Task Force on Access to Justice presented the Task Force activities in the intersessional period, in particular the outcomes of the eighth, ninth and tenth meetings

⁵ More information on Task Force meetings is available from <http://www.unece.org/env/pp/ppdm.html>.

⁶ United Nations publication, Sales No. E.15.II.E.7.

(Geneva, 15–17 June 2015, 14–15 June 2016 and 27–28 February 2017, respectively).⁷ Each meeting had been preceded by a special session for judges dedicated to the promotion of judicial networking in the pan-European region. During the intersessional period, the Task Force had taken stock of how different legal systems dealt with the scope of review; considered measures that could protect persons seeking justice and exercising their rights in conformity with article 3, paragraph 8, of the Convention from the possibility of persecution and harassment; and discussed the findings of a study on the possibilities for environmental NGOs to claim damages on behalf of the environment.

26. In a keynote statement on access to justice, a judge from the Supreme Court of Slovakia emphasized the impact of the Aarhus Convention on the legal order in countries, for example with regard to standing in courts, in particular for judicial review proceedings, or in terms of the legal interpretation of the term “environment”. In that context, the positive impacts of the Aarhus Convention in judicial practices had been achieved thanks to the exchange of information, experiences and good practices relating to the implementation of the third pillar of the Aarhus Convention through networks, training institutions and the online jurisprudence database.

27. In the following discussion, statements were made by delegations from Parties, i.e., Armenia, the European Union and Norway, and by representatives of Environmental Links United Kingdom, the European ECO Forum, Justice and Environment, ÖKOBÜRO, the OSCE Mission in Serbia, the Regional Environmental Centre for Central and Eastern Europe, and a judge from Kazakhstan. In addition to reporting on recent national activities related to access to justice, speakers stressed, *inter alia*: the fundamental importance of access to justice to contribute to the protection of human rights defenders; the need for joint efforts at the national level to remove barriers to access to justice, in particular financial barriers, and those related to standing of the public; the need for timeliness in the processing of cases; and shortcomings in meeting the requirements of the Convention with regard to the scope of review procedures.

28. The Meeting of the Parties took note of the information provided by speakers and thanked the Task Force for the work done during the intersessional period. It expressed its appreciation to Sweden for chairing the Task Force and welcomed the country’s offer to continue leading the work area in the next intersessional period.

29. The Meeting of the Parties provisionally adopted draft decision VI/3 on promoting effective access to justice, amending paragraph 13 to reflect the continuing leadership of the Task Force by Sweden.

D. Genetically modified organisms

30. A representative of Austria and Chair of the second (joint) round table on public awareness, access to information and public participation regarding living modified organisms/genetically modified organisms (Geneva, 15–17 November 2016),⁸ organized under the auspices of the Aarhus Convention and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Cartagena Protocol), reported on activities related to GMOs since the fifth session of the Meeting of the Parties. In that regard, recommendations of the November 2016 round table for the way forward included, among others, to strengthen coordination and cooperation between national focal points of both the Aarhus Convention and the Cartagena Protocol and to make use of Aarhus Centres or other relevant organizations

⁷ More information on Task Force meetings is available from <http://www.unece.org/env/pp/tfaj/meetings.html>.

⁸ More information on the round table is available from <http://www.unece.org/index.php?id=42179>.

with a view to strengthening the capacities of national authorities in order to ratify the GMO amendment and the Cartagena Protocol.

31. A representative of the Convention on Biological Diversity secretariat stressed how the joint activities helped to better promote public awareness, education and participation concerning the safe transfer, handling and use of genetically modified organisms.

32. The Meeting of the Parties took note of the statements made. It welcomed the effective cooperation between the Aarhus Convention and the Convention on Biological Diversity and its Cartagena Protocol and requested that that cooperation continue in the next intersessional period through, e.g., organizing another joint event.

33. The Chair expressed her deep concern that, 12 years after its signature, the GMO amendment still had not entered into force. Two more ratifications were required from among the 10 Parties to the Convention that were Parties at the time the amendment was adopted for the GMO amendment to enter into force. In the intersessional period, the Working Group of the Parties had called upon those Parties to take serious steps towards ratification. At its twenty-first meeting (Geneva, 4–6 April 2017), the Working Group had specifically requested those Parties to report at the sixth session Meeting of the Parties on the status of efforts made towards ratification.

34. The delegation of Albania said it was not in the position to give a concrete date for ratification. Following the entering into force of a law aligning Albanian legislation on genetically modified organisms with the European Union legal framework in 2017, secondary legislation was planned for approval in 2018. That secondary legislation by the ministries of environment and agriculture would include regulations on market placement of genetically modified organisms and living modified organisms.

35. The representative of Armenia stated that a draft law had been submitted to the parliament but it had been recalled. A second draft law on biosafety was under preparation. The representative of Azerbaijan said that draft legislation had been being aligned with the Cartagena Protocol on Biosafety, but did not indicate when the country planned to ratify the amendment. The representative of Belarus mentioned that ratification of the GMO amendment was still being considered, and noted the country was a Party to the Cartagena Protocol. The delegation from Kazakhstan informed participants that it was working on the ratification of the GMO amendment and hoped to ratify it soon. Moreover, legislation in the country already included genetically modified organism-related provisions requiring food to be labelled when it contained such organisms.

36. The delegation from the former Yugoslav Republic of Macedonia said that the new Government would continue working on the issue in consultation with the Ministry of Foreign Affairs. A representative of Ukraine stated that the Government's priority was to adopt a legal framework to come into compliance with the Convention. Then it would ratify the amendment to the Convention.

37. The Meeting of the Parties took note of information on the status of ratification of the GMO amendment and other relevant developments by representatives of Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, the former Yugoslav Republic of Macedonia and Ukraine.

38. The Meeting of the Parties urged those Parties whose ratification of the GMO amendment would count towards its entry into force — i.e., Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine — to take urgent steps towards ratification of the amendment and called upon other Parties to ratify the GMO amendment. The Meeting of the Parties mandated the Working Group of the Parties to monitor closely the progress of the entry into force of the GMO amendment, and called upon Parties and partner organizations to offer bilateral

assistance, capacity-building and technical support to Parties whose ratification of the GMO amendment would count towards its entry into force.

39. In addition, the Meeting of the Parties requested that once the GMO amendment entered into force the amended text of the Convention be processed, translated and published by the United Nations services and made available in the six official languages of the United Nations without recourse to additional extrabudgetary resources.

40. A delegate of the European Union called upon those countries whose ratifications were needed for the entry into force of the GMO amendment to ratify it as soon as possible, as well as the other Parties who had yet to ratify it. A representative of the European ECO Forum expressed disappointment at the fact that the GMO amendment had still not entered into force, and called upon Parties to bring their commitments under the Aarhus Convention in line with their commitments under the Cartagena Protocol by ratifying the GMO amendment.

41. The Meeting of the Parties took note of the statements made. It then expressed its appreciation to Austria for leading the work on genetically modified organisms and welcomed the country's offer to continue its leadership of that work area in the next intersessional period.

V. Procedures and mechanisms facilitating the implementation of the Convention

A. Reporting mechanism

42. The Chair presented the results of the fifth reporting cycle (2014–2016),⁹ and in particular the synthesis report prepared by the secretariat on the basis of the national implementation reports submitted by Parties and NGOs, which summarized the progress made and identifying significant trends, challenges and solutions (ECE/MP.PP/2017/6). She also informed participants of several factual revisions made to the draft decision VI/7 on reporting requirements (ECE/MP.PP/2017/14) on the basis of the outcomes of the fifth reporting cycle.

43. In the following discussion, statements were made by representatives of the European Union and Switzerland and the NGO Landvernd (Iceland).

44. The Meeting of the Parties took note of the information provided by the Chair and by other speakers. It also took note of reports prepared by NGOs on the Convention's implementation.¹⁰

45. The Meeting of the Parties recognized the need for the timely submission of national implementation reports in order to ensure a good quality of the synthesis report and its timely submission for translation. In that connection, it noted with regret that one third of Parties had not submitted their reports by the submission deadline.

46. The Meeting of the Parties urged Parties that had not yet submitted their national implementation reports — i.e., Armenia, Bosnia and Herzegovina, the Netherlands, the Republic of Moldova, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom — to do so by 1 November 2017 at the latest, and in the required format.

⁹ Also called the 2017 reporting cycle, as the reports were due in 2017.

¹⁰ National implementation reports by Parties and reports by NGOs for the current reporting cycle are available from http://www.unece.org/env/pp/reports_implementation_2017.html.

47. The Meeting of the Parties provisionally adopted draft decision VI/7 on reporting requirements, as amended at the meeting.

B. Compliance mechanism

Decisions and reports on compliance

48. The Chair brought to the attention of the Meeting of the Parties the draft decisions on compliance prepared by the Bureau based on the findings and recommendations adopted by the Compliance Committee. She reminded Parties that, to date, all findings of non-compliance by the Committee, as presented in draft decisions, had been endorsed by the Meeting of the Parties and that all decisions on compliance had been adopted by consensus. She also noted that it was the established practice of the Meeting of the Parties that if any substantive new information was received by the Committee after it had adopted its reports to an upcoming session of the Meeting of the Parties that new information would be considered by the Committee in its follow-up on the decisions after their adoption. Likewise, if a Party or stakeholder wished to present any new substantive information during the meeting concerning any Party's compliance that information would be considered by the Committee in the next intersessional period.

49. The Meeting of the Parties considered draft decision VI/8 on general issues of compliance (ECE/MP.PP/2017/19) and draft decisions VI/8a-k (ECE/MP.PP/2017/20-30) concerning compliance by individual Parties (namely Armenia, Austria, Belarus, Bulgaria, Czechia, the European Union, Kazakhstan, Romania, Slovakia, Spain and the United Kingdom).

50. Issues of non-compliance relating to individual Parties reported by the Committee to the Meeting of the Parties included the following:

- (a) Armenia (failure to fully implement decision V/9a);¹¹
- (b) Austria (failure to fully implement decision V/9b);
- (c) Belarus (failure to fully implement decision V/9c and findings of non-compliance on communication ACCC/C/2014/102 (ECE/MP.PP/C.1/2017/19) concerning the harassment and persecution of anti-nuclear activists);
- (d) Bulgaria (failure to fully implement decision V/9d and findings of non-compliance on communication ACCC/C/2012/76 (ECE/MP.PP/C.1/2016/3) concerning injunctive relief in connection with challenges to environmental permits);
- (e) Czechia (failure to fully implement decision V/9f and findings of non-compliance on communication ACCC/C/2012/71 (ECE/MP.PP/C.1/2017/3) concerning the possibility for members of the public in Germany to participate in the decision-making regarding the Temelín nuclear power plant);
- (f) European Union (failure to implement decision V/9g and findings of non-compliance on communication ACCC/C/2008/32 (part II) (ECE/MP.PP/C.1/2017/7) concerning access to justice regarding acts and omissions by European Union institutions);
- (g) Kazakhstan (failure to fully implement decision V/9i and findings of non-compliance on communication ACCC/C/2013/88 (ECE/MP.PP/C.1/2017/12) concerning public participation in decision-making regarding the construction of a ski resort);

¹¹ Decisions V/9a-n, adopted by the Meeting of the Parties at its fifth session, are compiled in document ECE/MP.PP/2014/Add.1.

(h) Romania (failure to fully implement decision V/9j and findings of non-compliance on communication ACCC/C/2012/69 (ECE/MP.PP/C.1/2015/10) concerning access to information and public participation in decision-making regarding the Rosia Montana mining project);

(i) Slovakia (findings of non-compliance on communication ACCC/C/2013/89 (ECE/MP.PP/C.1/2017/13) concerning access to information and public participation in decision-making regarding an extension to the Mochovce nuclear power plant);

(j) Spain (failure to fully implement decision V/9k and findings of non-compliance on communication ACCC/C/2014/99 (ECE/MP.PP/C.1/2017/17) concerning public participation in decision-making regarding an environmental permit for a cement plant);

(k) United Kingdom (failure to fully implement decision V/9n and findings of non-compliance on communications:

(i) ACCC/C/2012/77 (ECE/MP.PP/C.1/2015/3) concerning a costs order regarding a refused application for judicial review;

(ii) ACCC/C/2013/85 and ACCC/C/2013/86 (ECE/MP.PP/C.1/2016/10) concerning the cost of access to justice in private nuisance proceedings;

(iii) ACCC/C/2013/91 (ECE/MP.PP/C.1/2017/14) concerning the opportunities for the public in Germany to participate in the decision-making concerning the Hinkley Point C nuclear power plant).

51. The Chair of the Compliance Committee presented the reports by the Compliance Committee on procedural matters (ECE/MP.PP/2017/31) and on general issues of compliance (ECE/MP.PP/2017/32). The Meeting of the Parties welcomed the reports and thanked the Chair and other Compliance Committee members for their work in the intersessional period. The Meeting of the Parties also considered 14 reports of the Committee regarding the implementation by individual Parties of the recommendations contained in the decisions concerning their compliance adopted by the Meeting of the Parties at its fifth session (ECE/MP.PP/2017/33-ECE/MP.PP/2017/46).

52. Many delegations made statements in relation to different decisions. A representative of Belarus expressed the country's appreciation to the Compliance Committee for assistance received regarding the interpretation of certain provisions of the Convention, and affirmed the country's interest in receiving further expert advisory support for implementing the Convention. A number of NGO representatives expressed concern over various issues related to the lack of progress by several Parties in coming into compliance with the Convention. A representative of the European ECO Forum suggested establishing a flexible mechanism under the Convention to react more quickly when activists were arrested or prosecuted while exercising their rights in conformity with the Convention.

53. The Meeting of the Parties provisionally adopted the following draft decisions, taking note of the associated statements:

(a) Draft decision VI/8a on compliance by Armenia (ECE/MP.PP/2017/20), taking note of the statement by the NGO Ecological Right;

(b) Draft decision VI/8b on compliance by Austria (ECE/MP.PP/2017/21), taking note of the statement from the NGO ÖKOBÜRO;

(c) Draft decision VI/8c on compliance by Belarus (ECE/MP.PP/2017/22), taking note of the statement by the NGO Ecohome;

(d) Draft decision VI/8d on compliance by Bulgaria (ECE/MP.PP/2017/23);

- (e) Draft decision VI/8e on compliance by Czechia (ECE/MP.PP/2017/24), taking note of the statement by the NGO Arnika;
- (f) Draft decision VI/8g on compliance by Kazakhstan (ECE/MP.PP/2017/26);
- (g) Draft decision VI/8h on compliance by Romania (as amended at the meeting);¹²
- (h) Draft decision VI/8i on compliance by Slovakia (as amended at the meeting);¹²
- (i) Draft decision VI/8j on compliance by Spain (ECE/MP.PP/2017/29), taking note of the statement by the NGO Instituto Internacional de Derecho y Medio Ambiente;
- (j) Draft decision VI/8k on compliance by United Kingdom (as amended at the meeting),¹² taking note of the statements by the NGOs Irish Environmental Pillar, ÖKOBÜRO and the Royal Society for the Protection of Birds;
- (k) Draft decision VI/8 on general issues of compliance (as amended at the meeting),¹² while taking note of:
- (i) The statements by Romania and Ukraine regarding compliance of Ukraine;
 - (ii) Information provided by the Chair regarding amendments to the Act of Public Associations adopted by Turkmenistan on 4 February 2017 (which had been brought to the attention of the Committee after it had finalized its report on decision V/91);
 - (iii) The following statement by Belarus:

Belarus on the basis of its experience and seeking clarity and consistency in the working methods of the Compliance Committee proposed the following interlinked revisions to draft decision VI/8 on general issues of compliance:

 - In paragraph 2 to replace words “Also welcomes” by “Takes note of”;
 - To insert paragraph 2 bis as follows: “Requests the secretariat to make the Committee’s working methods (Guide to the Aarhus Convention Compliance Committee) available on the official website of the Convention in the three official languages of the United Nation Economic Commission for Europe;”
 - To insert paragraph 2 ter as follows: “Decides to develop the operational rules of the Compliance Committee at the seventh Meeting of the Parties in the light of experience gained by the Committee and in this context request the Committee to prepare any necessary proposals for the seventh Meeting of the Parties.”

54. After statements by several Parties and other delegations and the subsequent discussion, the proposals of Belarus were not supported by the Meeting of the Parties.

Draft decision VI/8f on compliance by the European Union

55. Considering draft decision VI/8f on compliance by the European Union (ECE/MP.PP/2017/25), a delegate of the European Union suggested that with regard to communication ACCC/C/2008/32 (part II) on access to justice by members of the public the findings of the Compliance Committee should not be “endorsed” but “taken note of” and requested several amendments to the draft decision. More precisely, the European Union representative requested that:

¹² The unedited texts of decisions that were amended and adopted at the meeting are available on the web page for the meeting (in-session documents tab).

(a) Paragraph 6 of the draft decision be amended to read as follows: “Takes note of the finding of the Compliance Committee with regard to communication ACCC/C/2008/32 (part II) that the Party concerned fails to comply with article 9, paragraphs 3 and 4, of the Convention”;

(b) The heading of paragraph 7 be amended to read as follows: “Recommends that the Party concerned considers that:”;

(c) In subparagraph 7 (b) (i) the words “to the Court of Justice of the European Union” be deleted;

(d) Subparagraph 7 (c) be deleted.

56. The European Union representative provided explanations regarding the European Union proposal, referring in particular to the specificity of the European Union legal system. The proposal was followed by interventions from delegations of Parties, i.e., Georgia, Norway, Switzerland and Ukraine, and a representative of the European ECO Forum. None of the speakers supported the proposal of the European Union.

57. A representative of Georgia noted the importance of the compliance mechanism in assisting Parties to identify existing gaps and support better implementation of the provisions of the Aarhus Convention. The European Union position rejected particular recommendations of the Compliance Committee, but had not explained how such a rejection could allow the Party to avoid the fact of non-compliance. She noted, in that regard, that draft decision VI/8f clearly laid out that the Party should further explore different ways that it could come into compliance with the Convention. The representative of Norway also expressed concern regarding the proposal by the European Union. By proposing those amendments the European Union seemed to be seeking for itself a kind of special status as a Party to the Aarhus Convention with regard to the extent of its obligations and the need to implement measures necessary to comply with them. The recommendations in the decision on compliance should be considered as a list of possible measures to be taken by the Party concerned to come into compliance with the Convention.

58. A representative of Switzerland stressed the positive example set by the Aarhus Convention for other conventions at the global level and expressed concern that the proposal by the European Union put into peril the long-standing practice of the Meeting of the Parties to endorse findings of the Compliance Committee on a consensus basis and to take action according to its recommendations. A delegate of Ukraine underscored the importance of the Compliance Committee as a key mechanism to support the implementation of the Convention’s provisions. She highlighted that the Meeting of the Parties had made a great effort over the years to achieve decision-making on compliance matters on a consensus basis and also that there was a specificity to the situation for each Party when implementing recommendations on how to come into compliance.

59. A representative of the NGO ClientEarth, speaking on behalf of the European ECO Forum, expressed a fear of introducing a double standard that would exempt the European Union from complying with the Convention. The Compliance Committee’s recommendations could be met by amending either legislation or the jurisprudence of the courts; there was no need to change the Treaty on the Functioning of the European Union. Citing article 27 of the Vienna Convention on the Law of Treaties, she also requested the delegation of the European Union to explain how it interpreted the provision that a party might not invoke the provisions of its internal law as justification for its failure to perform a treaty.

60. At the request of the Meeting of the Parties, the Chair of Compliance Committee provided clarifications regarding a number of legal issues raised by the discussion. He also noted that the Compliance Committee used the recommendations of the Meeting of the

Parties as a measure against which to assess in the future whether the Party had implemented the Committee's findings, but the Party concerned was free to choose various ways to address the non-compliance found.

61. Delegations were not convinced by the arguments put forward by the European Union that the draft decision challenged the fundamental principles of the European Union legal order or its system of judicial review. On the contrary, delegations considered that the European Union proposal and the accompanying explanations had not been legally substantiated; that it challenged the principle of equal treatment of all Parties; that it undermined the authority of the Meeting of the Parties; and that it threatened Parties' strongly voiced commitment to take decisions by consensus in accordance with the Meeting of the Parties' own rules of procedure (ECE/MP.PP/2/Add.2).

62. The Meeting of the Parties thus failed to reach consensus with regard to the adoption of draft decision VI/8f on compliance by the European Union. None of the arguments put forward by the European Union in support of its position received backing from the other delegations. Delegations made a strong stand against the efforts of the European Union to prevent the Meeting of the Parties from adopting the draft decision. Faced with a situation that could seriously jeopardize the authority of the Meeting of the Parties and the integrity of the Convention's compliance mechanism, the strong resistance by several Parties together with environmental NGOs and other stakeholders ultimately saw the United Nations spirit of consensus prevail. It was agreed that the discussion on the decision on compliance by the European Union would be postponed until the next ordinary session of the Meeting of the Parties. Nevertheless, several Parties expressed their great concern and reluctance to deviate, as an exceptional measure for that particular case only, from the long-standing and consistent practice of adopting decisions at each ordinary session of the Meeting of the Parties endorsing all of the findings issued by the Compliance Committee during the intersessional period regarding non-compliance by individual Parties. A number of statements highlighted that the agreement to postpone consideration of the draft decision was exceptional and therefore would not create a precedent for any future decision-making concerning a Party's compliance. Concluding its discussion, the Meeting of the Parties agreed to include the following text in the report of its sixth session:

In the spirit of reaching consensus, considering exceptional circumstances, the Meeting of the Parties decided by consensus to postpone the decision-making on draft decision VI/8f concerning the European Union to the next ordinary session of the Meeting of the Parties to be held in 2021. The European Union recalled its willingness to continue exploring ways and means to comply with the Convention in a way that was compatible with the fundamental principles of the European Union legal order and with its system of judicial review.

63. The Meeting of the Parties also requested the Compliance Committee to review any developments that had taken place regarding the matter and to report to the Meeting of the Parties accordingly. In that context, the Party concerned stated that it reaffirmed its commitment to implement decision V/9g.

64. The Meeting of the Parties took note of the following statements made by Norway and Switzerland and of their requests to reflect their positions in the meeting report.

(a) *Norway:*

Norway supports draft decision VI/8f concerning compliance by the European Union with its obligations under the Convention as submitted to the Meeting of the Parties by the Bureau. The decision is drafted in accordance with the long-standing and consistent practice of the Meeting of the Parties to endorse the findings of the

Compliance Committee and to recommend that the Party concerned take actions in accordance with the recommendations of the Committee.

We therefore regret that due to exceptional and unfortunate circumstances surrounding this matter it was not possible to reach consensus on this draft decision. Consensus is the main rule, it gives each Party an equal chance to influence decisions. In order to reach consensus all Parties have to engage in good faith and with the willingness to negotiate and compromise, while respecting their obligations of the Aarhus Convention.

We do however welcome the fact that the finding of the Compliance Committee concerning the compliance of European Union with the Convention in case ACCC/C/2008/32 (part II) is not opposed or rejected, and that Parties are willing to continue the deliberations on the draft decision with a view to reaching consensus in accordance with the Convention and the long-standing and consistent practice at the next session of the Meeting of the Parties.

There are several years to the next session of the Meeting of the Parties and the matter is important. The European Union has expressed willingness to continue exploring ways and means to comply with the Convention in a way that is compatible with the fundamental principles of the Union legal order and with its system of judicial review. We urge the European Union to make sincere efforts to comply and engage constructively with the Compliance Committee for this purpose.

We support that the Compliance Committee is requested to review any developments that have taken place regarding the matter, and to report to the Meeting of the Parties accordingly. This is important in order for the Parties to have updated information on the status and possible improvements made and could make it easier to reach consensus on the decision on this matter at the next Meeting of the Parties;

(b) *Switzerland:*

Given the exceptional situation in which we find ourselves today, this decision (to postpone the adoption of this decision to the next session of the Meeting of the Parties) seems to be the most reasonable one for us; and we support this decision. We would like to reiterate the importance Switzerland attaches to the practice of adopting decisions by the Meeting of the Parties, and in particular, to the standing practice that every effort should be made to reach a decision by consensus. By the time of the next session of the Meeting of the Parties we hope to have the time to deploy these efforts with the goodwill of all the Parties. Thus, decisions of the Meeting of the Parties will continue to be effectively implemented by Parties in the constructive and positive spirit of the Convention in order to strengthen environmental governance in the pan-European region and beyond.

65. The Meeting of the Parties further took note of the request by a representative of Belarus to explicitly indicate in the meeting report the “exceptional circumstances” (see paras. 57–64 above) surrounding the agreement to postpone the decision-making in the present case.

Election of the members of the Compliance Committee

66. The Meeting of the Parties re-elected by consensus Ms. Heghine Hakhverdyan (Armenia), nominated by Armenia, and Mr. Jerzy Jendroška (Poland), nominated by Georgia as members of the Compliance Committee. It also elected by consensus the following new members of the Compliance Committee: Ms. Fruzsina Bögös (Hungary), nominated by Hungary; Mr. Marc Clément (France), nominated by France; Mr. Peter Oliver (United

Kingdom), nominated by the European Union; and Mr. Dmytro Skrylnikov (Ukraine), nominated by Ukraine.

C. Capacity-building

67. The Chair brought to the attention of the Meeting of the Parties the report on capacity-building (ECE/MP.PP/2017/7) in conjunction with sections II.B (capacity-building activities) and III.A (awareness raising and promotion of the Convention and the Protocol on Pollutant Release and Transfer Registers) of the report on the implementation of the work programme for 2015–2017 (ECE/MP.PP/2017/3). She stressed the important role of partner organizations in assisting in the promotion and implementation of the Convention at the local, national and subregional levels. Their involvement remained crucial also for the next intersessional period. Referring to the outcomes of the report on capacity-building, the Chair encouraged partner organizations to continue assisting Parties in implementing recommendations of the Convention's Compliance Committee and the relevant decisions of the Meeting of the Parties on compliance matters. Building capacities of NGOs to participate in the Convention's compliance mechanism continued to be crucial for the quality of its functioning. That work should receive priority for sustainable funding. In addition, the Chair encouraged national focal points of Parties that provided development assistance to work closely with the representatives of the public authorities responsible for development assistance programmes in order to address the capacity-building needs regarding the Aarhus Convention.

68. Delegations from Parties, i.e., the European Union, Georgia, Serbia and Switzerland, the delegation of Namibia and representatives of the European ECO Forum, the Judicial Academy of the Republic of Serbia, OSCE and the Regional Environmental Centre for Central and Eastern Europe then made statements on the capacity-building activities undertaken during the intersessional period to promote more effective implementation of the Convention.

69. The Meeting of the Parties took note of the statements made, welcomed the cooperation of the secretariat on capacity-building activities with partner organizations and expressed its appreciation to partner organizations for their continued support to the implementation of the Convention. The Meeting of the Parties requested the secretariat to continue servicing the capacity-building coordination mechanism and encouraged national focal points to the Convention to support assistance programmes in line with the capacity-building needs regarding the Aarhus Convention and Principle 10 of the Rio Declaration on Environment and Development (Rio Declaration).

VI. Promotion of the Convention and relevant developments and interlinkages

A. Accession to the Convention by States from outside the United Nations Economic Commission for Europe region

70. The secretariat informed the Meeting of the Parties that, prior to the twentieth meeting of the Working Group of the Parties (Geneva, 15–17 June 2016), Guinea-Bissau had expressed its formal interest in acceding to the Convention. The country, in consultation with the secretariat, was taking steps in accordance with decision IV/5 regarding the accession of non-ECE member States (see ECE/MP.PP/2011/2/Add.1). The secretariat had been in contact with the focal point in the Ministry of Environment and Sustainable Development and, at the request of Guinea-Bissau, had hired a consultant who had prepared a preliminary

assessment of the institutional, policy and legal framework of Guinea-Bissau in close consultation with the national focal point (ECE/MP.PP/2017/47). The secretariat clarified that the preliminary assessment aimed to assist the country in its efforts to amend its environmental and human rights laws. Guinea-Bissau had not been in a position to prepare the required documents and submit its formal request for accession to the sixth session of the Meeting of the Parties in accordance with the deadline set through decision IV/5.

71. A representative of the European ECO Forum highlighted that the outcomes of the preliminary assessment of Guinea-Bissau should not be seen as a barrier to accession. He also suggested amending the text of the Convention to remove the current provision requiring approval of accession of non-ECE countries by the Meeting of the Parties.

72. The secretariat further stated that there had been no other requests for accession received from other non-ECE member States. The secretariat invited Parties with representations in non-ECE countries to promote, as possible and feasible, the Convention and its Protocol.

73. The Meeting of the Parties took note of the information provided by the secretariat and the statement by the European ECO Forum. It welcomed the progress achieved by Guinea-Bissau in the process towards acceding to the Aarhus Convention and invited the country to consider the remaining steps required in accordance with decision IV/5. The Meeting of the Parties requested the Working Group of the Parties and the Bureau to follow up on the matter in accordance with decision IV/5.

B. Promotion of the Convention's principles

74. Mr. Etienne Ballan, the Chair of the thematic sessions on the promotion of the Convention's principles in international forums held within the framework of the meetings of the Working Group of the Parties, reported on activities in the intersessional period. During that time, there had been three thematic sessions held within the framework of the Working Group's nineteenth, twentieth and twenty-first meetings (Geneva, 17–19 June 2015, 15–17 June 2016 and 4–6 April 2017).¹³ He underlined that the chosen format, namely that the sessions were held under the auspices of the Working Group, presented clear advantages. In addition, he recommended that for all relevant international forums sessions be consistently included during which civil society could present their positions to decision makers.

75. A representative of the European Investment Bank, in a keynote statement, elaborated on the application of transparency in the Bank's activities and how that encouraged public participation, notably through workshops and public consultations, and noted the benefits of such an approach.

76. A representative of the European ECO Forum also made a keynote statement, urging delegates to promote the principles of the Convention proactively and in an effective manner prior to their participation in forums. He regretted that Parties to the Convention had not systematically ensured that their representatives in international forums understood the implications of the Convention and duly upheld their obligations to promote its principles when negotiating in the context of relevant forums. It was important to improve coordination and interaction between and within different governmental ministries to bridge that gap.

77. In the following discussion, statements were made by representatives of the European Union and France. The representative of France announced the nomination of Ms. Laura Michel as the new Chair of the thematic session.

¹³ More information on meetings of the Working Group is available from <http://www.unece.org/env/pp/wgp.html>.

78. The Meeting of the Parties noted the statements by delegations. Furthermore, it took note of the report by the outgoing Chair of the thematic sessions on the promotion of the Convention's principles in international forums and thanked him for his leadership and the work done. It expressed its appreciation to France for leading the area of work, welcomed the offer of France to continue its leadership in the next intersessional period and welcomed the appointment of the new Chair for the coming intersessional period.

79. The Meeting of the Parties provisionally adopted draft decision VI/4 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2017/11).

C. Synergies between the Convention and other relevant multilateral environmental agreements and organizations

80. The Chair reported on the informal meetings of representatives of the governing bodies of the ECE multilateral environmental agreements and the Committee on Environmental Policy. There had been four meetings in the intersessional period (Geneva, 27 October 2014, 13 April and 26 October 2015, and 24 January 2017). The objectives of the meetings were to exchange information on priorities under the agreements and to identify and to discuss possible areas of cooperation and synergies that could be established among the multilateral environmental agreements and with the Committee on Environmental Policy, in the light of recent and future key developments in the area of environment.¹⁴

81. A representative of OSCE noted the contribution of Aarhus Centres in promoting synergies between the Aarhus Convention, the Convention on Environmental Impact Assessment in a Transboundary Context and the Convention on the Protection and Use of Transboundary Watercourses and International Lakes in terms of public participation in transboundary water management process in South-Eastern Europe. A representative of the European ECO Forum observed that the informal meetings of chairs of the ECE multilateral environmental agreements and informal meetings of the compliance mechanisms under those agreements were important platforms for fostering synergies.

82. The Meeting of the Parties took note of the information provided and thanked the secretariats and bodies of multilateral environmental agreements and partner organizations for their cooperation with the secretariat on promoting relevant provisions of the Convention.

D. Global and regional developments on issues related to Principle 10 of the Rio Declaration on Environment and Development

83. A representative of the Economic Commission for Latin America and the Caribbean (ECLAC) made a keynote statement by video link on the application of Principle 10 of the Rio Declaration and provided an update on activities in the Latin America and the Caribbean region to promote the rights of the public in environmental matters. A regional agreement on access to information, participation and justice in environmental matters, which had been carried out with wide public participation, was getting close to concluding negotiations. He thanked Parties and stakeholders for their support for that initiative and expressed appreciation to the Aarhus Convention secretariat for its continuous advisory assistance.

84. The delegations of Italy and Spain and representatives of European ECO Forum and the Regional Environmental Centre for Central and Eastern Europe made statements,

¹⁴ Chair's summaries of the meetings and a list of participants are available from <http://www.unece.org/environmental-policy/conventions/joint-work-and-informal-networks.html>.

expressing satisfaction with the progress achieved, stressing the importance of finalizing the negotiations in the ECLAC region with a strong outcome and welcoming the cooperation between two United Nations regional commissions on that matter.

85. The Meeting of the Parties took note of the statements by delegations. It welcomed the information provided by a representative of ECLAC on the progress made in developing a regional instrument on the application of Principle 10 of the Rio Declaration in Latin America and the Caribbean and noted the readiness of the Convention's Parties to support the region in that endeavour.

E. Update on United Nations Environment Programme initiatives on access to information, public participation and access to justice in environmental matters

86. A UNEP representative presented UNEP initiatives related to the three pillars of the Aarhus Convention. Those included the co-organization of the International Union for Conservation of Nature World Environmental Law Congress in Rio de Janeiro in 2016, the strong promotion of the environmental rule of law and the development of an Implementation Guide for the (Bali) Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters, along with other publications on international environmental governance.

87. The Meeting of the Parties took note of the statement by the UNEP representative.

VII. Programme of work and operation of the Convention

A. Implementation of the work programme for 2015–2017

88. The secretariat thanked Governments for their generous financial and in-kind contributions and expressed appreciation for in-kind contributions provided by partner organizations. It then presented the following documents: (a) the report on the implementation of the work programme for 2015–2017 (ECE/MP.PP/2017/3); (b) the report on contributions and expenditures in relation to the implementation of the Convention's work programme for 2015–2017 (ECE/MP.PP/2017/4); and (c) the list of contributions and pledges for the implementation of the Convention's and Protocol's work programmes not included in the reports prepared for the Meetings of the Parties (AC/MOP-6/Inf.4-PRTR/MOPP-3/Inf.2).

89. In the discussion, delegations from the European Union, Kazakhstan and Switzerland and a representative of the Regional Environmental Centre for Central and Eastern Europe commented on the activities carried out to support implementation of the Convention. A representative of the Aarhus Centre Banja Luka made a statement raising concerns about the persecution of environmental activists in Bosnia and Herzegovina. Specifically, protesters who had been demonstrating for their right to access to information and to participate in the decision-making concerning the construction of a hydropower plant had been removed by police after blocking a bridge.

90. The Meeting of the Parties took note of the information provided by the secretariat and the statements by delegations. It expressed appreciation for the work done by the secretariat and recognized the difficulties posed by the limited and unpredictable funding.

B. Future work programme

91. In a discussion of the future work programme, the delegation of Italy announced the country would organize an event in spring 2018 to celebrate the twentieth anniversary of the signing the Convention. A representative of Switzerland invited the Meeting of the Parties to consider the potential of the Chinese initiative “One Belt One Road” for promoting the Aarhus Convention. In addition, representatives of the European ECO Forum and the Regional Environmental Centre for Central and Eastern Europe both expressed concern over the prolongation of the intersessional period from three to four years.

92. The Meeting of the Parties took note of the statements made.

93. The Meeting of the Parties further reiterated its request that documents for meetings of the Convention’s governing and subsidiary bodies (e.g., reports of the task forces), along with reports on capacity-building and on round tables on genetically modified organisms submitted to the Meeting of the Parties and the Working Group of the Parties, as required, be processed, translated and published by the United Nations services and made available in the three official languages of ECE without recourse to additional extrabudgetary resources. Similarly, publications prepared in accordance with the activities under the Convention’s work programme should be processed and translated into the three official languages of ECE and publications related to the Sustainable Development Goals should be processed and translated into all six official United Nations languages by the United Nations services without recourse to additional extrabudgetary resources and made available in electronic and hard copy forms.

94. The Meeting of the Parties took note of the following pledges provided by delegations for the implementation of the Convention’s work programme for 2018–2021:

(a) The majority of the Parties announced their intention to continue with the same level of contribution as in the 2015–2017 intersessional period (Albania, Austria, Belarus, Bosnia and Herzegovina, Croatia, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Romania, Serbia, Spain, Sweden and Switzerland);

(b) France had already contributed \$70,575 for the Aarhus Convention in 2018 and Germany pledged \$60,000 for the Aarhus Convention in 2018;

(c) A representative of Lithuania said the country had explored the possibility to contribute more during the next intersessional period;

(d) A representative of the European Union confirmed the intention to maintain the European Union annual contribution of €100,000 for 2018;

(e) A representative of Switzerland confirmed the country’s pledge to contribute annually an unearmarked contribution of 20,000 Swiss francs to the Aarhus Convention and an additional 20,000 Swiss francs to support the building of capacity of experts from countries with economies in transition;

(f) Other Parties present during the discussion (Azerbaijan, Belgium, Bulgaria, Czechia, Denmark, Slovakia and the United Kingdom) were not in a position to inform the Meeting of the Parties of the level of their financial contribution for the 2018–2021 period.

95. The Meeting of the Parties provisionally adopted draft decision VI/5 on the work programme for 2018–2021 (ECE/MP.PP/2017/12) and welcomed the offer of Italy to organize an event in spring 2018 to celebrate the twentieth anniversary of the signing of the Convention.

C. Financial arrangements

96. The Chair recalled that the Working Group of the Parties had revised and approved the draft decision on financial matters at its twenty-first meeting (Geneva, 4–6 April 2017). The Working Group had not, however, been able to reach a consensus at that meeting on several parts of the text of the draft decision, specifically with regard to: (a) the scheme of contributions (e.g., mandatory or voluntary); (b) the use of the United Nations scale of assessments; and (c) an increase in the minimum level of contributions from \$500 to \$1,000.

97. Representatives of Norway and Switzerland both made statements expressing regret that there was insufficient support for establishing a general mandatory scheme of contributions at present. A representative of the European Union endorsed the compromise text of a decision on financial arrangements. A delegate of Belarus made a statement supporting maintaining the minimum amount for voluntary contributions at \$500. A representative of the European ECO Forum voiced disappointment that it had not been possible to agree on a scheme that met the long-term objectives of stability, predictability and equitable sharing of the burden, as the compromise text fell short of what would be desirable from an NGO perspective, while supporting the commitment of the Meeting of the Parties to revert to the issue at its next session.

98. The Meeting of the Parties took note of the statements made by delegations. It provisionally adopted draft decision VI/6 on financial arrangements under the Convention, as amended at the meeting.

VIII. Report on credentials

99. The Meeting of the Parties approved the report on credentials presented by Ms. Beate Berglund Ekeberg, the Vice-Chair of the Bureau, noting that there was a quorum for the purposes of elections and the adoption of decisions. In total, 41 Parties had submitted their credentials.

IX. Election of officers and other members of the Bureau

100. In accordance with rule 18 of the rules of procedure, the Meeting of the Parties elected by consensus Ms. Maia Bitadze (Georgia) as Chair and Ms. Beate Berglund Ekeberg (Norway) and Ms. Nicolette Bouman (Netherlands) as Vice-Chairs from among the representatives of the Parties present at the meeting. The Meeting of the Parties 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): Ms. Malaj Enkelejda (Albania); Ms. Chiara Landini (Italy); Ms. Maryna Shymkus (Ukraine); and Ms. Angelika Wiedner (European Union). It took note of the appointment by the European ECO Forum of Mr. Jeremy Wates to attend the meetings of the Bureau as an observer, in accordance with rule 22, paragraphs 2 and 4.

X. Date and venue of the seventh ordinary session

101. The Meeting of the Parties decided to hold its next ordinary session in 2021 and mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the seventh ordinary session.

XI. Any other business

102. A representative of the European Union expressed continuing concern about information received from NGOs on the current situation regarding environmental NGOs and activists in Belarus.

103. The Meeting of the Parties took note of the statement by the representative of the European Union.

XII. Decisions of the Meeting of the Parties

104. Based on the discussions under the preceding agenda items, the Meeting of the Parties formally adopted the following decisions by consensus:

- (a) Decision VI/1 on promoting effective access to information (ECE/MP.PP/2017/8);
- (b) Decision VI/2 on promoting effective public participation in decision-making (ECE/MP.PP/2017/9);
- (c) Decision VI/3 on promoting effective access to justice, as amended at the meeting;¹⁵
- (d) Decision VI/4 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2017/11);
- (e) Decision VI/5 on the work programme for 2018–2021 (ECE/MP.PP/2017/12);
- (f) Decision VI/6 on financial arrangements under the Convention, as amended at the meeting;
- (g) Decision VI/7 on reporting requirements, as amended at the meeting;
- (h) Draft decision VI/8 on general issues of compliance, as amended at the meeting;
- (i) Decision VI/8a on compliance by Armenia (ECE/MP.PP/2017/20);
- (j) Decision VI/8b on compliance by Austria (ECE/MP.PP/2017/21);
- (k) Decision VI/8c on compliance by Belarus (ECE/MP.PP/2017/22);
- (l) Decision VI/8d on compliance by Bulgaria (ECE/MP.PP/2017/23);
- (m) Decision VI/8e on compliance by Czechia (ECE/MP.PP/2017/24);
- (n) Decision VI/8g on compliance by Kazakhstan (ECE/MP.PP/2017/26);
- (o) Decision VI/8h on compliance by Romania, as amended at the meeting;
- (p) Decision VI/8i on compliance by Slovakia, as amended at the meeting;
- (q) Decision VI/8j on compliance by Spain (ECE/MP.PP/2017/29);
- (r) Decision VI/8k on compliance by the United Kingdom of Great Britain and Northern Ireland, as amended at the meeting.

105. As consensus could not be reached on the adoption of draft decision VI/8f on compliance by the European Union, consideration of that draft decision was postponed to the next ordinary session (see para. 62 above).

¹⁵ As previously noted, the unedited texts of decisions that were amended and adopted at the meeting are available on the web page for the meeting (in-session documents tab).

106. The Meeting of the Parties adopted the other major outcomes presented at the meeting as contained in the list of key outcomes and decisions and requested the secretariat, in consultation with the Chair of the Meeting of the Parties, to finalize the report on the sixth session and to incorporate the adopted outcomes and decisions in it.

107. The Chair thanked the participants for their contributions, the interpreters and the secretariat for their support and closed the sixth session.

Advance edited copy