

## **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, including High-Level Segment**

Budva, Montenegro, 11–14 September 2017

### **List of key decisions and outcomes<sup>1</sup>**

*as adopted by the Meeting of the Parties at its sixth session*

#### Preparatory segment

## **2. Adoption of the agenda**

The Meeting of the Parties

- i. Took note of the information provided by the Chair.
- ii. Adopted the provisional agenda of the meeting.

## **3. Finalization of pending documents**

### **(a) Draft decisions on compliance**

The Meeting of the Parties

- i. Approved:
  - Draft decision VI/8 (a) on compliance by Armenia (ECE/MP.PP/2017/20) and took note of the statement by NGO Ecological Right;
  - Draft decision VI/8 (b) on compliance by Austria (ECE/MP.PP/2017/21) and took note of the statement from NGO OEKOBUEURO;
  - Draft decision VI/8 (c) on compliance by Belarus (ECE/MP.PP/2017/22) and took note of the statement by NGO Ecohome;
  - Draft decision VI/8 (d) on compliance by Bulgaria (ECE/MP.PP/2017/23);

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<sup>1</sup> This document was not formally edited. The decisions and outcomes contained in the document will be incorporated in the report of the meeting.

Draft decision VI/8 (e) on compliance by Czechia (ECE/MP.PP/2017/24) and took note of the statement by NGO Arnika;

Draft decision VI/8 (g) on compliance by Kazakhstan (ECE/MP.PP/2017/26);

Draft decision VI/8 (j) on compliance by Spain (ECE/MP.PP/2017/29) and took note of the statement by Instituto Internacional de Derecho y Medio Ambiente;

and forwarded the draft decisions to the general segment of the sixth session for provisional adoption.

ii. Approved the draft decisions, as amended at the meeting:

Draft decision VI/8 (h) on compliance by Romania (ECE/MP.PP/2017/CRP.4);

Draft decision VI/8 (i) on compliance by Slovakia (ECE/MP.PP/2017/CRP.5);

Draft decision VI/8 (k) on compliance by United Kingdom (ECE/MP.PP/2017/CRP.6) and took note of statements by Royal Society for the Protection of Birds, Irish Environmental Network and NGO OEKOBUERO;

and forwarded the above mentioned draft decisions to the general segment of the sixth session for provisional adoption.

The Meeting of the Parties considered the draft decision VI/8 on general issues of compliance (ECE/MP.PP/2017/19), and agreed to continue discussion on this draft decision at the general segment.

The Meeting of the Parties considered the draft decision VI/8 (f) on compliance by European Union (ECE/MP.PP/2017/25), and agreed to continue discussion on this draft decision at the general segment.

## **(b) Draft decision on financial arrangements**

The Meeting of the Parties considered the draft decision VI/6 on financial arrangements (ECE/MP.PP/2017/13), and agreed to continue discussion on this draft decision at the general segment.

## **(c) Election of the Compliance Committee**

The Meeting of the Parties considered the candidates to be elected by the Meeting of the Parties and agreed to continue the discussion on election at the general segment of its sixth session.

## **(d) Draft decision on reporting requirements**

The Meeting of the Parties approved the draft decision (ECE/MP.PP/2017/CRP.2) as amended at the meeting and forwarded it to the general segment of the sixth session for provisional adoption.

**(e) Draft Budva Declaration**

The Meeting of the Parties approved the draft Budva Declaration on Environmental Democracy for Our Sustainable Future as amended at the meeting (ECE/MP.PP/2017/CRP.3-ECE/MP.PRTR/2017/CRP.1), and forwarded it to the High-level segment for adoption.

General segment

**5. Status of ratification of the Convention and the amendment to the Convention**

The Meeting of the Parties:

- i. Took note of the status of the ratification of the Convention and its amendment. Since the previous session of the Meeting of the Parties in 2014, the number of Parties to the Convention has remained unchanged: there are 47 Parties to the Convention.
- ii. Welcomed the ratification of the GMO amendment by France, Georgia and Malta. The number of Parties to the amendment to the Convention had risen from 28 to 31.
- iii. Took note of the information provided by Guinea-Bissau on the progress made towards acceding to the Convention.
- iv. Took note of statement by the European ECO Forum.

**6. Substantive issues**

**(a) Access to information, including electronic information tools**

The Meeting of the Parties:

- i. Took note of the information provided by the secretariat that the report of the Chair of the Task Force on Access to Information on the activities of the Task Force since the fifth session of the Meeting of the Parties, will be made available online and thanked Ms. Mara Silina, from the European ECO Forum, for the keynote statement.
- ii. Took note of statements by Belarus, the European Union, Norway and Switzerland.
- iii. Provisionally adopted draft decision VI/1 on promoting effective access to information (ECE/MP.PP/2017/8).
- iv. Thanked the Task Force for the work done during the intersessional period.
- v. Expressed its appreciation to Republic of Moldova for chairing the Task Force and welcomed its offer to continue leading this work area in the next intersessional period.

**(b) Public participation in decision-making**

The Meeting of the Parties:

- i. Took note of the report by the Chair of the Task Force on Public Participation in Decision-making on the activities of the Task Force since the fifth meeting of the Parties and thanked Ms. Anke Stock, from the European ECO Forum, for the keynote statement.
- ii. Took note of statements by Belarus, the European Union, Norway, Switzerland, Aarhus Centre Sarajevo, the Regional Environmental Centre for Central and Eastern Europe (REC CEE), NGO Friends of the Earth and the Irish Environment Network.
- iii. Provisionally adopted draft decision VI/2 on promoting effective public participation in decision-making (ECE/MP.PP/2017/9).
- iv. Thanked the Task Force for the work done during the intersessional period.
- v. Expressed its appreciation to Italy for chairing the Task Force and welcomed its offer to continue leading this work area in the next intersessional period.

### **(c) Access to justice**

The Meeting of the Parties:

- i. Took note of the report by the Chair of the Task Force on Access to Justice on the activities of the Task Force since the fifth meeting of the Parties and thanked Mr. Miroslav Gavalec, judge from the Supreme Court of Slovakia, for the keynote statement.
- ii. Took note of the statements by Armenia, the European Union, Norway, OSCE Mission in Serbia, REC CEE, a judge from Kazakhstan, NGO Environmental Links UK, the European ECO Forum, NGOs Justice and Environment and OEKOBUERO.
- iii. Provisionally adopted draft decision VI/3 on promoting effective access to justice (ECE/MP.PP/2017/CRP.1), removing square brackets in the paragraph 13 on the leadership of the task force.
- iv. Thanked the Task Force for the work done during the intersessional period.
- v. Expressed its appreciation to Sweden for chairing the Task Force and welcomed its offer to continue leading this work area in the next intersessional period.

### **(d) Genetically modified organisms**

The Meeting of the Parties:

- i. Took note of the report by Mr. Helmut Gaugitsch, a representative of Austria and the Chair of the Global Round Table on GMOs/LMOs, on activities related to GMOs since the fifth session of the Meeting of the Parties.
- ii. Thanked a representative from the CBD Secretariat for her statement.
- iii. Took note of information on the status of the GMO ratification and other relevant developments by Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, the former Yugoslav Republic of Macedonia and Ukraine.

- iv. Took note of statements by the European Union and the European ECO Forum.
- v. Urged 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 GMO amendment; and called upon other Parties to ratify the GMO amendment.
- vi. Mandated the Working Group of the Parties to monitor closely the progress of entering in force of the GMO amendment.
- vii. 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.
- viii. Requested that amended text of the Convention once it enters into force should be processed, translated and published by the United Nations services and be made available in the six official languages of the United Nations without recourse to additional extra-budgetary resources.
- ix. Expressed its appreciation to Austria for chairing this area of work and welcomed its offer to continue leading this work area in the next intersessional period.
- x. Welcomed the effective cooperation between the secretariats of the Aarhus Convention and of the Convention on Biological Diversity and its Cartagena Protocol on Biosafety and requested to continue this cooperation in the next intersessional period through e.g. organizing a joint event.

## **7. Procedures and mechanisms facilitating the implementation of the Convention**

### **(a) Reporting mechanism**

The Meeting of the Parties:

- i. Took note of the information provided in national implementation reports submitted by Parties and synthesis report prepared by the secretariat.
- ii. Took note of reports prepared by non-governmental organizations.
- iii. Recognized the need for timely submission of national implementation reports in order to ensure a good quality of the synthesis report and its timely submission for translation.
- iv. Noted with regret that one third of Parties did not submit their reports by the set deadline.
- v. Urged Parties that did not submit their national implementation reports: Armenia, Bosnia and Herzegovina, Netherlands, Republic of Moldova, the former Yugoslav Republic of Macedonia, Ukraine and United Kingdom, to do so by latest 1 November 2017 in required format.
- vi. Took note of statements by the European Union, Switzerland and NGO Landvernd.

- vii. Provisionally adopted decision VI/7 on reporting requirements (ECE/MP.PP/2017/CRP.2).

## **(b) Compliance mechanism**

The Meeting of the Parties:

- i. Welcomed the reports by the Compliance Committee (ECE/MP.PP/2017/31 and ECE/MP.PP/2017/32).
- ii. Thanked the Chair and other Compliance Committee members for their work in this intersessional period.
- iii. Took note of statements by Belarus, Romania, Ukraine, NGO Ecological Rights, and the European ECO Forum.

Provisionally adopted

Draft decision VI/8 (a) on compliance by Armenia (ECE/MP.PP/2017/20);  
Draft decision VI/8 (b) on compliance by Austria (ECE/MP.PP/2017/21);  
Draft decision VI/8 (c) on compliance by Belarus (ECE/MP.PP/2017/22);  
Draft decision VI/8 (d) on compliance by Bulgaria (ECE/MP.PP/2017/23);  
Draft decision VI/8 (e) on compliance by Czechia (ECE/MP.PP/2017/24);  
Draft decision VI/8 (g) on compliance by Kazakhstan (ECE/MP.PP/2017/26);  
Draft decision VI/8 (j) on compliance by Spain (ECE/MP.PP/2017/29), and

provisionally adopted, as amended at the meeting,

Draft decision VI/8 (h) on compliance by Romania (ECE/MP.PP/2017/CRP.4);  
Draft decision VI/8 (i) on compliance by Slovakia (ECE/MP.PP/2017/CRP.5);  
Draft decision VI/8 (k) on compliance by United Kingdom  
(ECE/MP.PP/2017/CRP.6) and

Draft decision VI/8 on general issues of compliance (ECE/MP.PP/2017/CRP.7),  
taking note of the request of Belarus to reflect its statement containing the proposed  
amendments in the meeting report.

With regard to draft decision VI/8 (f) on compliance by European Union (ECE/MP.PP/2017/25),  
the Meeting of the Parties agreed to include the accompanying text in the report of its sixth session  
and reflect the statements by Belarus, Norway and Switzerland in this report (see section on the  
High-Level Segment).

The Meeting of the Parties re-elected by consensus the following members of the Compliance  
Committee: Ms. Heghine HAKHVERDYAN (nominated by Armenia); and Mr. Jerzy  
JENDROSKA (nominated by Georgia) and elected by consensus the following members of the  
Compliance Committee: Ms. Fruzsina BÖGÖS (nominated by Hungary); Mr. Marc CLÉMENT  
(nominated by France); Mr. Peter OLIVER (nominated by European Union), Mr. Dmytro  
SKRYLINKOV (nominated by Ukraine), as new members of the Compliance Committee.

## **(c) Capacity-building**

The Meeting of the Parties

- i. Took note of the information provided by the European Union, Georgia, Namibia, Serbia, Switzerland, OSCE, REC CEE, Judicial Academy of the Republic of Serbia, the European ECO Forum on the capacity-building activities undertaken during the intersessional period to promote more effective implementation of the Convention.
- ii. 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.
- iii. Requested the secretariat to continue servicing capacity-building coordination mechanism.
- iv. Encouraged national focal points to the Convention to support assistance programmes which statement the capacity-building needs regarding the Aarhus Convention and Principle 10 of the Rio Declaration.

## **8. 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**

The Meeting of the Parties:

- i. Took note of the information provided by the secretariat regarding accession of Guinea-Bissau to the Convention.
- ii. 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 to proceed with accession in accordance with decision IV/5 of the Meeting of the Parties (ECE/MP.PP/2011/2/Add.1).
- iii. Requested the Working Group of the Parties and the Bureau to follow up on the matter in accordance with decision IV/5.
- iv. Took note of the statements by the European ECO Forum.

### **(b) Promotion of the Convention's principles**

The Meeting of the Parties:

- i. Took note of the report by the outgoing Chair of the thematic session on Public Participation in International Forums on the activities since the fifth session of the Meeting of the Parties and thanked him for the work done.
- ii. Thanked Mr. Hakan Lucius, EIB, and Mr. Sébastien Duyck, European ECO Forum, for their keynote statements,

- iii. Took note of statements by the European Union, France and the European ECO Forum.
- v. Provisionally adopted draft decision VI/4 on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2017/11).
- vi. Expressed its appreciation to France for leading this area of work and welcomed its offer to continue its leadership in the next intersessional period.
- vii. Welcomed the new Chair of the thematic session on Public Participation in International Forums, Ms. Laura Michel.

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

The Meeting of the Parties:

- i. Took note of the statements by OSCE and the European ECO Forum.
- ii. Thanked the secretariats and bodies of multilateral environmental agreements and partner organizations for 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**

The Meeting of the Parties:

- i. Thanked Mr. Joseluis Samaniego, from ECLAC, for the keynote statement (by video message) on the application of Principle 10 of the Rio Declaration and update on Latin America and the Caribbean region activities to promote the rights of the public in environmental matters.
- ii. Welcomed the progress in developing a regional instrument on the application of Principle 10 of the Rio Declaration on Environment and Development in Latin America and the Caribbean and offered readiness of Parties to support the region in its endeavours.
- iii. Took note of statements by Italy, Spain, REC CEE and the European ECO Forum.

**(e) Update on United Nations Environment Programme initiatives on access to information, public participation and access to justice in environmental matters**

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

## **9. Programme of work and operation of the Convention**

### **(a) Implementation of the work programme for 2015–2017**

The Meeting of the Parties:

- i. Took note of the information provided by the secretariat and of (1) the Report on the implementation of the work programme for 2015–2017 (ECE/MP.PP/2017/3); (2) 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) as well as (3) List of contributions and pledges for the implementation of the Convention's work programmes for 2017-2021 which are not included in the report to the Meeting of the Parties (AC/MOP-6/Inf.4 – PRTR/MOPP-3/Inf.2).
- ii. Took note of the statements by the European Union, Kazakhstan, Switzerland, Aarhus Centre Banja Luka and REC CEE.
- iii. Expressed appreciation for the work done by the secretariat and recognized the difficulties posed by limited and unpredictable funding.

### **(b) Future work programme**

The Meeting of the Parties:

- i. Took note of the statements by Switzerland, REC CEE and the European ECO Forum.
- ii. Reiterated its request that documents for meetings of governing and subsidiary Convention's bodies, (e.g. reports of the task forces) as well as reports on capacity-building and on GMO roundtables submitted to the Meeting of the Parties and the Working Group of the Parties, as required, should be processed, translated and published by the United Nations services and be made available in the three official languages of the UNECE without recourse to additional extra-budgetary resources.
- iii. Requested the secretariat that any required publications in accordance with activities under the Convention's work programme should be processed and translated by UN services into the three official languages of the UNECE and publications related to SDGs should be processed and translated by UN services into all six official UN languages without recourse to additional extra-budgetary resources and be made available in electronic and hard copy forms.
- iv. Provisionally adopted draft decision VI/5 on the work programme for 2018–2021 (ECE/MP.PP/2017/12).
- v. Took note of the pledges for the implementation of the work programme for 2018–2021, as presented by the Parties at the meeting.
- vi. Welcomed the willingness by Italy to organize an event in spring 2018 to celebrate the twentieth anniversary of the signing of the Convention.

## **(c) Financial arrangements**

The Meeting of the Parties:

- i. Took note of the statement by Belarus, the European Union and the European ECO Forum.
- ii. Provisionally adopted draft decision VI/6 on financial arrangements under the Convention, as amended at the meeting (ECE/MP.PP/2017/CRP.8).

## **10. Report on credentials with regard to the Convention's Parties**

The Meeting of the Parties approved the report on credentials and noted that 34 Parties<sup>2</sup> had submitted credentials and thus a quorum had been reached.

## **11. Election of officers and other members of the Bureau**

The Meeting of the Parties elected by consensus:

- i.
  - Ms. Maia Bitadze (Georgia) as Chair;
  - Ms. Beate Berglund Ekeberg (Norway) and
  - Ms. Nicolette Bouman, (Netherlands) as Vice-Chairsfrom among the representatives of the Parties present at the meeting, in accordance with rule 18 of the rules of procedure.
- ii. the following members of the Bureau from among the representatives of the Parties in accordance with rule 22, paragraph 1(b):
  - Ms. Angelika Wiedner (European Union)
  - Ms. Chiara Landini (Italy)
  - Ms. Maryna Shymkus (Ukraine)
  - Ms. Malaj Enkelejda (Albania)
- iii. Took note of appointment by the European ECO Forum of Mr. Jeremy Wates (NGO) to attend the meetings of the Bureau as an observer, in accordance with rule 22, paragraphs 2 and 4.

## **12. Date and venue of the seventh ordinary session**

The Meeting of the Parties:

- i. Decided to hold its next ordinary session in 2021.
- ii. Mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the seventh ordinary session.

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<sup>2</sup> At the time of preparing this document seven more Parties submitted credentials.

### **13. Any other business**

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

### **Joint High-level Segment, 14 September 2017**

### **5. Decisions of the Meeting of the Parties to the Convention at its sixth session**

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

Decision VI/1 on promoting effective access to information (ECE/MP.PP/2017/8)

Decision VI/2 on promoting effective public participation in decision-making (ECE/MP.PP/2017/9)

Decision VI/3 on promoting effective access to justice, as amended at the meeting  
(ECE/MP.PP/2017/CRP.1)

Decision VI/4 on promoting the application of the principles of the Convention in international forums  
(ECE/MP.PP/2017/11)

Decision VI/5 on the work programme for 2018–2021 (ECE/MP.PP/2017/12)

Decision VI/6 on financial arrangements under the Convention, as amended at the meeting  
(ECE/MP.PP/2017/CRP.8)

Decision VI/7 on reporting requirements, as amended at the meeting (ECE/MP.PP/2017/CRP.2)

Draft decision VI/8 on general issues of compliance (ECE/MP.PP/2017/CRP.7), taking note of the request of Belarus to reflect its statement containing the proposed amendments in the meeting report.

Decision VI/8(a) on compliance by Armenia (ECE/MP.PP/2017/20)

Decision VI/8(b) on compliance by Austria (ECE/MP.PP/2017/21)

Decision VI/8(c) on compliance by Belarus (ECE/MP.PP/2017/22)

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

Decision VI/8(e) on compliance by Czechia (ECE/MP.PP/2017/24)

Decision VI/8(g) on compliance by Kazakhstan (ECE/MP.PP/2017/26)

Decision VI/8(h) on compliance by Romania, as amended at the meeting (ECE/MP.PP/2017/CRP.4)

Decision VI/8(i) on compliance by Slovakia, as amended at the meeting (ECE/MP.PP/2017/CRP.5)

Decision VI/8(j) on compliance by Spain (ECE/MP.PP/2017/29)

Decision VI/8(k) on compliance by United Kingdom, as amended at the meeting (ECE/MP.PP/2017/CRP.6)

2. With regard to draft decision VI/8 (f) on compliance by European Union (ECE/MP.PP/2017/25), the Meeting of the Parties agreed to include the following text in the report of its sixth session:

“In the spirit of reaching the 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 is compatible with the fundamental principles of the Union legal order and with its system of judicial review.”

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

In this regard, the Meeting of the Parties:

- i. Took note of the statements by Norway and Switzerland and of their requests to reflect their positions in the meeting report.
- ii. Took note of the request by Belarus to explicitly indicate in the meeting report the “exceptional circumstances”.

3. The Meeting of the Parties adopted the other major outcomes presented at the meeting as contained in the present document ECE/MP.PP/2017/CRP.9 and requested the secretariat, in consultation with the Chair of the Meeting of the Parties, to finalize the report and to incorporate the adopted outcomes and decisions.