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### Economic Commission for Europe

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

#### Working Group of the Parties

##### Third meeting

Geneva, 20 and 21 November 2013

Item 5 of the provisional agenda

##### Compliance and reporting mechanisms

### Membership of the Compliance Committee

#### Note prepared by the secretariat

##### *Summary*

The present note on the membership of the Compliance Committee under the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was prepared pursuant to the decision of the Meeting of the Parties to the Protocol (ECE/MP.PRTR/2010/2/Add.1, decision I/2, annex, para. 8), and further to the election of the members of the Compliance Committee at the first session of the Meeting of the Parties (Geneva, 20–22 April 2010) (ECE/MP.PRTR/2010/2, para. 65). It was prepared by the secretariat for the information of the Working Group of the Parties with a view to facilitating the election of the members of the Compliance Committee at the second session of the Meeting of the Parties, which is scheduled to take place back-to-back with the fifth session of the Meeting of the Parties to the Convention in the Netherlands during the week of 30 June to 4 July 2014.

The note is accompanied by two annexes: annex I presents a table showing the situation of the members of the Committee; annex II contains the relevant excerpts from decision I/2 and the report of the first session of the Meeting of the Parties.

## Introduction

1. At its second session, scheduled to take place in the Netherlands from 2 to 4 July 2014, the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters will have to consider the composition of its Compliance Committee. The main rules of procedure are set out in the annex to decision I/2 (see ECE/MP.PRTR/2010/2/Add.1). Accordingly, “a full term of office begins at the end of an ordinary session of the Meeting of the Parties and runs until the second ordinary session of the Meeting of the Parties thereafter” (e.g., a full term of office runs from the first session of the Meeting of the Parties (MOP-1) until the end of its third session (MOP-3), or from its second session (MOP-2) until the end of its fourth session (MOP-4), etc.) and “outgoing members may be re-elected once for a further term of office, unless in a given case the Meeting of the Parties decides otherwise” (ibid., annex, para. 8).

2. A full term of office commences at the end of an ordinary MOP and runs until the second MOP thereafter. However, according to decision I/2, annex, paragraph 8, at MOP-1 four members of the Committee were elected to serve half term of office, i.e., until MOP-2; and five members to the Committee were elected to serve a full term of office, i.e., until MOP-3.

3. Outgoing members may be re-elected once for a further full term of office, “*unless in a given case the Meeting of the Parties decides otherwise*” (emphasis added). Decision I/2 does not further elaborate on any criteria that would direct the Parties on the use of this proviso.

### **I. Situation of the members of the Compliance Committee at the second session the Meeting of the Parties**

4. The first full term of office of the following members of the Committee runs until MOP-3: Mr. Gor Movsisyan (Armenia), Mr. Fritz Kroiss (Austria), Ms. Martina Vazdar (Croatia),<sup>1</sup> Mr. Didier Guiffault (France) and Ms. Barbara Rathmer (Germany). There is thus no need for substitution or re-election of these members at MOP-2.

5. The first term of office of Mr. Merab Barbakadze (Georgia), Mr. Akos Fehervary (Hungary), Mr. Sveto Vasileski (the former Yugoslav Republic of Macedonia) and Mr. Alistair McGlone (United Kingdom of Great Britain and Northern Ireland) ends at MOP-2. They may all be re-elected at MOP-2 for a further full term of office, i.e., until MOP-4.

### **II. Nominations for the election of new members at the second session the Meeting of the Parties<sup>2</sup>**

6. Nominations for four members, all of whom may be re-elected (see paras. 4 and 5 above), may be submitted by Parties, taking due account of any proposal for candidates made by Signatories or by non-governmental organizations qualified or having an interest in the fields to which the Protocol relates. Nominations should be sent to the secretariat in

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<sup>1</sup> The family name of Ms. Sorsa changed to Vazdar in 2010.

<sup>2</sup> See procedure for the nomination of candidates for the Committee set out in paragraph 5 of the annex to decision I/2.

at least one of the official languages of the Protocol **not later than 9 April 2014** if MOP-2 opens on 2 July 2014. Each nomination should include the curriculum vitae of the candidate (not exceeding 600 words) and may include supporting material. According to rule 10 of the rules of procedure (ECE/MP.PRTR/2010/2/Add.1, decision I/1, annex), the secretariat will distribute the nominations and the curricula vitae with the supporting material, if any, to the Parties and to the other States, organizations and bodies referred to in rule 6<sup>3</sup> at least six weeks before the opening of the session.

7. The MOP elects Compliance Committee members by consensus or, failing consensus, by secret ballot. The Committee elects its own Chair and Vice-Chair at its next meeting following the MOP session.

8. The Committee may not include more than one national of the same State and its composition should reflect the need for adequate geographical distribution of membership and diversity of experience (*ibid.*, decision I/2, annex, para. 3).

### **III. Situation of the members of the Compliance Committee at the third session the Meeting of the Parties**

9. By MOP-3, Mr. Movsisyan, Mr. Kroiss, Ms. Vazdar, Mr. Guiffault and Ms. Rathmer will have completed their first term of office (MOP-1 to MOP-3) and may be re-elected at MOP-3 to serve until the fifth session (MOP-5).

10. The terms of office of the four remaining members elected or re-elected at MOP-2 will end at MOP-4.

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<sup>3</sup> States and regional economic integration organizations that are signatories to the Protocol but have yet to become Parties; the United Nations, its specialized agencies and the International Atomic Energy Agency; relevant intergovernmental organizations, qualified or having an interest in the fields to which the Protocol relates, that have requested to be so notified; and relevant non-governmental organizations, qualified or having an interest in the fields to which the Protocol relates, that have requested to be so notified.

## Annex I

### Situation of the members of the Compliance Committee

<i>MOP-1 (2010)</i>	<i>MOP-2 (2014)</i>	<i>MOP-3 (2017)</i>	<i>MOP-4 (2020)</i>
Merab Barbakadze (MB) elected until MOP-2	MB may be re-elected until MOP-4		MB should be replaced
Akos Fehervary (AF) elected until MOP-2	AF may be re-elected until MOP-4		AF should be replaced
Sveto Vasileski (SV) elected until MOP-2	SV may be re-elected until MOP-4		SV should be replaced
Alistair McGlone (AM) elected until MOP-2	AM may be re-elected until MOP-4		AM should be replaced
Gor Movsisyan (GM) elected until MOP-3		GM may be re-elected until MOP-5	
Fritz Kroiss (FK) elected until MOP-3		FK may be re- elected until MOP- 5	
Martina Vazdar (MS) elected until MOP-3		MS may be re-elected until MOP-5	
Didier Guiffault (DG) elected until MOP-3		DG may be re-elected until MOP-5	
Barbara Rathmer (BR) elected until MOP-3		BR may be re-elected until MOP-5	

## Annex II

### **Relevant paragraphs from decision I/2 and the report of the first session of the Meeting of the Parties**

#### **Decision I/2, annex, paragraphs 8–9**

8. The Meeting of the Parties shall, at its first ordinary session, elect four members to the Committee to serve until the end of the next ordinary session and five members to serve a full term of office. At each ordinary session thereafter, the Meeting of the Parties shall elect for a full term of office four or five members as appropriate in order to achieve the full complement of the Committee. Outgoing members may be re-elected once for a further full term of office, *unless in a given case the Meeting of the Parties decides otherwise* (emphasis added). A full term of office begins at the end of an ordinary session of the Meeting of the Parties and runs until the second ordinary session of the Meeting of the Parties thereafter. The Committee shall elect its own Chair and Vice-Chair.

9. If a member of the Committee can no longer perform his or her duties as a member of the Committee for any reason, the Bureau of the Meeting of the Parties shall appoint another member fulfilling the criteria in this section to serve the remainder of the term, subject to the approval of the Committee.

#### **Report of the first session of the Meeting of the Parties (ECE/MP.PRTR/2010/2), paragraph 65**

65. On the basis of consultations (see para. 21 above), the Meeting elected by consensus the following candidates to the Compliance Committee to serve until the end of the second session of the Meeting: Mr. Merab Barbakadze (Georgia); Mr. Akos Fehervary (Hungary); Mr. Sveto Vasileski (the former Yugoslav Republic of Macedonia); and Mr. Alistair McGlone (United Kingdom). The following candidates were elected by consensus to serve on the Committee until the end of the third session of the Meeting: Mr. Gor Movsisyan (Armenia); Mr. Fritz Kroiss (Austria); Ms. Martina Sorsa<sup>a</sup> (Croatia); Mr. Didier Guiffault (France); and Ms. Barbara Rathmer (Germany).

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<sup>a</sup> Ms. Sorsa's family name changed to Ms. Vazdar in 2010.