



Economic and Social Council

Distr.: General
9 November 2015

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

Working Group of the Parties

Nineteenth meeting

Geneva, 17–19 June 2015

Report of the nineteenth meeting of the Working Group of the Parties

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I. Introduction

1. The nineteenth meeting of the Working Group 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 from 17 to 19 June 2015 in Geneva, Switzerland.

A. Attendance

2. The meeting was attended by delegations from the following Parties to the Convention: Albania, Armenia, Austria, Belarus, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Republic of Moldova, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland.

3. A delegate from Uzbekistan was also present. A delegate from Chile participated by video link.

4. Also present were representatives of the Economic Commission for Latin America and the Caribbean (ECLAC) (by video link), the United Nations Environment Programme (UNEP) (by video link) and the United Nations Framework Convention on Climate Change (UNFCCC). The meeting was also attended by representatives of the Danish Board of Technology, the European Investment Bank (EIB), the Regional Environmental Centre for Central and Eastern Europe, the World Trade Organization (WTO), academic organizations and the public. Furthermore, representatives of international, regional and national environmental non-governmental organizations (NGOs) participated in the meeting, many of whom coordinated their input within the framework of the European ECO Forum.¹

B. Opening of the meeting and organizational matters

5. The Chair, Ms. Maia Bitadze, Deputy Minister for the Environment and Natural Resources Protection of Georgia, introduced herself and outlined the procedure that was followed by the Bureau for her election. Following the resignation of Ms. Nino Sharashidze, who had been elected Chair at the fifth session of the Meeting of the Parties (Maastricht, the Netherlands, 30 June–1 July 2014), the Bureau at its thirty-fifth meeting in March 2015 had considered the nomination of Ms. Bitadze by the Government of Georgia and, in accordance with the rules of procedure,² had elected her as the new Chair of the Meeting of the Parties to the Aarhus Convention.³

6. The Chair informed the Working Group that, with a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations, the meeting would result in a list of decisions and outcomes that would be distributed by e-mail to meeting participants around 30 minutes before the close of the meeting and would be presented by the Chair verbally for adoption, thereby allowing for interpretation. The adopted list of

¹ Information on the meeting, including documentation and a list of participants, is available online from <http://www.unece.org/env/pp/aarhus/wgp19.html#/>.

² See decision I/1 on the rules of procedure, rule 22, para. 7 (ECE/MP.PP/2/Add.2), available from <http://www.unece.org/env/pp/mop1docum.statements.html#/>.

³ See report of the thirty fifth meeting of the Bureau, available from <http://www.unece.org/index.php?id=38085#/>.

decisions and outcomes would be distributed to participants by e-mail after the meeting and would be incorporated in the report.

7. The Working Group took note of the information provided by the Chair and adopted the agenda for the meeting as set out in document ECE/MP.PP/WG.1/2015/1.

II. Status of ratification of the Convention and the Protocol on Pollutant Release and Transfer Registers

8. The secretariat reported on the status of ratification of the Convention, the amendment to the Convention on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment) and the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs). At the time of the meeting there were 47 Parties to the Convention, 33 Parties to the Protocol on PRTRs and 28 Parties to the GMO amendment. Since the fifth session of the Meeting of the Parties there had been no new ratifications of the Convention, the Protocol on PRTRs or the GMO amendment.

9. The Working Group took note of the information provided by the secretariat and other delegations on recent developments.

III. Substantive issues

A. Access to information

10. Turning to access to information issues, the Working Group considered the section of the report by the secretariat on the implementation of the work programmes for 2012-2014 and 2015–2017 (ECE/MP.PP/WG.1/2015/5) concerning access to information, including electronic information tools, the clearinghouse mechanism and PRTR.net.

11. The representative of the Republic of Moldova, on behalf of the Chair of the Task Force on Access to Information, presented the report of the Task Force on its third meeting (Geneva, 3–5 December 2014). The Working Group took note of the report (ECE/MP.PP/WG.1/2015/3) and welcomed the work of the Task Force.

12. In the ensuing discussion, representatives of NGOs raised the issue of confidentiality, especially with regard to primary data, and the scope of environmental information, and stressed that those subjects required further consideration by the Task Force. NGOs also observed a need for greater transparency concerning information related to fisheries in the European Union. The Working Group took note of those concerns, as well as information provided by other delegates on recent developments related to access to information.

B. Public participation in decision-making

13. The Working Group next considered the section of the report on the implementation of the work programmes for 2012–2014 and 2015–2017 concerning public participation in decision-making.

14. The Chair of the Task Force on Public Participation in Decision-making presented the report of the Task Force's fifth meeting (Geneva, 23–24 February 2015). The Working Group took note of the report (ECE/MP.PP/WG.1/2015/4), and welcomed the work of the Task Force. It further took note of the information provided by delegations on recent

developments related to public participation in decision-making, including by representatives of Belarus regarding ongoing amendments to legislation on environmental protection and public participation in environmental decision-making; by Georgia on the use of electronic tools and the preparation of new planning legislation; by the Netherlands on the application of the new planning law in the country; and by Armenia on measures taken to increase transparency and strengthen public participation through the use of electronic tools.

C. Access to justice

15. Opening the discussion on access to justice issues, the Chair of the Task Force on Access to Justice reported on the key outcomes of the Task Force's eighth meeting, held from 15 to 17 June in Geneva, just prior to the Working Group's nineteenth meeting. The Working Group took note of the report and welcomed the work of the Task Force. It also considered the section of the report on the implementation of the work programmes for 2012–2014 and 2015–2017 concerning access to justice.

16. In the following discussion, representatives of NGOs called for the expansion of the geographical scope of the analytical studies carried out under the auspices of the Task Force with a focus on the countries of Eastern Europe, the Caucasus and Central Asia. It was also suggested that financial barriers to access to justice could be overcome by using funds from environmental taxes to establish public interest litigation funds. Speakers also expressed concern about the possible implications that future bilateral or multilateral free trade or investment agreements would have on access to justice in Europe. A representative of Armenia reported on progress made in the country in defining the criteria for standing. A representative of the Regional Environmental Centre for Central and Eastern Europe presented efforts of the Centre to build the necessary national capacities for countries to implement the Aarhus Convention's access to justice provisions. The Working Group took note of information provided by delegations on access to justice.

D. Genetically modified organisms

17. The Working Group then considered the section of the report on the implementation of the work programmes concerning genetically modified organisms (GMOs). In that connection, the Working Group welcomed the continuing cooperation between the Convention secretariat and the secretariat of the Cartagena Protocol on Biosafety on GMO issues.

18. The Working Group expressed its serious concern, however, that, although objective II/3 of the Strategic Plan 2009–2014⁴ envisaged that the GMO amendment would be approved by a sufficient number of Parties to enter into force by 2009, that objective had still not been achieved. Objective II/2 of the new Strategic Plan 2015–2020⁵ aimed to achieve a sufficient number of ratifications in order for the GMO amendment to enter into force by 2015. The Working Group therefore emphasized the need for specific measures at the national and international level to build public and political support for ratification, as well as to strengthen capacities through the sharing of good practices and bilateral and international cooperation.

⁴ See ECE/MP.PP/2008/2/Add.16, annex.

⁵ See ECE/MP.PP/2014/2/Add.1, decision V/5, annex.

19. The representative of Georgia stated that significant progress had been made in the country towards ratification of the GMO amendment, which was expected by the end of 2015. The delegation of France also reported that efforts were being made in order for the amendment to be ratified before the sixth session of the Meeting of the Parties in 2017. The representative of Armenia reported that a draft law was being considered by the parliament. The delegations of Albania and Kyrgyzstan noted that no progress had been achieved so far in their countries. The representative of Belarus highlighted a number of challenges to the process of ratification in the country, such as a lack of awareness and understanding among the public of the possible ramifications of the use of GMOs.

20. The Working Group took note of the information provided by delegations. It called upon the Parties whose ratification of the GMO amendment would count towards its entry into force — i.e., Albania, Armenia, Azerbaijan, Belarus, France, Georgia, Kazakhstan, Kyrgyzstan, Malta, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine — to take serious steps towards ratification, and requested them to report at the next meeting of the Working Group on the progress achieved.

IV. Procedures and mechanisms

A. Compliance mechanism

21. The Working Group considered the section of the report on the implementation of the work programmes for 2012–2014 and 2015–2017 concerning the compliance mechanism. It also took note of the information provided by the secretariat on the outcomes of the Compliance Committee's forty-fifth to forty-eighth meetings,⁶ and expressed its strong support for the work of the Committee.

22. The secretariat reported that the Committee had been working to increase the possibilities for Parties and stakeholders to participate in its meetings by means of electronic tools, in particular encouraging participation by audio conference during the review of the implementation of decisions on compliance and the deliberations concerning the preliminary admissibility of new communications. The feedback received indicated that Parties, stakeholders and members of the Committee had all found those opportunities valuable.

23. The secretariat also observed that the Committee was revising the *Guidance Document on the Aarhus Convention Compliance Mechanism*⁷ taking into account the developments in its working methods since the first edition. The second edition of the guide would explain to Parties and stakeholders, in a user-friendly way, the mandate, functions and working methods of the Compliance Committee. It would also provide a step-by-step overview of its procedures for reviewing compliance.

24. The Working Group took note of the statements made by delegations and the information provided by the secretariat regarding the compliance mechanism.

⁶ See ECE/MP.PP/C.1/2014/7, ECE/MP.PP/C.1/2014/11, ECE/MP.PP/C.1/2014/14 and ECE/MP.PP/C.1/2015/2.

⁷ Geneva, 2010. Available from <http://www.unece.org/index.php?id=21457>.

B. National implementation reports

25. The secretariat reported that, in response to the call by the Meeting of the Parties to Parties that had not submitted their reports in time for the fifth session, Portugal and Turkmenistan had now submitted their national implementation reports for the 2014 reporting cycle.

26. The Working Group expressed its serious concern over the continuing failure of the former Yugoslav Republic of Macedonia to submit its reports on the implementation of the Convention and urged it to submit the reports for both the third (2011) and fourth (2014) reporting cycles without any further delay.

C. Capacity-building and awareness-raising

27. The Working Group began its discussion on capacity-building and awareness-raising by considering the sections of the report on the implementation of the work programmes focusing on those activities and on the promotion of the Convention and the Protocol on PRTRs more generally.

28. In that connection, the Working Group took note of the report of the ninth capacity-building coordination meeting (AC/WGP-19/Inf.1) and information related to capacity-building and awareness-raising presented by the secretariat and delegations, including by Serbia, the Regional Environmental Centre and the European ECO Forum.

29. The Working Group expressed its appreciation for the continuing cooperation of the secretariat on capacity-building activities with other partners.

V. Thematic session on the promotion of the principles of the Convention in international forums

A. Introduction

30. A thematic session on promoting the principles of the Convention in international forums was organized under the leadership of France and chaired by Mr. Etienne Ballan. In an opening statement, the Principal Adviser to the Executive Secretary of the United Nations Economic Commission for Europe (ECE) stressed the importance of the promotion of the principles of the Convention in the context of current major international processes, such as the discussion on the post-2015 development agenda, the negotiations leading up to the twenty-first session of the Conference of the Parties to UNFCCC (Paris, 30 November–11 December 2015) and various international trade negotiations.

31. In his introductory statement, the Chair of the thematic session outlined the key objectives of the session and expressed his appreciation to the 12 Parties⁸ that had completed the survey prepared by the secretariat on the promotion of the principles of the Convention in UNFCCC processes and in international trade negotiations. The responses received provided examples of good practices that could be useful for countries wishing to develop practical and innovative tools to promote access to information and public participation in the UNFCCC process, in trade negotiations or in other international forums.

⁸ Austria, Belarus, Belgium, Bulgaria, Georgia, Germany, Italy, Norway, Slovakia, Spain, Switzerland and the European Union.

The results of the survey had been summarized by the secretariat and made available on the meeting web page.⁹

32. The session Chair recalled the checklist of measures to be borne in mind by Parties when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment.¹⁰ The checklist had been a major outcome of the previous intersessional period and participants were encouraged to use that valuable tool.

33. In preparation for the discussions in the thematic session, the Working Group considered the section of the secretariat's report on the implementation of the work programmes for 2012–2014 and 2015–2017 concerning the promotion of the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines).¹¹

B. Chair's summary of the thematic session

Public participation in the UNFCCC processes on the road to Paris

34. Representatives of France, UNFCCC, ECE and European ECO Forum gave presentations on the modalities for public participation at the international level. Additionally, good practice examples of public participation in UNFCCC processes were presented by Georgia and Albania.

35. The representative of France described the transparent and inclusive preparations for the United Nations Climate Change Conference in Paris. The overarching goal was to reach a binding, ambitious, universally applicable agreement with the broadest possible level of public participation. France had pledged to support developing countries willing to include civil society representatives in the preparation of their national contributions to the negotiations. Both non-State actors and Governments needed to demonstrate their determination to support a low-carbon economy.

36. The representative of UNFCCC provided an overview of efforts taken to promote observer participation in the UNFCCC process, and particularly the modalities for observer engagement in the lead up to and at the Paris Conference. Priority was being given to ensuring real-time access to information, such as the views and positions submitted by Parties and observers. As a result, the UNFCCC secretariat had developed a number of relevant electronic tools available in several languages to reach a global audience. The demand for public participation had increased exponentially over the years and for the upcoming session civil society input was being incorporated in negotiations on matters related to, inter alia, mitigation, adaptation, climate finance, technology and capacity-building. A number of actions had been taken to take civil society input into account, including providing for observer participation in the High-level Segment and thematic events and the establishment of a "Climate Generation Space" open to the general public that would host debates, conferences and exhibitions as well as showcasing civil society solutions to climate change. In addition, guidance documents had been produced for meeting chairs, Parties, and host countries, to ensure civil society had opportunities to participate.

⁹ Available from <http://www.unece.org/env/pp/aarhus/wgp19.html#/> (click on the "PPIF session" tab).

¹⁰ Also available on the meeting web page by clicking on the "PPIF session" tab.

¹¹ See ECE/MP.PP/2005/2/Add.5, annex, available from <http://www.unece.org/env/pp/mop2/mop2.doc.html#/>.

37. The Chief of the ECE Environment for Europe and Sustainable Development Section reported on the innovative practices introduced at the Seventh Environment for Europe Ministerial Conference (Astana, 2011), such as round-table sessions between Government and stakeholder delegates. Answers to a survey circulated after the Conference indicated that that format had been well received by participants.

38. A representative of the European ECO Forum gave a presentation on public participation from the NGO perspective. While some Governments had a very participatory approach, others had adopted a top-down approach. In the past, Aarhus focal points had been nominated during the climate conferences. That was a good practice and was worth repeating.

39. The representative of Albania explained the level of access to climate-related information in Albania and the stakeholder engagement in the preparation of strategic documents related to environmental matters. Albania used a number of electronic and media tools to disseminate information and had adopted a strategy for effective communication on climate change and had undertaken media campaigns to raise public awareness.

40. The representative of Georgia also offered examples of good practices for awareness-raising in relation to UNFCCC processes, including through conferences, exhibitions, trainings, television programmes and social and electronic media. In addition, the Georgian environment ministry regularly provided information on climate change through official websites and the Environmental Information and Education Centre provided additional information from other institutions and organizations in the country. The Intended Nationally Determined Contribution for Georgia under the UNFCCC had been developed with the involvement of relevant government institutions and stakeholders.

41. The representative of the Danish Board of Technology presented the World Wide Views on Climate and Energy (WWViews), the largest structured citizens' consultation process ever created. On 6 June 2015, 10,000 citizens in groups of 100 persons each from 75 countries had held 96 debates. The aim was for countries to take the results into consideration when negotiating a Paris agreement. The results of the process had demonstrated that four out of five citizens from both developing and developed countries were very concerned about climate change. More than 80 per cent of the citizens participating believed that the results of the consultation process would be used in a meaningful way. The results of the debate would be communicated to various forums and international events through the use of media, presentations and dialogue with policymakers, industry and NGOs in different countries.

42. The presentations and the subsequent discussion on participation in the UNFCCC processes illustrated that:

(a) Over the years, significant progress had been made in the way that public participation was promoted in UNFCCC processes;

(b) The UNFCCC secretariat and France were providing ample opportunities for access to information on the negotiations of a Paris agreement. Draft documents, national contributions and information and opinions submitted by observer organizations were available through web portals and various electronic information tools;

(c) Concerted efforts were being made by the UNFCCC secretariat and the host country (France) to ensure the broadest possible civil society involvement before and during the United Nations Climate Conference in Paris. In that context, for the first time in the history of the sessions of the UNFCCC Conferences of the Parties, a "Climate Generation Space" would be set up next to the United Nations "blue zone" where the public

would be able to organize different events. UNFCCC would also facilitate advocacy work and therefore allow demonstrations by observers on United Nations premises;

(d) Awareness-raising was of paramount importance in several countries, as demonstrated by the appointment of a climate adviser acting as a focal point for civil society in the office of the President of France, as well as by the media campaigns, trainings, workshops and events held in Albania and Georgia;

(e) To further raise awareness of procedural matters related to public involvement, including observer engagement, UNFCCC had prepared guidance documents for Parties, chairs of expert meetings and negotiating bodies, host countries and Parties.

43. Certain challenges and limitations remained, however, with respect to access to information and public participation in the Paris Conference process. In particular:

(a) As the largest United Nations environmental conference, the United Nations Climate Conference in Paris required complex procedures for coordination at the national and international level;

(b) There were few reporting opportunities to provide information on domestic participatory processes or to identify good practices and possible gaps and challenges in relation to UNFCCC processes. Moreover, the UNFCCC secretariat did not have the means to collect information on stakeholder engagement at the national level. In that regard, the Aarhus Convention's work through various national reports, surveys and studies was of particular value added;

(c) Regrettably, the opportunities for observer interventions in plenary sessions of UNFCCC were limited due to the amount of work and interventions by delegations. The UNFCCC secretariat had also advised official delegations to refrain from taking the floor in plenary session in order to facilitate the process;

(d) Some Parties to the Aarhus Convention had not openly declared or demonstrated their commitment to strengthening participation at the intergovernmental level. Surprisingly, the leading advocates of enhanced public participation and transparency were countries of Latin America and the Caribbean;

(e) Access to informal consultations and to documents discussed during informal negotiations remained limited;

(f) There were also limited opportunities for observers to engage with ministers and to intervene during the High-level Segment. The previous success of the Ministerial Conference in Astana could serve as an example for the application of similar modalities for public participation in the Paris Conference;

(g) Late circulation of documents for commenting made it difficult for stakeholders to provide useful, informed input. Aarhus Convention Parties with board members on the Green Climate Fund could take proactive action to address the issue of early access to documents;

(h) Targeted awareness-raising for vulnerable groups in rural areas was also required;

(i) Inclusion of NGO representatives on official country delegations remained a challenge because of limited resources.

Update on UNEP stakeholder engagement and access to information policies

44. A representative of UNEP updated participants (by video link) on UNEP stakeholder engagement and access to information policies. In particular, he shared his vision of the United Nations Environment Assembly developing into a platform for the international

environmental community to set the global environmental agenda and offer new and better opportunities for civil society engagement.

45. The UNEP representative further noted that UNEP had started developing a new stakeholder engagement policy, which increased opportunities for written and oral input in practically all UNEP meetings.

46. In the ensuing discussion, it was demonstrated that UNEP responded to the call for greater stakeholder engagement. However, despite new opportunities offered for consultations, delegates expressed a number of concerns with regard to the draft UNEP stakeholder engagement policy. Some delegates felt that NGOs had been excluded from the discussion on the draft policy. It was also noted that only a low level of interest had been shown by NGOs in commenting on the draft and that there was a lack of consensus concerning the new policy, primarily because some Parties wished to have the right to veto the participation of NGOs. It was also thought that UNEP should take into account the successful example of the work under the Aarhus Convention, which had a flexible approach to the participation of NGOs.

47. With respect to access to information policy, UNEP had received 30 comments on its draft policy from several civil society organizations and only a few countries had commented. Commenting on that draft was still possible and delegates were invited to use that opportunity. A new draft would be prepared by UNEP in the light of the comments received. That would be followed by a new commenting period (17 August–15 September 2015) and a second round of open dialogue starting on 17 September 2015 and ending in October 2015 when the policy was expected to be finalized.

48. Several concerns were expressed by participants regarding the draft UNEP access to information policy. Despite the clear call for greater transparency in the outcome document of the United Nations Conference on Sustainable Development in 2012, the draft policy did not seem to be in line with the principles of the Aarhus Convention, the Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters (Bali Guidelines) or best practices of multilateral institutions. For instance, the draft policy contained no obligation for the proactive release of documents or for the collection and dissemination of information as foreseen in the Bali Guidelines. There was also no obligation to provide the reasons for the refusal of access to information. Moreover, a stronger presence of NGOs in Nairobi was necessary in order to allow them to provide timely and informed input into UNEP policies.

49. Some delegates suggested that Parties to the Aarhus Convention should seek to build partnerships with other countries in other regions in order to promote the principles of the Aarhus Convention in the discussion on the new UNEP access to information and stakeholder engagement policies.

Promotion of the Convention's principles in trade negotiations

50. The Chair of the thematic session introduced the discussion on the promotion of the Convention's principles in trade negotiations by explaining the relationship of the Almaty Guidelines to trade negotiations. Recalling the successful work undertaken by the Working Group in promoting the principles of the Convention among international financial institutions, he shared his belief that the discussions would help Parties and stakeholders identify ways to promote the principles of the Convention also in the challenging area of trade negotiations.

51. The representative of the European Union presented the outreach activities and the modalities for civil society engagement established by the European Commission in relation to European Union trade policy and in the context of the Transatlantic Trade and Investment Partnership (TTIP). The European Commission considered the issue of

transparency and compliance as crucial for ensuring the legitimacy and accountability of the administration.

52. The WTO representative offered an overview of WTO approaches to access to information and public participation, and provided a historical account of the evolution of transparency in the organization. WTO was widely recognized as being transparent and access to information was no longer a contentious issue. He further suggested that perhaps TTIP could serve as a benchmark for similar negotiations.

53. The European ECO Forum representative gave a presentation on how the Aarhus principles had been applied in TTIP negotiations, outlining the progress achieved in terms of transparency, the remaining obstacles to access to information and the possible risks with regard to the potential impact of TTIP on environmental legislation.

54. In the ensuing discussion a number of points were made:

(a) In the European Union efforts had been made to enhance public participation and greater opportunities for stakeholders to express their views and opinions had been achieved through the establishment of a civil society dialogue, which featured regular meetings between civil society representatives, the Commissioner for Trade of the European Commission and the Director General for Trade of the European Commission. Moreover, in the case of TTIP negotiations, stakeholder events had been organized that were wider in scope than civil society dialogue as they included industry, citizens and the press;

(b) Public participation was facilitated by a lack of restrictions. In the European Union only three criteria needed to be met in order to participate in the civil society dialogue: interested organizations had to be non-profit, European Union-based and registered in the European Union transparency register;

(c) Civil society organizations were included as observers in European Union delegations attending WTO biannual ministerial conferences;

(d) In an effort to improve transparency and inclusiveness, the European Union endeavoured to develop more targeted meetings, smaller policy discussion meetings and to hold an annual large-scale information event to accommodate more fundamental debates on trade policies;

(e) In the European Union, joint consultative structures had been established to facilitate the provision of views and opinions by NGOs on issues that concerned them;

(f) Public participation on trade negotiations remained a restricted area, however, as there was no direct public access to WTO meetings.

55. In terms of access to information, certain good practices of WTO were highlighted:

(a) The WTO website was considered very informative and user-friendly, offering access to both formal and informal documents;

(b) Any WTO document was publicly available upon release unless there was a major opposition by a member State. In any case, any restrictions on documents were lifted after 60 days;

(c) The public forum established by the WTO offered a successful platform for discussion without any limitations;

(d) WTO dispute settlements included public hearings whereby people could follow the proceedings;

(e) Sustainable development, along with environmental and social aspects of development, were systematically included a chapter in free trade agreements.

56. In terms of challenges, it was observed that:

- (a) Social media was not always the most appropriate means for disseminating information, particularly for information of a technical nature;
- (b) Trade organizations or parties involved in trade negotiations should pay greater attention to tailored-made information;
- (c) Investor-State dispute settlement mechanisms operating outside usual legal frameworks were a matter of major concern for NGOs;
- (d) Despite significant progress in transparency, TTIP remained controversial as it could be a case where trade agreements had a negative impact on environmental legislation.

Promotion of the Convention's principles in developing, implementing and monitoring implementation of the Sustainable Development Goals

57. A representative of the secretariat gave a presentation on the promotion of the Convention's principles in developing, implementing and monitoring the Sustainable Development Goals (SDGs). The post-2015 development agenda had not only been the product of an intergovernmental process, it had been a participatory and inclusive process with stakeholder engagement at the national and international level, mainly through major groups. Intensive consultations had also been held at the regional level, involving civil society representatives. The High-level Political Forum on Sustainable Development had also granted far-reaching participatory rights to stakeholders in the discussions on the new agenda. In terms of challenges, what remained was to clarify the modalities for the work of the High-level Political Forum, and the role of the different stakeholders with regard to the future implementation of the SDGs.

58. Concerns were expressed with regard to the promotion of the Convention's principles in the context of the SDGs, in particular:

- (a) The lack of clarity with respect to formal rules for stakeholder engagement in the High-level Political Forum remained a matter of concern, as it was uncertain when civil society involvement in the decision-making should be interpreted in a more restrictive way and when in a more inclusive one;
- (b) Despite the unprecedented level of stakeholder engagement in shaping and developing the SDGs and the post-2015 agenda, there were strong concerns expressed by NGOs over a recent trend to apply United Nations Economic and Social Council rules of procedure to the processes of the High-level Political Forum. If such a decision were taken it would seriously undermine stakeholder participation because of a lack of recognition of the importance of maintaining the current structure and self-organizing selection of representatives of the nine major groups and other stakeholders when engaging in that critical process.

59. The ensuing discussion brought to light a number of issues, suggestions and priorities:

- (a) Governments would be required to establish national sustainable development strategies and governance structures, as implementation of the SDGs would mainly need to be carried out and monitored at national level;
- (b) With regard to the future role of the regions in monitoring, reviewing or implementing SDGs, those objectives could be accomplished through regional peer reviews and recommendations (along the lines of Environmental Performance Reviews), synthesis and/or thematic reports on SDG achievement and regional forums on SDGs;

(c) Additional possibilities for stakeholder engagement in the implementation of SDGs at all levels (national, regional and global) needed to be explored.

60. Finally, the European ECO Forum informed the Working Group of an initiative by the Welsh government to promote sustainable development through the Well-being of Future Generations Act.¹² By effectively obliging each public body to carry out sustainable development actions, that Act had been recognized as a good practice example.

C. Conclusions of the Working Group

61. The Working Group:

(a) Expressed its appreciation to representatives of Albania, France, Georgia, the European Commission, the Danish Board of Technology, European ECO-Forum, ECE, UNEP, UNFCCC and WTO for the presentations;

(b) Took note of the information provided by the representatives of the UNFCCC secretariat, Parties, and other stakeholders regarding good practices, innovative initiatives and challenges in promoting access to information and public participation in the UNFCCC processes;

(c) Welcomed the progress in promoting Aarhus Convention principles in UNFCCC processes, and expressed its appreciation to France for implementing those principles in the lead up to the twenty-first session of UNFCCC in Paris;

(d) Invited UNFCCC Parties to consider organizing a joint formal session between civil society and Ministers or high-level officials at the Paris Conference;

(e) Encouraged Parties to promote public participation in the text of the future Paris agreement and to address outcomes of the WWViews consultations in formal documents;

(f) Took note of the updates provided by UNEP and the comments provided by Parties and stakeholders on the UNEP stakeholder engagement and access to information policies, and expressed its concern that the current drafts were not in line with Aarhus Convention principles;

(g) Took note of information provided by WTO, Parties and other stakeholders on good practices and challenges regarding transparency and public participation in international trade negotiations;

(h) Took note of information provided by ECE, Parties and stakeholders on practices that promoted the Convention's principles when developing or implementing SDGs;

(i) Encouraged Parties to continue promoting the Convention's principles in UNEP processes, and in climate- and trade-related negotiations;

(j) Encouraged Parties to promote the Convention's principles and to continue to be guided by those principles when implementing SDGs;

(k) Welcomed the progress achieved by Parties in fulfilling their obligations under article 3, paragraph 7, of the Convention, and encouraged them to continue their efforts to address remaining challenges;

¹² Available from <http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>.

(l) Encouraged Parties to join their efforts in promoting the Convention's principles also with non-Parties, considering that a number of countries from outside the ECE region had demonstrated their support to greater public engagement in international forums;

(m) Invited Parties to report on the results achieved at the next meeting of the Working Group of the Parties.

VI. Implementation of the work programmes for 2012–2014 and 2015–2017

62. The Working Group took note of the report on the implementation of the work programmes for 2012–2014 and 2015–2017 and of the provided information on the human resources situation in the secretariat. The Working Group expressed its appreciation to the secretariat for its effective and efficient work.

63. In terms of synergies with other ECE multilateral environmental agreements, the Working Group took note of the information provided by the Vice-Chair of the Bureau regarding the sixth informal meeting between representatives of the governing bodies of the ECE multilateral environmental agreements and the Committee of Environmental Policy.¹³ It also took note of the information provided by the secretariat of the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) regarding possible amendments to the Industrial Accidents Convention to strengthen its provisions on public participation, and urged Parties to liaise with the focal points to the Industrial Accidents Convention so as to align the amendments with the Aarhus Convention.

64. The Working Group expressed its appreciation to all partner organizations for their support and welcomed the progress made in building synergies that helped the implementation of the work programme.

VII. Financial Matters

A. Contributions and expenditures

65. The secretariat presented the contributions (table 1) received by Parties from 15 March 2014 to 16 June 2015 and pledges (table 2) as of 19 June 2015.

Table 1
Contributions received between 15 March–18 June 2015
 (in United States dollars)

<i>Donor country</i>	<i>Actual contribution in 2015</i>	<i>Adjusted contribution for 2015</i>	<i>Remarks</i>
Armenia	500	500	For Aarhus Convention 2015
Bulgaria	500	500	For Protocol on PRTRs 2015
European Union	108 342	108 342	For Aarhus Convention 2015

¹³ Information on the meeting is available from: <http://www.unece.org/environmental-policy/conventions/informal-networks.html>.

<i>Donor country</i>	<i>Actual contribution in 2015</i>	<i>Adjusted contribution for 2015</i>	<i>Remarks</i>
Finland	5 531	5 531	For Aarhus Convention 2015
Hungary	4 977	4 977	For Aarhus Convention 2015
	481	481	For Protocol on PRTRs 2015
Italy	55 310	55 310	For Aarhus Convention 2015
Lithuania	993	993	For Aarhus Convention 2015
Luxembourg	5 700	5 700	For Aarhus Convention 2015
Norway	15 462	15 462	Additional contribution to support study taking stock of approaches regarding the scope of judicial review in Eastern and South-Eastern Europe, the Caucasus and Central Asia
Slovenia	3 250	3 250	For Aarhus Convention 2015
	1 083	1 083	For Protocol on PRTRs 2015
Spain	3 268	—	For Aarhus Convention 2014
Sweden	35 000	35 000	For Aarhus Convention 2015
	18 000	18 000	For Protocol on PRTRs 2015
Switzerland	41 451	41 451	For Aarhus Convention 2015, half of which is earmarked as an additional contribution to support capacity-building for experts from countries with economies in transition
Total	299 848	296 580	
of which exclusively for the Protocol on PRTRs	20 064	20 064	

Note: Some contributions by Parties and Signatories are intended for use in a year other than the year the contribution was received. The “adjusted contribution” figure for a given year is derived from the actual contribution made that year, minus any part of that contribution intended for use in a different year, plus any contributions made in years other than the reference year but intended for use in the reference year.

Pledges (as of 19 June 2015)

(in original currency)

<i>Donor country</i>	<i>Original currency</i>	<i>Amount</i>	<i>Remarks</i>
Belarus	USD	500	For Aarhus Convention 2015
	USD	500	For Aarhus Convention 2016
Belgium (Federal)	EUR	20 500	For Aarhus Convention 2015
Belgium (Brussels-Capital Region)	EUR	945	For Aarhus Convention 2015
Belgium (Flemish Region)	USD	8 499	For Aarhus Convention 2015
Belgium (Walloon Region)	EUR	3 465	For Aarhus Convention 2015
Bosnia and Herzegovina	EUR	1 000	For Aarhus Convention 2014
France	EUR	60 000	For Protocol on PRTRs in 2014 and 2015

<i>Donor country</i>	<i>Original currency</i>	<i>Amount</i>	<i>Remarks</i>
Germany	USD	30 000	For Protocol on PRTRs 2015
Georgia	USD	1 000	For Aarhus Convention 2016
Greece	USD	1 000	For Aarhus Convention 2014
Iceland	USD	1 500	For Aarhus Convention 2015
Ireland	EUR	5 000	For Aarhus Convention 2016
Israel	USD	5 000	For Protocol on PRTRs 2014
Malta	USD	1 000	For Aarhus Convention 2013
	USD	1 000	For Aarhus Convention 2012
	USD	1 000	For Aarhus Convention 2011
Norway	USD	20 000	For Aarhus Convention 2016
	USD	20 000	For Protocol on PRTRs 2016
Republic of Moldova	USD	1 000	For Aarhus Convention 2014
	USD	1 000	For Aarhus Convention 2015
Sweden	USD	9 000	Additional contribution for Protocol on PRTRs 2014
Switzerland	CHF	70 000	For Protocol on PRTRs 2015, including 50,000 Swiss francs to support building capacity of experts from countries with economies in transition.
The former Yugoslav Republic of Macedonia	USD	200	For Protocol on PRTRs 2012
	USD	200	For Protocol on PRTRs 2013
Ukraine	USD	3 000	For Aarhus Convention 2013
	USD	3 000	For Aarhus Convention 2014
	USD	3 000	For Aarhus Convention 2015

Note: No financial contributions, in-kind contributions and/or pledges have been received from the following Parties to the Convention for 2014: Luxembourg, Portugal, Slovenia and the former Yugoslav Republic of Macedonia. No financial contributions, in-kind contributions and/or pledges have been received from the following Parties to the Protocol for 2014: Germany, Luxembourg and Portugal.

66. The secretariat also informed the Working Group that the contribution of US\$ 46,512 by the United Kingdom of Great Britain and Northern Ireland received in 2014 was intended to support the implementation of the work programmes of the Aarhus Convention and its Protocol on PRTRs in 2015.

67. The Working Group:

(a) Took note of the information provided by the secretariat and the report on contributions and expenditures in relation to the implementation of the Convention's work programmes for 2012–2014 and 2015–2017 (ECE/MP.PP/WG.1/2015/6);

(b) Took note of the pledges provided by delegations of their planned financial contributions;

(c) Recognized the urgent need to allocate more resources from the United Nations regular budget to support the work of the Aarhus Convention, and expressed its concern with regard to the shortage of contributions and the low number of pledges, also recalling decision V/7 on financial arrangements adopted by the Meeting of the Parties at its fifth session;

(d) Expressed particular concern over the fact that contributions were arriving late in the year, which further hindered the implementation of the work programme;

(e) Was also alarmed by the decision by some Parties that had traditionally supported the activities under the Convention with generous contributions to drastically cut those contributions and expressed concern over the potential impact of that decision on the implementation of the Convention's work programme;

(f) Expressed concern regarding the expected discontinuation of funding for one administrative staff member through the 13 per cent programme support costs levied from the trust funds of the ECE Environment Division, and requested written clarification from the responsible United Nations body on that matter.

B. Future funding of the Convention

68. The Working Group took note of statements by delegations on the future funding of the Convention. The Working Group considered the draft proposal, prepared by the Bureau at the request of the Meeting of the Parties, on the estimation of the operational costs needed for the effective functioning of the Convention (ECE/MP.PP/WG.1/2015/7). The Working Group entrusted the Bureau, with the support of the secretariat, to revise the proposal in the light of the comments received at the meeting and to submit the revised draft to the Working Group for consideration at its next meeting.

VIII. Promotion of the Convention and relevant developments and interlinkages

69. Representatives from the Ministry of Foreign Affairs of Chile and ECLAC gave a presentation by video link on the progress achieved on the instrument on access to information, participation and justice on environmental matters in Latin America and the Caribbean. By 2015, the number of nations in the region adhering to that process had risen to 20, illustrating the growing interest by countries in the region. The Aarhus Convention secretariat, as well as experts and Parties to the Convention, were thanked for their support, and were encouraged to continue to support the process, either bilaterally or through regional initiatives. In addition, pending a decision on the legal nature of the agreement, the following observations were highlighted:

(a) Attention would be shifted to capacity-building, supported by the Government of the Netherlands and with the active involvement of civil society organizations in Latin America and the Caribbean;

(b) A major challenge was to include more countries from the Caribbean;

(c) Public participation should be enhanced in order to allow for the widest possible participation in the negotiation phase;

(d) Overall, the process was seen by most Governments, and particularly by less developed countries, as a way to improve their environmental and democratic institutions.

70. The representative of the Regional Environmental Centre for Central and Eastern Europe pledged the Centre's continuing support for the process through fundraising activities. She highlighted the spirit of mutual cooperation and urged Parties to provide financial support. The representative of the European Environmental Bureau expressed the hope that States in Latin America and the Caribbean would agree on a legally binding agreement, and urged Parties to divert funds from other activities to support that important process.

71. The representative of the Netherlands noted that Parties' embassies normally had resources to support democratization in countries. He invited Parties to contact their ministries of foreign affairs and explore ways to address the needs of civil society involvement through those resources.

72. The Working Group took note of the statements by delegations and expressed its appreciation to the Government of Chile and ECLAC for the information provided. It further welcomed the progress made in the development of a regional instrument on the application of Principle 10 in Latin America and the Caribbean and reiterated its support for the process of establishing a legally binding instrument in the region.

73. A participant from Osaka University informed the Working Group about an initiative to promote the principles of the Convention in Japan, and listed a number of relevant cases brought before the Japanese Supreme Court. The Working Group welcomed that initiative and the progress achieved in promoting the application of the Convention's principles in Japan.

74. The Working Group also took note of the information provided by the secretariat and delegations regarding the promotion of the Convention in other regions, including relevant events and activities organized by the Regional Environmental Centre for Central and Eastern Europe and by the European Environmental Bureau in view of the Eye on Earth Summit, to be held from 6 to 8 October 2015. In connection with the Eye on Earth process, the European Environmental Bureau provided additional information regarding efforts to launch a project to promote access rights in countries of the Mediterranean and North African region. The Working Group welcomed the initiatives taken by Parties and stakeholders to promote the Convention beyond the ECE region.

IX. Preparations for the sixth session of the Meeting of the Parties

75. The Working Group took note of possible dates suggested by the secretariat for the sixth ordinary session of the Meeting of the Parties at the end of June or in mid-September 2017. It welcomed the preliminary interest expressed by the Government of Montenegro to host the sixth session, and requested the secretariat to further liaise with the Government of Montenegro on that matter.

76. The Working Group also called on other interested Parties to inform the secretariat by January 2016 about their potential interest in hosting the meeting, also taking into consideration that the session might be organized back to back with the third session of the Meeting of the Parties to the Protocol on PRTRs, and mandated the secretariat to liaise with potentially interested Parties on the hosting matter.

77. In addition, the Working Group mandated the Bureau to take the decision on the hosting and timing prior to the next meeting of the Working Group, as appropriate, and to report to the next meeting of the Working Group accordingly.

X. Adoption of outcomes

78. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting and requested the secretariat, in consultation with the Chair, to finalize the report and incorporate the adopted outcomes and decisions.
