UNECE Bulletin

A Summary Report of Aarhus Convention MOP 5, PRTR Protocol MOPP 2, and their Joint High-Level Segment

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SUMMARY OF THE AARHUS CONVENTION MOP 5, PRTR PROTOCOL MOPP 2, AND THEIR JOINT HIGH-LEVEL SEGMENT: 30 JUNE – 4 JULY 2014

The fifth session of the Meeting of the Parties (MOP 5) to the UN Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the second Meeting of the Parties to the Protocol (MOPP 2) on Pollutant Release and Transfer Registers (PRTRs), and their joint high-level segment convened in Maastricht, the Netherlands, from 30 June – 4 July 2014. The meetings brought together approximately 400 government experts, civil society, Aarhus Centres, business and industry, intergovernmental and non-governmental organizations (NGOs) and academia to address issues related to access to information, public participation and access to justice in environmental matters, as well as PRTRs.

Aarhus Convention MOP 5 convened from 30 June – 1 July and addressed substantive agenda items on the three pillars of the Convention, including the right of access to information (first pillar), public participation in decision-making (PPDM) (second pillar) and access to justice (third pillar), as well as genetically modified organisms (GMOs), and agenda items on procedures and mechanisms facilitating the implementation of the Convention, promotion of the Convention and relevant developments and interlinkages, and the programme of work and operation of the Convention. MOP 5 adopted 23 decisions as well as other outcomes during the session.

The joint high-level segment convened on 2 July and included two thematic panels on the right to information and environmental democracy and the right to information and social media, and adopted the Maastricht Declaration, which, *inter alia*, addresses the information in the age of knowledge, environmental democracy for all and achieving the future we want.

PRTR Protocol MOPP 2 convened from 3-4 July and addressed substantive agenda items, including on promotion of the Protocol and capacity building, and agenda items on procedures and mechanisms facilitating the implementation of the Protocol and the programme of work and operation of the Protocol. MOPP 2 adopted four decisions as well as other outcomes throughout the session.

In addition the forty-fifth meeting of the Convention Compliance Committee, the thirty-fourth meeting of the Convention Bureau, the eighteenth meeting of the Working Group of the Parties to the Convention, the seventh meeting of the Protocol Bureau, and the third meeting of the Protocol Compliance Committee took place.

Delegates to the Joint High-Level Segment

BRIEF HISTORY

The UN Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was adopted on 25 June 1998 in Aarhus, Denmark, at the Fourth Ministerial Conference of the "Environment for Europe" process, under the aegis of the UNECE. It entered into force on 30 October 2001 and currently has 47 parties including the European Union and its 28 member states (EU).

The Aarhus Convention has the objective of guaranteeing the rights of access to information (first pillar), public participation in decision-making (PPDM) (second pillar), and access to justice (third pillar) in environmental matters in order to contribute to the protection of the right of every

IN THIS ISSUE

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person of present and future generations to live in an environment adequate to his or her health and well-being (Article 1). Under the Convention, parties are required, *inter alia*, to promote the application of the Aarhus principles in international environmental decision-making processes and within international organizations in matters related to the environment (Article 3(7)).

The Meeting of the Parties (MOP) is tasked to keep under continuous review the implementation of the Convention on the basis of regular reporting by the parties, including by reviewing the policies for, and legal and methodological approaches to, access to information, PPDM and access to justice in environmental matters (Article 10). Membership to the Convention is open to any member of UNECE (Article 19(2) and any member of the UN upon approval by the MOP (Article 19(3)).

The Protocol on Pollutant Release and Transfer Registers (PRTRs) was adopted on 21 May 2003 in Kiev, Ukraine. It entered into force on 8 October 2009 and currently has 33 parties, including the EU. The Protocol on PRTRs aims to enhance public access to information through the establishment of nationwide PRTRs that are publically accessible, searchable and user-friendly through the internet in a standardized and timely manner. PRTRs cover at least 86 pollutants, releases and transfers from certain types of major point sources, and accommodates available data on releases from diffuse sources.

MOP 1: The first session of the MOP took place in Lucca, Italy, from 21-23 October 2002. The MOP adopted: the Lucca Declaration; Guidelines on Access to Information, Public Participation and Access to Justice with respect to Genetically Modified Organisms (GMOs); the Rules of Procedure; and a decision mandating the preparation of a legally binding instrument in the form of a protocol on pollutant release and transfer registers. MOP 1 also set up: a Working Group of the Parties to oversee the implementation of the Convention work programme, prepare the sessions of the MOP, and oversee the activities of subsidiary bodies established by the MOP; the Task Forces on Access to Justice, Electronic Information Tools, and Financial Arrangements. MOP 1 further established the Aarhus Convention Compliance Committee, in accordance with Article 15, determining its structure, functions and procedures.

Ex MOP: An extraordinary session of the MOP (Ex MOP) was held on 21 May 2003 in Kiev, Ukraine, in the framework of the fifth "Environment for Europe" Ministerial Conference. The Ex MOP adopted the Protocol on PRTRs.

MOP 2: The second session of the MOP took place in Almaty, Kazakhstan, from 25-27 May 2005. The Meeting adopted an amendment to the Convention setting out more precise provisions on PPDM on the deliberate release of GMOs, which will enter into force once ratified by at least three-quarters of the parties that were parties at the time of the adoption of the amendment. The Meeting also adopted the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums, several decisions on compliance, and the Almaty Declaration. MOP 2 established a Task Force on Public Participation in International Forums.

MOP 3: The third session of the MOP was held in Riga, Latvia, from 11-13 June 2008. The Meeting adopted the Riga Declaration and a strategic plan for the Convention, decided on how to calculate the number of parties required for an amendment to enter into force, and renewed the mandates of Task Forces dealing with access to justice, electronic information tools and public participation in international forums.

Ex MOP 2: An extraordinary session of the MOP was held from 19-22 April 2010 in Geneva, Switzerland. The MOP established a Task Force on PPDM and agreed to mandate the Working Group of the Parties to consider the procedure for decision-making regarding accession to the Convention by non-UNECE States. The Meeting further agreed to: provide a clear mandate to produce the reports and findings of the Compliance Committee as official documents so that they would be available in the three official languages (English, French and Russian); and mandate the Working Group to consider the option of discontinuing the practice of producing the national implementation reports in the three official languages.

PRTR MOPP 1: The first session of the Meeting of the Parties to the Protocol on PRTRs (MOPP 1) took place in Geneva, Switzerland, from 20-22 April 2010. The MOPP adopted the Geneva Declaration and a number of decisions establishing the framework for future activities under the Protocol, including the rules of procedure, the review of compliance, financial arrangements, and reporting and implementation mechanisms.

MOP 4: The fourth session of the MOP took place in Chisinau, Republic of Moldova, from 29 June - 1 July 2011. MOP 4 adopted the Chisinau Declaration "Rio Plus Aarhus – 20 Years On: Bearing Fruit and Looking Forward," as well as a package of decisions on the three pillars of the Aarhus Convention (rights of access to information, PPDM and access to justice in environmental matters), compliance and the operations of the Convention.

SUMMARY

This report provides a summary of Aarhus Convention MOP 5, PRTR Protocol MOPP2, and their joint high-level segment, as well as special open sessions of the 45th meeting of the Aarhus Convention Compliance Committee and the third meeting of the PRTR Protocol Compliance Committee.

AARHUS CONVENTION MOP 5

On Monday, 30 June, following a cultural performance, Onno Hoes, Mayor of Maastricht, the Netherlands, welcomed participation and noted that social media means the public has become both consumers and producers of information, saying that they play an important role in informing the political agenda. He said that the MOP should consider how to make environmental information more available and used more effectively.

Siebe Riedstra, Secretary-General, Ministry of Infrastructure and the Environment, the Netherlands, outlined challenges in implementing the Aarhus Convention, citing new: information sources; forms of communication between citizens and government; and forms of participation. He also underscored the development of social initiatives that are independent of government, as a result of information networks.

Zaal Lomtadze, UNECE, pointed to the participation of governments outside of the UNECE region as observers of MOP 5, saying that this underscores transparency as the basis of the Aarhus Convention. He urged delegates to adopt a decision on promoting the principles of the Convention in other international forums.

The MOP then adopted the agenda (ECE/MP.PP/2014/1) without amendment.

L-R: **Siebe Riedstra**, Secretary-General, Ministry of Infrastructure and the Environment, the Netherlands; **Onno Hoes**, Mayor, City of Maastricht, the Netherlands; Aarhus Convention MOP 5 Chair **Jelis Antonie Peters**, the Netherlands; Secretary to the Aarhus Convention **Ella Behlyarova**, UNECE Secretariat; **Manja Vidic**, UNECE Secretariat; and **Zaal Lomtadze**, UNECE Secretariat

On the status of ratifications, Aarhus Convention Secretariat informed that since 2011 the number of parties to the Convention increased since 2011from 44 to 47 with the ratifications by Ireland, Iceland and Switzerland and that the number of ratifications of the Amendment on Public Participation in Decisions on the Deliberate Release into the Environment and Placing on the Market of GMOs (GMO Amendment) has increased from 26 to 28 with ratifications by Ireland and Switzerland.

Noting their recent ratification of the Convention, Switzerland said that it recognized the value of sharing experiences and that emphasized the three pillars of the Convention "are essential for good governance and sustainable development."

All decisions and outcomes included in the Revised List of Key Decisions and Outcomes of MOP 5 (ECE/MP.PP/2014/CRP.9/Rev.1) were provisionally adopted during consideration of their respective agenda items and were formally adopted on Wednesday, 2 July. This report summarizes discussions on each agenda item considered at MOP 5.

SUBSTANTIVE ISSUES: Access to Information, Including Electronic Information Tools: On Monday, 30 June, MOP 5 Chair Jelis Antonie Peters (the Netherlands) introduced a draft decision V/1 on access to information, including electronic information tools (ECE/MP.PP/2014/L.1). Adrian Panciuc, Republic of Moldova, on behalf of the Chair of the Task Force on Electronic Information Tools, reported on the work of the Task Force.

Switzerland noted that dissemination of environmental information is "the basis of environmental policy making." European ECO Forum lamented *de facto* difficulties in some countries to access information and called for a broad, rather than narrow, definition of environmental data.

The MOP provisionally adopted the decision and took note of the information provided.

Final Outcome: In the final decision on access to information, including electronic information tools (ECE/MP.PP/2014/L.1), the MOP, *inter alia*:

- recognizes the need to further implement the first pillar of the Aarhus Convention;
- underlines the importance of the Aarhus Clearinghouse for Environmental Democracy (Aarhus Clearinghouse) as a mechanism to share knowledge and practices related to Principle 10 (participation of all concerned citizens) of the Rio Declaration on Environment and Development;
- notes with appreciation the work of the Task Force on Access to Information, expresses gratitude to the Republic of Moldova for its leadership of the Task Force and welcomes the offer of the Republic of Moldova to continue leadership of the Task Force;
- calls on parties, signatories, international organizations, NGOs and other stakeholders to continue contributing resources to the Aarhus Clearinghouse and online databases;
- decides to extend the mandate of the Task Force on Access to Information and requests the Task Force to promote the exchange of information, experiences, challenges and good practices, continue monitoring and supporting the implementation of recommendations in decision II/3 and the development of the Shared Environmental Information System (SEIS), identify capacity-building needs and priorities, continue monitoring technical developments, and continue contributing to further developing the Aarhus Clearinghouse and PRTR.net; and
- entrusts the Secretariat to participate and implement capacity building activities, contribute to relevant initiatives under other forums, and promote electronic information tools.

Public Participation in Decision-Making: Chair Peters introduced a revised draft decision on PPDM (ECE/MP.PP/2014/CRP.1) on Monday.

Chair of the Task Force on PPDM Philip Kearney (Ireland) reported on the work of the Task Force during the intersessional period, highlighting that in accordance with the Task Force's work programme,

Philip Kearney, Chair, Task Force on PPDM (Ireland)

the draft Maastricht Recommendations on Promoting Effective PPDM (ECE/MP.PP/2014/8) were prepared. Kearney said that the Recommendations, based on existing good practice, provide guidance on implementing public participation in decisions on specific activities (Article 6), public participation concerning plans, programmes and policies relating to the environment (Article 7) and public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments (Article 8) of the Convention. He also highlighted the compilation of case studies on PPDM, which will be made available online.

Anke Stock, Women in Europe for Common Future, for the European ECO Forum

In her keynote address, Anke Stock, European ECO Forum, welcomed the development of the Maastricht Recommendations on promoting effective PPDM and urged that they be widely applied. She expressed concern regarding flaws in implementing PPDM at all levels and urged identifying priority areas for future consideration, including emergent areas such as chemicals and emerging technology.

Ireland noted that it is no longer able to lead the Task Force on PPDM as resources are being prioritized towards implementing the Convention. Supporting the draft decision, the Regional Environmental Centre (REC) for Central and Eastern Europe (CEE), noted projects undertaken to assist in implementing the Convention, and assist NGOs to effectively engage in public participation processes.

The MOP provisionally adopted the decision, pending agreement on a Chair to lead the Task Force on PPDM, and took note of the information provided.

Final Outcome: In the final decision on PPDM (ECE/MP.PP/2014/CRP.1) the MOP, *inter alia*:

- welcomes, *inter alia*: the contribution by organizations engaged in capacity building at the national and sub-regional levels, the work of the Aarhus Centres, initiatives taken by parties, signatories, international organizations, NGOs and others to study good practices and examine practical means of promoting effective PPDM;
- underlines the need to further implementation of the second pillar of the Convention;
- notes with appreciation the work of the Task Force on PPDM, expresses gratitude to Ireland for its leadership of the Task Force, and welcomes the offer by Italy to lead the Task Force in the next intersessional period;
- takes note of the Maastricht Recommendations;
- invites, *inter alia*: parties, signatories, international organizations, NGOs and others to strengthen implementation of the second pillar of the Convention at the national level, organizations engaged in capacity-building to develop training programmes at the national and sub-regional levels for public officials, and researchers to use resources gathered by the Task Force and share their findings with the Task Force; and
- decides to extend the mandate of the Task Force on PPDM and requests the Task Force to, *inter alia*: continue working to strengthen the public participation provisions of the Convention, continue identifying obstacles to effective public participation, continue identifying good practices to address the main obstacles to full implementation of the second pillar of the Convention, continue identifying innovative practices, continue overseeing the collection and dissemination of good practices, investigate possibilities for greater collaboration with relevant partner organizations, and assess whether the Convention's provisions on public participation are having a significant impact on the environment.

Access to Justice: Chair Peters introduced a draft decision on promoting effective access to justice, including electronic information tools (ECE/MP.PP/2014/L.3) on Monday. Chair of the Task Force on Access to Justice Jan Darpö (Sweden) provided an overview of the Task Force's progress, highlighting a workshop organized by the Task Force discussing, *inter alia*, "greening justice," and implementation of the Aarhus Convention. Looking forward to the next phase, he urged that: the Task Force's mandate remain broad; work on analytical studies of access to justice continue; and training materials be updated and distributed.

Jan Darpö, Chair of the Task Force on Access to Justice (Sweden)

Dilara Arstanbaeva, Supreme Court Judge, Kyrgyzstan

In her keynote address, Dilara Arstanbaeva, Supreme Court Judge, Kyrgyzstan, stated the importance of the Convention in bridging environmental conservation and legal frameworks. She stressed that decision-making is enhanced if there is greater public participation, noting that this also engenders trust in local communities.

Serbia, outlining national activities for promoting effective access to justice, welcomed the guides produced by the Task Force.

REC CEE supported continuing the work of the Task Force, saying that barriers to access to justice could be addressed through wide stakeholder coordination and participation.

Emphasizing the need to strengthen work on implementation, the European ECO Forum called for removing barriers to access to justice, including prohibitive extensive costs and lengthy procedures.

The MOP provisionally adopted the decision, taking note of information provided.

Final Outcome: In the final decision on access to justice (ECE/MP.PP/2014/L.3), the MOP, *inter alia*:

- recognizes the challenges faced by parties in implementing the third pillar of the Convention and the need for further considerable efforts to achieve effective access to justice;
- notes with appreciation the work undertaken by the Task Force on Access to Justice, and welcomes with gratitude Sweden's leadership of the Task Force and its offer to continue leadership in the next intersessional period;
- encourages, *inter alia*: parties, signatories and other stakeholders to use and promote the online jurisprudence database, governments to provide the public with information on access to administrative and judicial review procedures and to share their experiences in implementing e-justice initiatives, governments to stimulate a multi-

stakeholder dialogue aimed at removing barriers to access to justice and to share these experiences within the activities of the Task Force, and parties to integrate the issue of access to justice into the curriculum of law faculties;

- decides to extend the mandate of the Task Force and requests the Task Force to: promote the exchange of information, experiences, challenges and good practices related to the implementation of the third pillar of the Convention, identify priority needs with respect to public access to justice in environmental matters, take stock of capacity-building initiatives and promote the involvement of associations of judges, public interest lawyers and other legal professionals in these initiatives, prepare analytical, guidance and training materials, and promote the understanding and use of the relevant findings of the Compliance Committee;
- entrusts the Secretariat to participate in, plan and implement capacity-building activities and expand, in cooperation with the Task Force, the web portal for the exchange of jurisprudence concerning the Convention; and
- invites parties, signatories and other interested states to facilitate the involvement of representatives of ministries of justice, the judiciary, judicial training institutions and other organizations having a strong profile in access to justice issues.

Genetically Modified Organisms: On Monday, MOP 5 Chair Peters informed participants that five ratifications are still needed for the GMO Amendment to enter into force.

Helmut Gaugitsch, Austria

In his keynote address, Helmut Gaugitsch, Austria, informed that the EU Council achieved agreement on the issue of GMO cultivation and reported on the outcomes of the roundtable on access to information, public participation and access to justice regarding living modified organisms (LMOs)/GMOs, jointly organized by the Secretariats of the Aarhus Convention and the Cartagena Protocol on Biosafety to the UN Convention on Biological Diversity (CBD), which took place 16-17 October 2013 in Geneva, Switzerland.

Among the recommendations from the roundtable, he highlighted *inter alia*: increasing coordination between the Aarhus Convention and the Cartagena Protocol Secretariats, subsidiary bodies and focal points; speeding up ratification and implementation of the GMO Amendment; collecting and disseminating information through the Biosafety Clearing-House under the Cartagena Protocol; encouraging bilateral assistance and capacity building; and mainstreaming the Aarhus Convention with Cartagena Protocol Article 23 (public awareness and participation).

ECOROPA called on parties that have not done so to ratify the GMO Amendment and bring their commitments under the Aarhus Convention in line with their obligations under the Cartagena Protocol on Biosafety to allow broad participation in GMO decision-making.

European ECO Forum noted lack of capacity to ensure biosafety and prevent corruption in some countries and called on parties that have not yet ratified the GMO Amendment to do so.

L-R: **Antje Lorch** and **Christine von Weizsacker**, ECOROPA

The Republic of Moldova called on countries that have not yet done so to adopt the GMO Amendment by the end of 2015. Albania, Armenia, Belarus, Bosnia and Herzegovina, France, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Tajikistan and Ukraine reported on their progress towards ratification of the GMO Amendment.

The MOP took note of information provided and agreed to reflect the outcome in the List of Key Decisions and Outcomes of MOP 5 (ECE/MP.PP/2014/CRP.9/Rev.1).

Final Outcome: In the outcome on GMOs (ECE/MP.PP/2014/CRP.9/Rev.1) the MOP, *inter alia*:

- calls on parties whose ratification of the GMO Amendment would count towards entry into force to take steps towards ratification and to inform the Secretariat on the status of those efforts, and for other parties to ratify as well;
- mandates the Working Group of the Parties to closely monitor progress on entry into force;
- calls 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; and
- thanks Austria for its leadership on this issue and welcomes its offer to continue its leadership in the next intersessional period.

PROCEDURES AND MECHANISMS FACILITATING THE IMPLEMENTATION OF THE CONVENTION:

Reports on the Status of Implementation of the Convention: MOP 5 Chair Peters introduced the item on the reports of the status of implementation of the Convention on Monday. The Secretariat provided an overview of the Synthesis Report on the Status of Implementation of the Convention (ECE/MP.PP/2014/6), noting that 39 progress reports had been submitted, 29 of which were submitted prior to the deadline and ten after. She said that the majority of parties provided details on legislative provisions and future plans relating to implementation of the Convention. Chair Peters noted that Portugal, the former Yugoslav Republic of Macedonia and Turkmenistan did not submit national implementation reports (NIRs) for the fourth reporting cycle, with the former Yugoslav Republic of Macedonia still not having met their reporting obligations for the third reporting cycle, and called on the Compliance Committee to act in this regard.

European ECO Forum noted that many NGOs have concerns regarding the NIRs submitted. She cited common concerns, including that the reports were unclearly presented without any form of narrative, prohibiting a clear overview of progress in implementation. She said many reports were incomplete, and failed to incorporate some of the stakeholder reviews. She urged that future NIRs provide sufficient

narrative, objectively evaluate whether implementation measures are adequate and address the strengths and weaknesses of implementation.

Belarus said that their NIR was prepared with the participation of public and civil society. Friends of the Earth, Scotland, noted that the UK report could be misleading as Scotland has a different legal system, including differing environmental legislation, which was not reflected properly in the NIR.

Friends of the Earth, Croatia, and Green Forum, said that the Croatian NIR does not address the difficulty in exercising the right to access information. She said that when public participation is sought, it is still disregarded.

Icelandic Environment Association noted that Icelandic NGOs have been denied access to information regarding environmental impact assessments (EIAs) and lamented that they do not have the means to challenge acts that violate environmental law.

Environmental Pillar said that while the process for developing the Irish NIR was open and access to information is generally granted, the report itself does not provide a readable explanation for progress and does not necessarily reflect the real situation in Ireland.

The UK said that their NIR reflected the established legal position at the time of submission and said it looks forward to engaging with NGOs on the NIR in the future. Bosnia and Herzegovina highlighted the national network of Aarhus Centres that assist in implementing the Convention, saying that NGOs are often involved, particularly with capacity-building activities.

The MOP provisionally adopted the draft decision, with the *proviso* that countries that have submitted their NIRs be removed from the section on failure to submit NIRs. The MOP also took note of information provided in NIRs submitted by parties and reports prepared by NGOs.

Final Outcome: In the decision on reporting requirements (ECE/MP.PP/2014/L.8) the MOP, *inter alia*, on timely submission of reports, notes with concern that nine parties submitted reports after the deadline and reiterates its encouragement of parties to preparing NIRs sufficiently in advance of the deadline for submission with a view to ensuring meaningful public consultation on the reports at the national level.

On failure to submit reports, the MOP, *inter alia*, notes with regret the failure of several parties to submit reports to date and calls upon parties that did not submit their NIRs to do so by 1 October 2014.

On public consultation, the MOP, *inter alia*, welcomes that most parties prepared their NIRs through a process that involved consultations with various government agencies and civil society, and encourages parties to ensure transparency and public consultations during the process of preparing and submitting of reports.

Compliance Mechanism: On Monday, MOP 5 Chair Peters introduced a draft decision on general issues of compliance (ECE/MP.PP/2014/CRP.3) and 14 draft decisions on specific cases of non-compliance concerning Armenia, Austria, Belarus, Bulgaria, Croatia, the Czech Republic, the EU, Germany, Kazakhstan, Romania, Spain, Turkmenistan, Ukraine and the UK (ECE/MP.PP/2014/9a-o).

Chair of the Compliance Committee Jonas Ebbesson (Sweden) presented the Report of the Compliance Committee (ECE/MP.PP/2014/9), noting that 12 meetings had taken place since MOP 4 in 2011. During this intersessional period, he said that 40 communications had been received, of which ten were inadmissible, three were closed without findings and 14 were cases of non-compliance. He also reported that the Committee had undertaken follow-up on nine MOP decisions. He outlined future challenges, citing, *inter alia*: increasing attention towards public participation in a transboundary context; private actors with public functions and responsibilities; public participation and informal procedures for decision-making; and the effective review of communication and follow-up of MOP decisions.


Jonas Ebbesson, Chair of the Compliance Committee (Sweden)

On general compliance issues, European ECO Forum expressed concern that some countries have been non-compliant since MOP 2, underscoring the need for resources for compliance.

The MOP welcomed the report of the Compliance Committee, and provisionally adopted the decision on general issues of compliance.

Final Outcome: In the decision on issues of compliance (ECE/MP.PP/2014/CRP.3) the MOP, *inter alia*:

- considers that the implementation of measures to bring legislation or practice of a party into compliance with the Convention should commence as soon as possible once specific problems with compliance have been identified;
- appreciates that recommendations, advice and expert assistance from the Compliance Committee to the parties concerned contributes to the effectiveness of facilitating their compliance;
- urges each party to cooperate in a constructive manner with the Committee in connection with any compliance review; and
- notes the need for the Committee to ensure transparency and due process for both communicants and the parties concerned in respect of communications received from members of the public, and that the Committee ensure that where domestic remedies have not been utilized and exhausted, it takes account of such remedies.

On findings and recommendations in 2011-2014 and cooperation by parties, the MOP, *inter alia*:

- welcomes the constructive approach and cooperation demonstrated by those countries whose compliance was the subject of review in the intersessional period 2011-2014;
- welcomes the consideration and evaluation by the Committee with respect to the specific cases of alleged non-compliance; and
- endorses the main findings with regard to the compliance contained in the findings and welcomes recommendations by the Committee during the intersessional period 2011-2014 with regard to compliance by individual parties, and the acceptance by most of the parties found not to be in compliance of the Committee making such recommendations to them.

On implementation of decisions on compliance by individual parties, the MOP, *inter alia*:

- takes note of the reports of the Committee on the implementation of previous decisions on individual cases of non-compliance;

- requests the Committee, with the Secretariat, to provide advice and assistance, and make recommendations to the parties concerned to support the implementation of decisions on individual cases of non-compliance taken at this session; and
- undertakes to review the implementation of those decisions at MOP 6.

On resources, the MOP, *inter alia*:

- invites parties and other states and organizations to provide countries with economies in transition with assistance aimed to improve implementation of, and compliance with the Convention;
- notes that the work load of the Compliance Committee and the Secretariat has significantly increased during the intersessional period 2011-2014 and is expected to increase further in the next intersessional period; and
- requests the Working Group of the Parties, the Bureau and the Secretariat to ensure sufficient human and financial resources are made available for this purpose.

On **individual cases of non-compliance**, regarding decision V/9c concerning compliance by Belarus (ECE/MP.PP/2014/L.12), Ecohome expressed its concern over fulfillment of obligations as dealt with in the decision.

On the decision V/9i concerning its compliance (ECE/MP.PP/2014/L.18), Kazakhstan outlined actions it is taking to improve compliance, including through establishing an Aarhus Centre, coordination among various environmental initiatives and developing rules and regulations for public participation. Ecoforum Kazakhstan, with Crude Accountability, noted that public consultations are not used effectively in Kazakhstan and said that, in practice, there is a gap between legislation and implementation.

On decision V/9e (ECE/MP.PP/2014/L.21) Spain, responding to concerns that insufficient action had been taken to ensure access to legal aid, said that a new law is being drafted on free legal aid and underscored that this includes amendments to extend this right to environment NGOs regardless of their level of resources.

Upon a proposal by Chair Peters to remove footnotes from decision V/9o regarding its non-compliance (ECE/MP.PP/2014/CRP.6), the UK said that although it opposed the footnotes' removal, they would agree to do so on the *proviso* that its disagreement and concerns regarding the footnotes and their removal are sufficiently recorded and noted.

The MOP provisionally adopted the decisions on individual cases of non-compliance, taking note of information provided.

Final Outcome: In all final decisions on individual cases of non-compliance, the MOP endorses the findings of the Compliance Committee during the intersessional period, invites the respective parties to periodically submit information on their implementation of the Committee's recommendations and the MOP will review the situation at MOP 6.

Tatsiana Novikava, Ecohome, Belarus

In the final decision on compliance by **Armenia** (ECE/MP.PP/2014/L.10), regarding a case concerning public participation in the decision-making and access to justice in connection with the issuance and renewal of licenses to a developer for the exploitation of copper and molybdenum deposits in the Lori region of Armenia, the MOP, *inter alia*:

- takes note of progress made in implementing the previous decision of the MOP (ECE/MP.PP/2011/L.12), including the new practice of posting notifications and conclusions of environmental expertise on the website of the Ministry of Nature Protection;
- regrets continued slow progress to finalize and adopt a law on EIA;
- reiterates its previous decision encouraging continued constructive dialogue with the Committee, urging acceleration of the process for new EIA legislation, inviting the party to take necessary measures to ensure that thresholds for activities subject to EIA are set in a clear manner, and are subject to reasonable time frames for public consultation, clear definition of responsibilities of different actors and a system of prompt public notification of final conclusions; and
- invites, *inter alia*, the party to provide the Committee, no later than 1 September 2014, with the draft EIA law and other legislative measures for review, and provide the Committee with evidence that the law and legislative measures have been adopted, and the party to review and clarify its legislation, and take necessary measures to raise awareness among the judiciary.

In the final decision on compliance by **Austria** (ECE/MP.PP/2014/L.11) regarding a case of non-compliance due to failure to provide for access to justice in administrative, penal and judicial criminal proceedings in respect of contraventions of national law relating to the environment, the MOP, *inter alia*,

- welcomes the recommendations made by the Committee, and the willingness of the party to accept them, including: to take necessary measures to ensure a simplified, timely and expeditious process for having a refusal of a request for information reviewed, and revision and inclusion in sectoral environmental law of criteria for NGO standing to challenge acts or omissions by private persons or public authorities, and develop a capacity-building programme and provide training on implementation of the Aarhus Convention;
- notes the efforts made by the party so far and expresses concern that no relevant legislative measures have been adopted yet to address the Committee's recommendations; and
- recommends the party ensures that members of the public, including NGOs, have access to adequate and effective procedures and remedies in order to challenge acts and omissions of private persons and public authorities that contravene national laws.

In the final decision on compliance by **Belarus** (ECE/MP.PP/2014/L.12) regarding a case related to access to information and public participation with respect to the proposed construction of a nuclear power plant (ACCC/MP.PP/2014/12) and examining implementation of a previous MOP decision on a case concerning access to information and public participation in decision-making for the hydropower plant project on the Neman River in Belarus, the MOP, *inter alia*:

- welcomes recommendations made by the Committee, and the willingness of the party concerned to accept them, but regrets the slow progress made in implementing them;
- also welcomes the serious and active engagement of the party in the compliance review process, but notes with regret that the party remains in non-compliance;
- reiterates its recommendations that the party take the necessary legislative, regulatory and administrative measures, *inter alia*: a clear requirement for the public to be informed of decision-making processes in a timely and effective manner, a clear possibility for the public to submit comment to the relevant authorities, and clear provisions obligating relevant public authorities to take due account of the outcome of public participation and to promptly inform the public of decisions taken, and maintain and make accessible copies of such decisions and other information relevant to the decision-making; and
- recommends, *inter alia*, that the party take measures to ensure that the amended legal framework clearly designates which decision is considered to be final and the full context of all public comments are submitted to the authorities responsible for the decision.

In the final decision on compliance by **Bulgaria** (ECE/MP.PP/2014/L.13) regarding a case of non-compliance due to the failure to implement access to administrative or judicial review procedures, with regards to the lack of a process to appeal outcomes of strategic environmental assessments (SEA) of plans and programmes, the MOP, *inter alia*:

- welcomes the recommendations of the Committee and the willingness of the party concerned to accept them, namely that the party take necessary measures to ensure that members of the public, including environmental organizations, have access to justice with respect to General Spatial Plans, Detail Spatial Plans and relevant SEA statements, and that they have access to review procedures to challenge construction and exploitation permits;
- welcomes efforts made so far by the party, but expresses concern that neither the legislative amendments adopted so far, nor any other measures taken by the party specifically address the aspects of the legal system found to be in non-compliance; and
- also expresses concern that the party seems to maintain the position that implementing the recommendations of the Committee is not required for its full compliance.

In the final decision on compliance by **Croatia** (ECE/MP.PP/2014/L.14), regarding a case of non-compliance due to the adoption of waste management plans at the country and city level without inspection control and public participation, as required under the Croatian Environmental Protection Act, the MOP *inter alia*:

- welcomes the recommendations made by the Committee and the willingness of the party to accept them, namely that it ensure a transparent framework is in place for appropriate practical and/or other provisions for public participation during the preparation of municipal waste management plans.

In the final decision on compliance by **Czech Republic** (ECE/MP.PP/2014/L.15), regarding a case of non-compliance due to the preparation of the application to the European Commission (EC) for free allocation of allowances, including its national investment plan, under the revised rules for the EU Emissions Trading System, without proper public participation, and a case of non-compliance due to the restrictive definition of who may be parties in environmental decision-making, the MOP, *inter alia*:

- welcomes the recommendations, with regard to ACCC/C/2010/50, made by the Committee and the willingness of the party to accept them, namely to ensure that, *inter alia*: members of the public, including NGOs and tenants, are allowed to effectively participate and submit comments throughout a decision-making procedure, due account is taken of the outcome of public participation in all phases of decision making to permit activities, the public is provided with access to a review procedure to challenge the procedural and substantive legality of the conclusions of EIA screening processes, when they serve as the determination required under the Convention, and members of the public are allowed access to administrative or judicial procedures to challenge acts of private persons and omissions of authorities, which contravene the national law relating to noise and urban and land-planning environmental standards;
- welcomes the recommendations, with regard to ACCC/C/2012/70, of the Committee and the willingness of the party to accept them, namely that the party shall submit plans and programmes similar in nature to the National Investment Plan to public participation; and
- welcomes efforts made by the party to start a process of legislative changes and encourages it to speed up the process.

In the final decision on compliance by the **EU** (ECE/MP.PP/2014/L.16), regarding a case of non-compliance due to a failure to properly monitor implementation of EU law related to the Convention by Ireland, with respect to Ireland's National Renewable Energy Action Plans (NREAPs), the MOP, *inter alia*:

- welcomes the recommendations made by the Committee and the willingness of the party concerned to accept them, namely that it adopt a proper regulatory framework and/or clear instructions for implementing the Convention with respect to adopting NREAPs, entailing that the party ensure that the arrangements for public participation in its member states are transparent and fair and that within those arrangements the necessary information is provided to the public, include reasonable time frames and ensure that due account is taken of the outcome of the public participation; and
- expresses concern as to whether letters provide "a proper regulatory framework and/or clear instructions" and remains unclear how the party will "adapt the manner in which it evaluates NREAPs."

In the final decision on compliance by **Germany** (ECE/MP.PP/2014/CRP.4), regarding a case of non-compliance due to the failure to provide environmental NGOs with the possibility to challenge the acts and omissions of private persons and public authorities, that contravene environmental law when the "impairment of rights" criterion is not satisfied, and the establishment of criteria for standing for environmental NGOs that is narrower in scope than the Convention, the MOP, *inter alia*:

- recommends that the party take necessary measures and practical arrangements to ensure that NGOs promoting environmental protection can challenge both the substantive and procedural legality of any decision, act or omission, without having to assert that the challenged decision

contravenes a legal provision "serving the environment" and criteria for the standing of NGOs, including with respect to sectoral environmental laws, to challenge acts or omissions by private persons or public authorities that contravene national law relating to the environment are revised.

In the final decision on compliance by **Kazakhstan** (ECE/MP.PP/2014/L.18), regarding a case of non-compliance related to the state environmental review for the South West Roads Project, the MOP, *inter alia*:

- welcomes the solid efforts made by the party to implement the previous decision (ECE/MP.PP/2011/L.14) and encourages the party to continue implementation of action points;
- welcomes the recommendations made by the Committee and the willingness of the party to accept them and efforts made to address them so far; and
- invites the party to continue efforts to address the recommendations to take the necessary measures to ensure that: mandatory requirements for public notice are detailed by law, there is a clear possibility for any member of the public to submit any comments on the project related documentation at different stages of the public participation process, and that public authorities have a clear responsibility to inform the public promptly of decisions and to maintain and make accessible to the public copies of the decisions and other relevant information.

In the final decision on compliance by **Romania** (ECE/MP.PP.2014/L.19) related to a case of non-compliance concerning the construction of a new nuclear power plant, the MOP, *inter alia*, recommends the party take necessary measures to ensure that:

- public officials are under a legal and enforceable duty to respond to the requests of members of the public to access environmental information as soon as possible;
- the grounds for refusing access to environmental information are interpreted in a restrictive way;
- provision of reasonable time frames for the public to get acquainted with draft strategic documents and to submit their comments; and
- provision of adequate information and training to public officials about the above duties.

In the final decision on compliance by **Spain (**ECE/MP.PP/2014/CRP.5), regarding a case of non-compliance related to decision-making on a residential project in Murcia City, the MOP, *inter alia*:

- endorses the findings of the Committee that the party has seriously and actively engaged in efforts to follow the recommendations set out in the previous decision (ECE/MP.PP/2011/2/Add.1);
- also endorses the finding by the Committee that the party failed to take sufficient measures with respect to the fees charged by the Murcia Council for environmental information and notes with regret that the party therefore remains in non-compliance; and
- recommends that the party take measures to ensure that the fees of the Murcia Council for the provision of land use and urban planning information are reasonable.

In the final decision on compliance by **Turkmenistan** (ECE/MP.PP/2014/L.22), the MOP, *inter alia*:

- endorses the finding of the Committee, with regard to previous decision (ECE/MP.PP/2011/2/Add.1), that the party is no longer in non-compliance with respect to the rights of non-citizens to found and participate in public associations, and the obligation to provide a clear, transparent and consistent framework to implement the Convention;
- endorses the finding of the Committee that the party remains in non-compliance in light of lack of clarity as to how the prohibition on activities of unregistered associations is to be applied in practice;
- decides to lift the caution that entered into force on 1 January 2013;
- recommends that by 30 November 2014 the party provide information to confirm that the concept of "citizen" includes any natural persons, including foreign citizens and persons without citizenship, the intended interpretation that foreign citizens and persons without citizenship may become founders of public associations, and with respect to activities of non-registered associations, that the 2014 Law on Nature Protection prevails against the prohibition on activities of non-registered associations; and
- invites the party to organize meetings with broad public participation to share experiences in activities carried out by associations, organizations and groups promoting environmental protection, and ensure the consistency of the national legal system with the obligations of the Convention, and report on these meetings by 30 November 2015.

In the final decision on compliance by **Ukraine** (ECE/MP.PP/2014/CRP.10), the MOP, *inter alia*:

- welcomes the constructive engagement of the party with respect to follow up on the previous decision (ECE/MP.PP/2011/2/Add.1);
- endorses the finding of the Committee that the party remains in non-compliance, as the legislative measures proposed by the party to fulfill requirements for a clear and transparent and consistent framework to implement the Convention have not been adopted;
- expresses deep concern at the absence of concrete results by the party in implementing the decision and calls upon the party to implement the measures requested by MOP 2 to bring its legislation and practice into compliance with the Convention; and
- decides to maintain the caution in place since MOP 4 and provide for the caution to be lifted if the party takes measures to bring its legislation into full compliance with the Convention and notifies the Secretariat of this fact by 31 December 2015.

In the final decision on compliance by the **UK** (ECE/MP.PP/2014/CRP.6/Rev.1) in relation to two cases, including on the UK's NREAP and on oral presentations and access to appeals processes by third party objectors, the MOP, *inter alia*:

- endorses the findings of the Committee, that despite active efforts to implement the recommendations of the Committee in the previous decision (ECE/MP.PP/2011/L.20), the party has not yet fully addressed the points of non-compliance;
- endorses the finding by the Committee, with regard to the communication (ACCC/C/2010/53), that the party is no longer in non-compliance and that, with regard to the communication (ACCC/C/2012/68), of non-compliance as the UK's NREAP was not subjected to public participation;

- notes with regret that the party remains in non-compliance and reiterates its recommendations to, *inter alia*: further review the system for allocating costs in all court procedures and undertake measures to ensure that the allocation of costs in all such cases is fair and equitable, further consider establishing appropriate assistance mechanisms to remove or reduce financial barriers to access to justice, further review its rules regarding time frames for bringing of applications for judicial review, and put in place necessary measures to establish a clear, transparent and consistent framework to implement the Convention;
- recommends that the party in the future submit plans and programmes similar to the NREAP to public participation; and
- notes the commitment of the party to "ensure, through the continued operation of the domestic systems put in place to enable the decisions of public authorities to be reviewed, that the practice of releasing raw data in appropriate circumstances in ongoing decision-making processes is maintained."

On **election of the Compliance Committee**, MOP 5 Chair Peters noted the need for further discussion on the nomination of the Compliance Committee members and a contact group was formed on Monday to address the issue, reporting back to plenary on Tuesday. Chair Peters noted that the group decided to nominate Chair Jonas Ebbesson (Sweden), Alexander Kodzhabashev, BlueLink.net/Blue Link Foundation (NGO), and Dana Zhandayeva, Civil Society Development Organization and European ECO Forum (NGO), for reelection. Elena Fasoli (Italy) and Alistair McGlone (UK), he said, were new nominations. All nominees were elected by consensus.

Capacity-Building: MOP 5 Chair Peters introduced the Report on Capacity Building (ECE/MP.PP/2014/7) and the Report on the Implementation of the Work Programme for 2012-2014 (ECE/MP.PP/2014/3), on Monday.

The Organization for Security and Cooperation in Europe (OSCE) informed of its support for the establishment of, and networking between, 56 Aarhus Centres in 14 countries, providing accessible resources to citizens and governments and promoting all three pillars of the Convention by, *inter alia*, disseminating relevant information and providing legal counseling.

Welcoming the report, REC CEE emphasized that capacity building should be systematic and comprehensive and developed in a participatory manner.

Chair Peters concluded discussions with MOP 5 taking note of information provided on capacity activities taken during the intersessional period to promote effective implementation of the Convention.

PROMOTION OF THE CONVENTION AND RELEVANT DEVELOPMENTS AND INTERLINKAGES: Accession to the Convention by States From Outside the UNECE Region: On Tuesday, the Secretariat introduced the Report on the Implementation of the Work Programme for 2012-2014 (ECE/MP.PP/2014/3), informing that Mongolia is still considering its accession, and that Morocco is considering possible accession to the Aarhus Convention and the PRTR Protocol.

Expressing concern that "no progress on the objective of the strategic plan on this item has been made," European ECO Forum, with the European Environment Bureau (EEB), requested parties to reconsider the additional procedural step that requires potential new members be approved by the MOP. Switzerland noted this was "an interesting idea to facilitate new membership." MOP 5 Chair Peters observed no support for this suggestion and parties concluded the item, taking note of the information provided.

Promotion of the Convention's Principles in International Forums: On Tuesday, Chair Peters introduced this item drawing attention to the Report on the Implementation of the Work Programme for 2012-2014 (ECE/MP.PP/2014/3).

Chair of the thematic session on PPIF **Etienne Ballan** (France)

Chair of the thematic session on Public Participation in International Forums (PPIF) Etienne Ballan (France) reported on thematic sessions by the Working Group of Parties. He suggested, *inter alia*: the Working Group of Parties should focus on the issue of regression of public participation in some forums; the Convention should increase its efforts to support Aarhus focal points to advocate more effectively for PPIF; and that parties that are actively supporting the Convention in other forums rely on new partners stemming from recent Latin American and the Caribbean (LAC) initiatives.

Elizabeth Smith, EBRD

Elizabeth Smith, European Bank for Reconstruction and Development (EBRD), shared lessons learned from development projects and suggested: requirements for projects to have a written stakeholder engagement plan; more attention be paid to identifying vulnerable stakeholders; and inclusion of diverse stakeholders in the consultation process.

Felismino Alcarpe, European Investment Bank (EIB), said it is "the only international financial institution" legally bound to comply with the Aarhus Convention. He informed, *inter alia*, of the Bank's new public registrar, including all documents related to projects as of 2013 and its 2014 Environmental and Social Handbook.

Felismino Alcarpe, EIB

Marcos Orellana, Co-Chair of UN Environment Assembly's (UNEA) Major Groups Facilitating Committee, lamented that regressive developments took place during the first session of the UNEA of the UN Environment Programme (UNEP), where stakeholders were only allowed to give one intervention after negotiating sessions. He emphasized that without strong stands by Aarhus Convention parties, including Switzerland, Norway and the EU, UNEA would likely have adopted regressive policies on stakeholder engagement.

Marcos Orellana, Co-Chair of UNEA's Major Groups Facilitating Committee

European ECO Forum and Eco-Tiras noted PPIF as important to discussions on climate change and the Sustainable Development Goals (SDGs). The Republic of Moldova called for progress on the rules of participation in international forums.

Agreeing to reflect relevant information provided by delegations in the report of the meeting, the MOP then provisionally adopted the decision.

Final Outcome: In the final decision on promoting the application of the principles of the Convention in international forums (ECE/MP.PP/2014/CRP.2), the MOP, *inter alia*:

- recognizes expert assistance as an important tool for promoting the Convention's principles and sharing the experience accumulated in an efficient and direct manner;
- recognizes the work undertaken to implement Convention Article 3 (general provisions), while acknowledging that considerable challenges remain;
- reiterates its commitment to continue to apply the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in international forums (Almaty Guidelines);
- requests parties to, *inter alia*: take further action to promote public participation at the national level, inform ministries involved in other relevant international forums about Article 3, consider ways to improve public access to information and participation in international forums, continue promoting the Convention's principles in the procedures of other international forums and consider providing expert assistance on possible good practices;
- requests the Working Group of the Parties to, *inter alia*: convene a thematic session on promoting the Convention's principles in international forums, consider convening, on an *ad hoc* basis, a workshop or other event on a theme or subject that merits a more in-depth discussion, and/or mandate a consultant or group of experts to examine the subject and report back to the Working Group of Parties;
- invites parties, signatories, international and other organizations to continue supporting the implementation of Article 3 at the national and international levels to support promoting more effective public participation and support the activities of the work programme on this topic; and
- expresses gratitude to France for its ongoing leadership and welcomes their offer to continue leading this work.

Global and Regional Developments on Issues Related to Principle 10 of the Rio Declaration on Environment and Development: Chair Peters introduced this agenda item on Tuesday. Constance Nalegach, Chile, presented an overview on progress made in developing a regional instrument on access rights for the LAC region. She said that a vision, roadmap and plan of action had been developed, with two working groups established to discuss capacity building and cooperation, and rights of access and regional instruments.


Constance Nalegach, Chile

Mariamalia Jiménez Coto, Costa Rica, underscored that the ability to exercise full access rights will strengthen democracy in the region. Daniel Barragán, Ecuadorian Centre for Environmental Law, noted the support of civil society for this process. Carlos de Miguel, UN Economic Commission for Latin America and the Caribbean (ECLAC), stated that the Almaty Guidelines are one of the guiding documents in this process. Daniel Andrade, Jamaica Environment Trust, emphasized learning "from each other" as important for environmental democracy.


Mariamalia Jiménez Coto, Costa Rica

Khin Thida Tin, Myanmar, provided an outline of Myanmar's legal frameworks, which are in place to foster protection and conservation of the natural environment, stressing the importance of capacity building.

Khin Thida Tin, Myanmar

Jiaru Hou, Quaker/China University of Political Science and Law, gave a brief overview of the Convention's influence on Chinese legislation., noting input from UNECE. He said that the challenge remains in implementing laws, as legislative frameworks were a relatively new concept in China.


Jiaru Hou, Quaker/China University of Political Science and Law

European ECO Forum welcomed the resolution adopted by the UNEA on Principle 10. He said that NGOs will continue their work in supporting these efforts. REC CEE urged mobilizing efforts and focusing cooperation and contributions to efforts underway in the Latin American and the Caribbean region.

The MOP took note of the information provided.

Update on UNEP Initiatives on Access to Information, Public Participation and Access to Justice in Environmental Matters: On Tuesday, Barbara Ruis, UNEP, outlined the ministerial outcome document from the first session of the UNEA of UNEP. She said that through the declaration, ministers fully committed themselves to implementing agreements such as the Aarhus Convention at all levels, as well as to finding synergies between these agreements and other programmes and plans. She stated that although no agreement was reached, the draft stakeholder engagement policy provides meaningful contributions for achieving this.


Barbara Ruis, UNEP

World Resources Institute, with European ECO Forum, noted a decision taken by the UNEA of UNEP to improve transparency and increase access to data and information in its work. She lamented, however, that as a goal or target is lacking, such a decision may not be fully implemented. The EU urged parties to the Aarhus Convention to engage with UNEP on its decision, noting shortfalls in its policy including, that a vast number of exceptions exist, which can lead to instances where no reason is given for denying access to information.


Jean François Brakeland, EU

The MOP took note of the discussion.

Synergies between the Convention and Other Relevant Multilateral Environmental Agreements (MEAs) and Organizations: On Tuesday, Michel Amand, Belgium, presented on the informal consultation process taking place

between the Aarhus and other UNECE Conventions and said that the implementation of one MEA can assist in another. He noted that a number of meetings had taken place, with outcomes thus far including detailed discussions on new ways to encourage synergies in implementation, bearing in mind that although MEAs have their own goals there are still a number of cross-cutting issues that can be addressed.

He said the meetings have stressed the importance of cooperation among the MEAs at the national level. Future topics to be addressed, he noted, include how to: continue promoting UNECE MEAs locally and internationally; further implementation in countries that are economies in transition; and place the role of the UNECE MEAs in the framework of sustainability and green economy.

ECOROPA stated that although the synergies between Aarhus Convention and the Cartagena Protocol are obvious, the ratification of the GMO Amendment would assist in leveraging such synergies. She also suggested that the Aarhus Convention should strengthen synergies with human rights agreements.

The MOP took note of the discussions, and thanked MEA and partner organizations for close cooperation with the Secretariat on promoting relevant provisions of the Convention.

PROGRAMME OF WORK AND OPERATION OF THE CONVENTION: Implementation of the Work Programme for 2012-2014: MOP 5 Chair Peters introduced this item on Tuesday. The Secretariat reported on their human and financial resource situation (ECE/MP.PP/2014/3 and 4), thanking parties for their financial support, noting that there has been an upward trend in contributions, and urged that this continue. She lamented, however, that the payment of contributions and pledges is still largely unpredictable.

Belarus noted a number of issues that has prohibited effective implementation in its country. Outlining the translation and interpretation issues that present a barrier to implementation, she requested that the Secretariat respond to these queries. Chair Peters noted the Secretariat will prepare a draft response taking into account all aspects. He said that the Secretariat will then consult with the Bureau and the Compliance Committee, incorporate these comments and submit them to the party concerned. He noted that where serious differences in opinion exist, the Bureau will discuss this with the Working Group of the Parties to decide a way forward. Belarus agreed to this procedure.

Aarhus Convention MOP 5 Chair **Jelis Antonie Peters** (the Netherlands), PRTR Protocol MOPP 2 Chair **Michel Amand** (Belgium), **Edwin Koning** (the Netherlands) and the Secretariat

The MOP took note of the information provided and expressed appreciation for work done by the Secretariat and recognized the difficulties posed by unpredictable funding.

Strategic Plan for 2015-2020: Chair Peters introduced this item on Tuesday, recalling that the Strategic Plan has undergone revisions and is being submitted to the MOP for its adoption. REC CEE expressed its support for the Strategic Plan and noted its intention to play an active role in implementation. She urged that dynamism be maintained and for reviews to be carried out as an ongoing process.

The MOP took note of the discussion and provisionally adopted the decision.

Final Outcome: In the decision on the Strategic Plan for 2015-2020 (ECE/MP.PP/2014/L.5), the MOP, *inter alia*:

- welcomes the work undertaken by the Working Group of the Parties to develop a draft plan;
- adopts the Strategic Plan for 2015–2020 as set out in the decision's annex;
- agrees that the Plan will guide the implementation and further development of the Convention up until MOP 7; and
- also agrees that a mid-term review of the Strategic Plan for 2015–2020 should be considered at MOP 6, focusing on progress indicators to facilitate preparing the next strategic plan.

Work Programme for 2015-2017: Chair Peters introduced the draft decision on the work programme for 2015-2017 (ECE/MP.PP/2014/L.6) on Tuesday. REC CEE urged that the mandate for the task forces on PPDM and access to information be renewed. European ECO Forum reiterated their commitment to supporting the work programme and queried the feasibility of establishing a deadline for the GMO Amendment to enter into force. Chair Peters cautioned against reopening text that has already been agreed upon.

He then invited parties to announce their contributions for implementing the work programme. Several countries announced that their contributions would remain in line with contributions from previous years.

The MOP then provisionally adopted the decision.

Final Outcome: In the decision on the work programme 2015-2017 (ECE/MP.PP/2014/L.6), the MOP, *inter alia*:

- adopts the work programme for 2015–2017, containing the estimated costs of each activity, as set out in annex I to the decision;
- agrees upon the indicative allocation of resources and resulting estimated costs set out in annexes I and II, subject to annual review and, as appropriate, revision by the Working Group of the Parties on the basis of annual reports provided by the Secretariat;
- encourages parties to endeavor to ensure that the funding of activities under the work programme remain stable;
- also encourages parties to contribute to the Convention's trust fund for a given calendar year by 1 October of the preceding year;
- reiterates its commitment to implementing the Almaty Guidelines through all activities;
- decides to give general priority to issues related to compliance and implementation, including capacity-building;

- requests the Secretariat to prepare a draft work programme for the intersessional period following MOP 6, including a detailed breakdown of estimated costs, for consideration and further elaboration by the Bureau and the Working Group of the Parties, with a view to possible adoption at MOP 6; and
- further requests the Secretariat to ensure an estimated costing for each draft decision finalized by the working group during the intersessional period is properly reflected in the draft work programme for 2018–2020.

Financial Arrangements: Chair Peters introduced the draft decision on the financial arrangements of the Convention (ECE/MP.PP/2014/CRP.8) on Tuesday, noting that there was still bracketed text that needed to be addressed. The EU said that a compromise had been reached and includes: reflecting on the need for a fair sharing of the financial obligations; differentiating between required and other expenses; prioritizing implementation of the work programme; and specific reference calling on the Secretariat to indicate contributions, costs and changes in the cost of activities and the composition of parties to the Convention.

The MOP provisionally adopted the decision.

Final Outcome: In the decision on the financial arrangements of the Convention (ECE/MP.PP/2014/CRP.8), the MOP, *inter alia*:

- recognizes the need to: ensure the availability of sufficient resources for implementing the work programme 2015–2017, ensure a transparent and accessible scheme of financial contributions, establish financial arrangements based on the principles of equitable sharing of the burden, stable and predictable sources of funding, accountability and sound financial management;
- notes with regret that the amounts contributed under the interim voluntary scheme have fallen short of the estimated costs of implementing the work programme for 2012–2014, and regrets that the financial burden has not been evenly distributed;
- believes that alternative options to the financial arrangements in place under the Convention will be considered by the next MOP to ensure that the arrangements continue to meet the goals of stability, predictability and an equitable sharing of the burden;
- agrees to continue using the existing interim scheme of contributions aimed at covering the costs of activities not covered by the UN regular budget;
- requests parties to contribute each year or to make multi-annual contributions towards the costs of activities under the work programme;
- calls upon countries with economies in transition to finance, to the extent possible, their own participation in the activities;
- encourages parties that have historically contributed generously to maintain, or return to, their previous levels of contribution;
- further requests the Secretariat, to monitor the expenditure of funds and to prepare annual reports specifically indicating contributions, and reflecting any changes to the estimated costs of activities for the next calendar year; and the composition of the parties, for review by the Working Group of the Parties to ensure that the level of contributions matches the level of funding needed for implementation;
- requests the Secretariat to prepare a comprehensive report on financial matters for each session of the MOP;
- agrees to review the operation of the scheme of financial arrangements at MOP 6; and
- requests the UNECE to allocate more resources to support the work under the Convention.

REPORT ON CREDENTIALS: On Tuesday, MOP 5 Vice-Chair Loredana Dall'Ora (Italy) presented the report on credentials noting that 39 parties submitted credentials and thus a quorum had been reached, and MOP approved the report.

ELECTION OF OFFICERS: On Tuesday the MOP elected as incoming officers and other members of the Bureau: Chair Nino Sharashidze (Georgia); Vice-Chairs Beate Berglund Ekeberg (Norway) and Lukas Pokorny (Czech Republic); and bureau members Edwin Koning (Netherlands), Adrian Panciuc (Republic of Moldova), Gordana Petkovic (Serbia) and Philippe Ramet (France). The MOP also took note of the appointment by the European ECO Forum of Jeremy Wates, EEB (NGO) as bureau observer.

DATE AND VENUE OF MOP 6: The MOP decided to hold its next ordinary session in 2017 and mandated in the Working Group of the Parties to consider the date and venue at its next regular session.

CLOSING SESSION: On Wednesday, 2 July, during the joint high-level segment Wilma Mansveld, Minister for the Environment, the Netherlands, invited MOP 5 to formally adopt the decisions and outcomes of the meeting (ECE/MP.PP/2014/CRP.9/Rev.1). MOP 5 adopted the decisions with amendments. Belarus requested, and parties agreed, that a statement thanking the Compliance Committee for their work related to the Communication concerning non-compliance by Belarus with the Aarhus Convention (ACCC/C/2009/44) be published on the Aarhus Convention website. MOP 5 was closed at 3:59 pm.

Wilma Mansveld, Minister for the Environment, the Netherlands

FORTY-FIFTH SESSION OF THE AARHUS CONVENTION COMPLIANCE COMITTEE

OPEN DIALOGUE SESSION WITH PARTIES AND STAKEHOLDERS ON PROCEDURES WITH NEW COMMUNICATIONS, USE OF DOMESTIC REMEDIES AND OTHER MATTERS: On Tuesday, Compliance Committee Chair Jonas Ebbesson (Sweden) invited parties and NGOs to share their ideas on: transparency and making new communications publicly available; consideration of domestic remedies; and other issues, including draft findings and use of sanctions.

On transparency, Austria suggested that national Aarhus focal points be informed immediately when the Committee receives a communication. The EU cautioned against making information on cases publicly available before admissibility has been decided. Earth Justice agreed, stressing the need to avoid "instrumentalization" by the media as well as discussions on merits at an early stage. Chair Ebbesson noted the issue of confidentiality must also be observed according to decision 1/7.

Many participants considered it useful to have information on admissibility criteria or the Committee's reasoning for admissibility decision. Germany suggested publishing a

Compliance Committee during the open dialogue session with parties and stakeholders. L-R: **Jerzy Jendrośka** (Poland); **Pavel Černý** (Czech Republic); **Gerhard Loibl** (Austria); Compliance Commitee Chair **Jonas Ebbesson** (Sweden); **Fiona Marshall**, UNECE Secretariat; **Heghine Hakhverdyan** (Armenia); **Dana Zhandaeva** (Kazakhstan); **Alexander Kodjabashev** (Bulgaria); and **Ion Diaconu** (Romania)

short summary for submitted cases. Earth Justice called for communication copies to be distributed during open committee meetings on a case.

On domestic remedies, Chair Ebbesson: recalled the carefully drafted provision on remedies in the Annex to decision 1/7; suggested possibly addressing this as a systemic issue or on the basis of individual cases; and noted that requirements of prior exhaustion of domestic remedies exist in other institutions, such as human right courts.

The UK stressed considering the international context and emphasized the importance of domestic remedies for the implementation of the Convention.

The EU highlighted that exhaustion of domestic remedies is not a condition for admissibility of a case. He also noted that the Committee may face with "a moving target" in cases where a ruling is being appealed and suggested a complaint form that indicates when domestic cases are in progress.

On draft findings, participants agreed that communication by the Secretariat on the date of publishing draft findings would be useful to prepare for public reactions. On the issue of sanctions, Armenia suggested it appropriate, in some cases, to allow representatives of the public to request international institutions engaged in development projects to postpone funding for projects in their country if they are in non-compliance with the Convention. On the issue of information gathering, Chair Ebbesson stressed the need for more qualitative information that explains the legal framework properly.

JOINT HIGH-LEVEL SEGMENT

OPENING SESSION: On Wednesday, 2 July, MOP 5 Chair Peters welcomed delegates to the joint high-level segment.

Wilma Mansveld, Minister for the Environment, the Netherlands, said the "three pillars of the Aarhus Convention still stand strong" and proposed "an Aarhus Convention 2.0" to *inter alia*: better reflect the empowerment of citizens through the growing use of the internet and social media; advocate modern environmental policies that encourage a bottom-up approach; and protect environmental whistle blowers. She recognized "citizen science" noting that citizens and companies are not just at the receiving end, but also generate, environmental information.

Michael Møller, Acting Executive

Michael Møller, Acting Executive Secretary of the UNECE, delivered a message from UN Secretary-General Ban Ki-moon, in which he, *inter alia*: welcomed engagement of both governments and civil society as a tangible illustration of partnership; noted that the Aarhus Convention has helped to hold governments accountable on issues of climate change, biodiversity loss and other multi-dimensional challenges that the world is facing; and welcomed plans to explore modern communication tools to enhance transparency and environmental democracy.

PRTR Protocol MOPP 2 Chair **Michel Amand**

PRTR Protocol MOPP 2 Chair Michel Amand (Belgium) said the joint high-level segment demonstrates the close links between the Aarhus Convention and the PRTR Protocol, noting how both instruments could benefit from social media and new technology and help build a more peaceful society.

Organizational Matters: Aarhus Convention MOP 5 Chair Peters introduced the provisional agenda of the joint high-level session (ECE/MP.PP/2014/26-ECE/MP.PRTR/2014/1), which was adopted without amendment.

REPORT ON CREDENTIALS: PRTR Protocol MOPP 2 Vice-Chair Øyvind Hetland (Norway) reported that 26 parties submitted their credentials and thus a quorum was reached.

THEMATIC SESSIONS: Right to Information and Environmental Democracy: Hans Alders, Hans Alders Procesregie and Advies, moderated the panel sessions. He opened the panel session on the right to information and environmental democracy, saying that implementing the three pillars still poses some difficulties. He emphasized that with communication and information access becoming easier, the Convention is being implemented in a changing society, and noted there is greater need for an "exchange of thoughts for Aarhus 2.0."

Phil Hogan, Minister for Environment, Community and Local Government, Ireland, said that democracy begins with information, underscoring that citizens need to know how decisions are made, how to access information and how they can be involved in order to have proper and effective participation in decision-making. He said that such engagement needs to be easily facilitated and due account be taken of. Appropriate analysis of these comments, he said, is also vital.

Jeremy Wates, Secretary General, EEB, stressed that technology has changed how the public accesses information and disseminates it. The public domain, he noted, is no longer an abstract concept that is difficult to access, given the advent of the internet. He suggested that the PRTR Protocol should expand to cover all aspects of the supply chain and address inputs such as energy, water and other resources.

Khachik Hakobyan, Deputy Minister of Nature Protection, Armenia, outlined how the ratification of the Aarhus Convention has impacted Armenian legislation. He noted the establishment of a national network of Aarhus Centres, which has been crucial for disseminating information and allowing active public engagement.

The dais during the sesson on Right to Information and Environmental Democracy. L-R: Moderator **Hans Alders**, Alders Procesregie and Advies; **Gérardine Garçon**, BASF; **Esra Buttanri**, OSCE; **Phil Hogan**, Minister for Environment, Community and Local Government, Ireland; Jeremy **Wates**, Secretary General, European Environmental Bureau; and **Khachik Hakobyan**, Deputy Minister of Nature Protection, Armenia

Esra Buttanri, OCSE, noted that her organization addresses security in three contexts: military; economic and environmental; and human rights. She provided an overview of its work to facilitate national implementation of the Aarhus Convention and the PRTR Protocol, saying that OCSE addresses issues such as capacity building at national and regional levels.

Gérardine Garçon, BASF, said that while transparency is a key element of environmental democracy, "business secrets," property and intellectual property rights must also be respected. She lamented that in many cases, valid reasons for accessing information are not necessarily required, making companies open to industrial espionage. She urged a balanced approach when addressing access to industry information.

During the ensuing discussion, participants addressed, *inter alia*: public information networks and training of local authorities are useful to engage citizens in decision making; specific local environmental and political situations must be respected when considering an "Aarhus 2.0"; the environment benefits from strong regulatory approaches taken at the national government and EU level; and confidentiality interests of business must be balanced with public transparency interest "when pollution enters the public domain."

Responding to questions from the floor on the Transatlantic Trade and Investment Partnership between the US and the EU, Wates confirmed concerns about an untransparent negotiation process and the consequences of a potential investor-state dispute settlement mechanism.

Right to Information and Social Media: Moderator Alders introduced the panel.

Lazăr Chirică, Deputy Minister of Environment, Republic of Moldova, highlighted the effectiveness of using: diverse media channels, including television, radio, and publications to disseminate environmental information; and social media and networks as convenient platforms for information exchange and reaching "younger people."

Noting the "beat the micro-bead" campaign, Maria Westerbos, Director, Plastic Soup Foundation, provided examples of using multimedia methods to raise consumer awareness and change behavior of multinational corporations. She regretted that regulations still lag behind and called for plastics to be covered under PRTR rules.

Lazăr Chirică, Deputy Minister of Environment, Republic of Moldova

Žaneta Mikosa, Deputy State Secretary, Ministry of Environmental Protection and Regional Development, Latvia, described how engagement by Latvian public authorities with social media, such as twitter, has broadened public participation in dialogues on environmental matters.

Žaneta Mikosa, Deputy State Secretary, Ministry of Environmental Protection and Regional Development, Latvia

Recalling that social media initially served business as marketing tool, Marta Szigeti Bonifert, Executive Director, REC, said that now it is used as public participation tool and serves as two-way channel for environmental information exchange. She suggested that associated risks, such as information overload and invalid information must be addressed.

Jonathan Bradley, the Consultation Institute, echoed the need to: mediate misinformation; disrupt information bias; and address issues of anonymity and power inequalities among social media participants. He noted that "Aarhus 2.0" is already happening and identified the need to remain relevant and reduce barriers to participation in environmental matters.

Jonathan Bradley, the Consultation Institute

In the ensuing discussion on how to use social media, Bradley said that information should be put across impartially, in a way that stakeholders can use. Westerbos suggested that social media should be used to make the public aware "of what is going on." She noted that for politicians, social media allows public opinion to be responded to more quickly.

Mikosa emphasized that social media is one of many tools that can be used to disseminate information and reach the public, suggesting that authorities be obligated to use social media. Chirică noted that NGOs and government should work together to achieve progress. Szigeti urged openness and transparency at the grass roots level.

On a statement that social media should not supplant or be equated to meeting legal obligations with regards to information access, Bradley noted that social media can be used to encourage and force the disclosure of certain information. Westerbos suggested that scientists use social

Joint High-Level Session closing session. L-R: PRTR Protocol MOPP 2 Chair **Michel Amand** (Belgium); **Michael Møller**, Acting Executive Secretary of UNECE; **Wilma Mansveld**, Minister for the Environment, the Netherlands; Aarhus Convention MOP 5 Chair **Jelis Antonie Peters** (the Netherlands); Aarhus Convention Secretary **Ella Behlyarova**, UNECE; and **Manja Vidic**, UNECE

media to disseminate their research. Bradley noted that social media could be used to "stop panic" with regards to using certain products.

MAASTRICHT DECLARATION: On Wednesday, Minister Mansveld introduced the Maastricht Declaration (ECE/MP.PP/2014/CRP.7–ECE/MP.PRTR/2014/CRP.1).

Ireland highlighted the links between sustainable development, the green economy and economic recovery, stating that the Aarhus Convention would lead to better decision making in this regard.

Ukraine said that adopting the Maastricht Declaration is an important step in establishing an environmental society with high standards and active civil participation for developing "valid environmental policies."

Mihail Faca, State Secretary, Ministry of Environment and Climate Change, Romania

Noting the impacts citizens can have on government through engaging in environmental democracy, the EU said the principles of the Aarhus Convention are more relevant than ever and should inform the post-2015 development agenda.

Romania said his country will address all incidences of noncompliance and highlighted the Compliance Committee as an essential tool for implementing the Aarhus Convention.

Hrvoje Dokoza, Deputy Minister of Environmental and Nature Protection, Croatia

Croatia stressed environmental democracy as a "prerequisite to achieving the objective of sustainable development," welcoming LAC countries' efforts to initiate "a process replicating the Aarhus Convention."

Latvia underlined transparency as an essential component of environmental democracy, which he suggested could be increased through public authorities using modern communication tools properly.

Florian Wild, Legal Affairs Division, Federal Office for the Environment, Switzerland

Switzerland stressed that environmental information must be objective and provided in an efficient manner.

Greece stressed the need to find common solutions to the financial crisis and the demand for better living conditions and employment, while at the same time moving towards a development that will enhance efficiency and reduce pressure on the environment.

ECLAC said the full implementation of Principle 10 of the Rio Declaration must be at the heart of the post-2015 development agenda.

European ECO Forum welcomed the declaration's content on the PRTR Protocol and environmental whistle blowers.

Maastricht Declaration: The Maastricht Declaration (ECE/MP.PP/2014/CRP.7-ECE/MP.PRTR/2014/CRP.1) includes sections on: information in the age of knowledge; environmental democracy for all; and achieving the future we want. In the Declaration, ministers and heads of delegation, together with other participants of MOP 5 and MOPP 2, *inter alia*:

- affirm that the provision of effective access to environmental information to the public is highly important;
- affirm that in 'The Future We Want' the world recognizes that good governance and a truly sustainable economy requires the effective involvement of the public and that this affirms the value of the Aarhus Convention and PRTR Protocol as effective tools for furthering environmental democracy; and
- reiterate strong commitment to empowering people in the right to a healthy and favorable environment, improving the state of the environment and to furthering sustainable development through the promotion of the Convention and Protocol.

On information in the Age of Knowledge, ministers and heads of delegation, together with other participants of MOP 5 and MOPP 2, *inter alia*:

- recognize close links between the effective implementation of the Convention and Protocol and the importance of protecting environmental activists and whistle-blowers, freedom of speech and safe participation of citizens in decisions affecting their lives;
- recognize access to environmental information is a precondition for participatory and transparent governance;
- consider that the Convention and Protocol can play an important role in facilitating SEIS and that implementation and ratification of the Protocol can be facilitated by the development of national SEIS and streamlined reporting systems on pollutants at the national level; and
- acknowledge and encourage increased use of new opportunities offered by modern communication tools.

On environmental democracy for all, ministers and heads of delegation, together with other participants of MOP 5 and MOPP 2, *inter alia*:

- recognize that the efficiency of international governance on environmental matters should still be improved and reaffirm commitment to promoting open information and the effective engagement of stakeholders, including environmental NGOs, in international forums within the scope of the Almaty Guidelines;

- strive to further increase the effectiveness of the compliance mechanisms of the Convention and Protocol, and offer to share these experiences with other interested forums;
- welcome partnerships between the Convention and Protocol and other MEAs, organizations and processes, and recognize the positive role partner organizations play in assisting to implement the two treaties;
- warmly welcome the initiative on developing a regional instrument on environmental rights in the LAC region, as well as the establishment of PRTR systems around the globe, and encourage similar initiatives intending to replicate the achievements of the Convention and Protocol and stands ready to support these initiatives;
- call upon Protocol parties to continue pursuing the goal of improving the quality and completeness of data reported and the effective access to information by the public in relation to pollutants released into the environment, by working towards the full implementation of the Protocol;
- call upon countries within the UNECE region that have not yet ratified or acceded to the Protocol to do so at the earliest possible opportunity and apply its principles and provisions; and
- call upon parties to the Aarhus Convention to ratify the GMO Amendment to ensure its entry into force.

On achieving the future we want, ministers and heads of delegation, together with other participants of MOP 5 and MOPP 2, *inter alia*:

- note with great concern that in many countries across the world people are still denied basic information about and influence over the quality of their drinking water, the air they breathe, the land they live on and the food which they receive;
- encourage companies to integrate sustainability information into their reporting cycles and the improvement of models for the integration of sustainability reporting based on existing frameworks;
- strive to implement the words of 'The Future We Want' on transparency, access and participant in daily actions;
- recognize that products can significantly impact the environment throughout their life cycle and when they have reached the end of their lifetimes and consider that promoting greater transparency in relation to information about products and product-related decision making is an important topic that would merit further consideration under the Convention and Protocol;
- recognize that moving to more sustainable lifestyles implies substantially reducing consumption of resources and the role of transparency in ensuring easy availability of objective information about the resource footprint of products and processes;
- recognize that future developments related to product life-cycles, sustainable consumption and production and transparency regarding on-site pollutant storage and transfers, could merit further consideration in order to keep the Protocol's principles and provisions under continuous review; and
- state the Convention and Protocol provide a solid framework for governments to engage effectively a wide range of stakeholders in decision making, thereby providing the key to effective environmental governance.

PRTR MOPP 2

On Thursday, 3 July, PRTR Protocol MOPP 2 Chair Michel Amand (Belgium) opened the general segment of MOPP 2, inviting MOPP 2 to review progress in implementation and compliance and consider draft decisions, including on financial arrangements, reporting requirements, the Strategic Plan for 2015-2020 and the work programme for 2015-2017.

Organizational Matters: Chair Amand introduced the provisional agenda (ECE/MP.PRTR/2014/3). Noting that nominations for the Bureau had been received, he requested MOPP 2 to consider nominations for the Eastern Europe and South-East European regions as those regions were unrepresented in the nominations. MOPP 2 adopted the agenda, as amended.

All decisions and outcomes included in the List of Key Outcomes and Decisions of MOPP 2 (ECE/MP.PRTR/2014/CRP.3) were adopted during consideration of their respective agenda items and, in addition, final outcomes were adopted on Friday, 4 July. This report summarizes discussions on each agenda item considered at MOPP 2.

STATUS OF RATIFICATION: The PRTR Protocol Secretariat presented the report on the status of ratification on Thursday. He said that the PRTR Protocol has 38 signatures, of which 32 parties have ratified the Protocol. He said that since MOPP 1, seven countries have ratified the PRTR Protocol: Slovenia; the former Yugoslav Republic of Macedonia; Serbia; Ireland; Poland; Israel; and the Republic of Moldova. Chair Amand, lauding the progress in ratification, commended the Republic of Moldova for being the first country with an economy in transition from Eastern Europe to ratify the Protocol.

Belarus said that they are taking steps to join the Protocol, including through developing a national PRTR. The EU called on the remaining ratifications to take place as soon as possible. Italy said it is implementing the provisions of the PRTR Protocol, has established a legislative decree completing the implementation phase, and will begin ratification discussions in July 2014.

Nune Hovhannisyan, Armenia

Armenia said it is implementing the Protocol through improving legislation and increasing stakeholders' awareness with respect to the PRTR Protocol. She said challenges to implementation and ratification include inadequate information technology systems and the need to amend legislation to take account of the PRTR Protocol provisions. Bosnia and Herzegovina said his country was implementing activities to comply with the PRTR Protocol and is engaging stakeholders on its ratification.

MOPP 2 took note of the information provided, welcomed new parties, and encouraged signatories and other interested States to proceed with accession as soon as possible.

PROMOTION AND CAPACITY-BUILDING: Coordination Mechanisms and Synergies: On Thursday, Chair Amand introduced the Report on the Implementation of the Work Programme of the Protocol on PRTRs for 2011-2014 (ECE/MP.PRTR/2014/6) and the Report on the Global Round Table on PRTRs held in Geneva, Switzerland, on 19 November 2013 (ECE/MP.PRTR/2014/7).

Chair Amand informed of the latest informal meetings of representatives of the governing bodies of UNECE conventions and protocols, highlighting the importance of strengthening synergies among MEAs to increase cost efficiency, including through: enhancing cooperation, respecting the sovereignty and structure of MEAs; exchanging information on work programs and existing schemes of financial arrangements; and exploring options for joint activities. He underscored the spirit of cooperation and said synergies must also be cultivated among the national focal points of the different MEAs.

He also reported that SEIS was identified as important during seventh "Environment for Europe" Ministerial Conference convened by the UNECE Committee on Environmental Policy held in Kazakhstan in September 2011. He reported that a "Friends of SEIS" group was established, which, during its first meeting, *inter alia*: identified an agenda, targets and objectives; reemphasized guiding principles; and discussed building blocks needed to implement SEIS.

Chair of the International PRTR Coordinating Group (ICG) Iñigo de Vicente-Mingarro (Spain) announced the next meeting will be hosted by Chile and provided information on its activities related to: improving coordination among governments, NGOs and other international stakeholders; supporting capacity building for PRTRs in developing countries and economics in transition; and promoting PRTRs in major international forums. He highlighted ongoing work on issues, including: the role of PRTRs for sustainable development and good governance; resource availability for PRTRs; the potential of PRTRs as a reporting tool for MEAs; and how to improve PRTR data to generate interest, inform and incentivize its use by the public.

The Organisation for Economic Cooperation and Development (OECD) reported on its work supporting implementation of PRTRs, including through developing guidance and recommendations, manuals and several web-based databases, which are being used by governments, NGOs, academia and the finance sector.

The UN Institute for Training and Research (UNITAR) reported on their current country-based PRTR activities providing technical assistance, guidance and reference material and building on experience drawn from past collaboration with countries. She informed of ongoing PRTR capacity-building activities in developing countries and economies in transition using PRTRs to support the implementation of MEAs with regards to Persistent Organic Pollutants (POPs) monitoring and reporting.


Barbara Ruis, UNEP

UNEP noted its work with groups and governments providing inputs during the negotiations leading to the Minamata Convention on Mercury. She also noted UNEP's work on the Chemicals in Products Project, aiming at reducing chemical risks through addressing production cycles.

The EU acknowledged progress made in providing technical assistance and strengthening synergies with other bodies. He supported coordinating activities with the OECD and UNITAR, providing opportunities to address challenges in PRTR implementation.

Noting his region identified PRTRs as a priority, ECLAC said PRTRs will be fundamental for efficient environmental policies and sustainable development. He reported Chile and Mexico have PRTRs and that Ecuador and Peru are developing PRTRs, while others in the region still need, and benefit from cooperation.

Carlos de Miguel, ECLAC

REC CEE welcomed cooperation initiatives as helpful for parties and stakeholders, both in ratifying the PRTR Protocol and providing feedback and suggestions on how PRTRs could be used for reporting for other international agreements.


Mara Silina, European ECO Forum

European ECO Forum echoed the usefulness of coordinating activities around the world.

Zero Discharge of Hazardous Chemicals Group (ZDHC Group) described the group's efforts to achieve a globalized PRTR system and implement PRTR in companies including, *inter alia*: working on chemical assessments; creating manufacturer restrictive substance lists; providing training to facilities; working on the right to know campaign; and collaborating and coordinating with governments and NGOs.

MOPP 2 took note of the information provided and agreed to reflect the outcome in the List of Key Decisions and Outcomes of MOPP2 ECE/MP.PRTR/2014/CRP.3).

Final Outcome: In the outcome on Coordination mechanisms and synergies (ECE/MP.PRTR/2014/CRP.3), MOPP 2:

- mandates the Bureau and Secretariat to organize a second global event on PRTRs and to continue global promotion of the Protocol;
- calls upon partner organizations, MEAs and other stakeholders to cooperate closely, where possible, to create synergies that further the implementation of projects and programmes related to PRTRs;
- requests the Secretariat to continue servicing the ICG; and
- calls upon governments to strengthen cooperation between experts dealing with the PRTR and those dealing with the Convention on Long-Range Transboundary Air Pollutants, Water and other relevant agreements.

Provision of Technical Assistance: On Thursday, Chair Amand introduced the item on provision of technical assistance and its relevant reports (ECE/MP.PRTR/2014/5,6). Ivan Narkevitch, Ministry of Natural Resources and Environmental Protection, Belarus, presented the Proposal on Promoting the Protocol on PRTRs in Eastern Europe, the Caucasus and Central Asia (EECCA) (ECE/MP.PRTR/2014/L.6). He said the proposal advocates for: establishing scientific cooperation between countries; facilitating workshops and other forums for exchanging ideas and lessons learnt; resolving funding issues; and providing software and other technologies for the EECCA region.

Ivan Narkevitch, Ministry of Natural Resources and Environmental Protection, Belarus

The EU emphasized its support for the proposal as an overall framework for areas where countries can engage in bilateral and multilateral cooperation. European ECO Forum said that progress in promoting the PRTR Protocol is slow and welcomed a decision dedicated to this task. Broadly welcoming the proposal, she urged maintaining cooperation in the region and implementing the list of activities.

Massimo Cozzone, EU

Armenia noted their adoption of a plan for PRTRs. Chair Amand said that the proposal is the "cornerstone that will be the building blocks for each country," urging parties to "build their own house based on these documents."

He invited MOPP 2 to report on technical and capacity building support being provided. REC CEE outlined projects to provide knowledge to NGOs, authorities and others to help them better understand their roles and responsibilities, saying that this is crucial to understanding the technical aspects of the Protocol.

MOPP 2 endorsed the proposal and adopted the decision.

Final Outcome: In the outcome, the MOP endorsed the document on Promotion of the Protocol on PRTRs in countries in EECCLA (ECE/MP.PRTR/2014/L.6) as a document describing an overall framework for possible areas for bi- or multilateral cooperation. The document contains an introduction and two sections on activities and financial and other support.

The introduction, *inter alia*, explains that the aim of the proposal reflected in the document is to accelerate accession to the Protocol by, and the development of national PRTRs in EECCA countries. It also lists major common needs for these countries with regard to: establishing appropriate institutional structures; the regulatory framework for data collection and dissemination and for public participation and access to information and justice; data management; access to data and its dissemination; and main barriers to building capacity, public awareness and international cooperation.

The section on activities suggests a list of activities to be undertaken in accordance with item B (technical assistance) of the draft work programme for 2015–2017 (ECE/MP.PRTR/WG.1/2013/10, annex).

The section on financial and other support informs the activities that are expected to be funded by sources other than the UNECE Trust Fund for the implementation of the Protocol's work programme and provides a list of possible sources of financial and other support.

Communication Tools and Materials: On Thursday Chair Amand drew attention to the Report on the Implementation of the Work Programme of the Protocol on PRTRs for 2011-2014 (ECE/MP.PRTR/2014/6).

UNITAR provided an overview of their online platform PRTR-Learn, which is a training and knowledge sharing system for PRTRs. She also highlighted the IOMC Toolbox for Decision-Making in Chemicals Management, which assists countries addressing specific problems. She said that a PRTR-specific module is going to be included in the IOMC Toolbox.

Magdolna Tothne Nagy, REC CEE

REC CEE suggested that ensuring linkages directly to real PRTR data should be preferred over providing static data when developing websites. The EU said the results of surveys reflect the relevance of communication but also the need for improvement in certain areas of work. Belarus noted the workshop on communication mechanisms held in October 2013, in Germany, was useful in the development of national PRTRs.

MOPP took note of the presentations and requested the Secretariat, the OECD and UNITAR to continue working closely to ensure the effective use of PRTR.net and PRTR-Learn.

PROCEDURES AND MECHANISMS FACILITATING THE IMPLEMENTATION OF THE PROTOCOL:

Reporting Mechanism: Chair Amand introduced this item on Thursday. Chair PRTR Protocol Compliance Committee Alistair McGlone (UK) presented the Synthesis Report on the Status of Implementation of the Protocol on PRTRs (ECE/MP.PRTR/2014/5).

He noted that most NIRs reflected that parties have sufficient legal frameworks to handle information requests with administrative and judicial review systems generally being in place. Underscoring that most NIRs supported whistle-blower protection, he said that confidentially claims were low, and that they were decreasing. On Protocol Article 15 (capacity building) obligations, he noted that parties focused on education and training of officials, and awareness-raising among potential users. On Article 16 (international cooperation) obligations, he said most parties assisted with implementation in economies in transition. He stated that challenges include, *inter alia*: the lack of civil society involvement; the lack of interest in developing PRTRs; improving web pages by focusing on users' needs; and improving the input and quality of data.

Responding to a query from Belarus, McGlone said that the Compliance Committee does not have the capacity to survey the users of PRTR web sites and thus they do not have access to user demographics. The EU urged for public participatory processes to take place when preparing for the next reporting cycle. He said that to save on resources, reports should only be translated into the three official ECE languages.

European ECO Forum noted that the lack of involvement from civil society may be due to the technical nature of the subject and urged more outreach and awareness raising in this regard. Germany noted factual inaccuracies, stating it will submit them in writing to the Secretariat. McGlone, responding to REC CEE on the lack of public consultations, said that the drafters of the Synthesis Report "got the impression" that public consultation was not universal.

Chair Amand said that five parties had failed to submit their NIRs by the deadline, with three yet to submit. As such, he said, they could be seen as being non-compliant with the PRTR protocol. Amand proposed that the draft decision be amended to reflect that Albania, Cyprus and Slovenia did not submit their NIRs and that MOPP "urge" rather than "call upon" them to submit their reports by 1 October 2014.

Parties agreed and MOPP 2 adopted the decision as amended.

***Final Outcome*:** In the final decision on the reporting mechanism (ECE/MP.PRTR/2014/L.3), the MOPP, *inter alia:*

- believes that public involvement in the process of reporting is likely to improve the quality and accuracy of reports and strengthen the credibility of the reporting process;
- notes that the decision concerns reporting by parties on how they have implemented the requirements of the Protocol and is distinct from the reporting required under Article 7 (public participation concerning plans, programmes and policies relating to the environment) of the Protocol,
- considers that the reporting procedure as set out in decision I/5 should continue to apply for the next reporting cycle; and
- emphasizes the importance of timely submission of reports and notes with appreciation the implementation reports submitted by more than three quarters of the parties to the Protocol on PRTRS.

On timely submission of reports, the MOPP, *inter alia*:

- notes that some parties that submitted reports did not do so within the deadline; and
- reiterates its encouragement of parties to start the preparation of NIRs in future reporting cycles sufficiently in advance of the deadline for submission of the reports, with a view of ensuring meaningful public consultation on the reports at the national level.

On failure to submit reports, the MOPP, *inter alia*:

- notes with regret that Albania, Cyprus and Slovenia, all of which were parties to the Protocol at the time of the deadline for submission of the implementation reports, failed to submit reports; and
- urges those parties that have not yet submitted their NIRs to submit them to the Secretariat by 1 October 2014, for subsequent consideration, *inter alia*, by the Compliance Committee.

On public consultation, the MOPP, *inter alia*:

- welcomes the fact that most parties prepared their reports through a process involving consultations with various governmental agencies as well as civil society; and
- requests each party prepare its reports on implementing the Protocol through a transparent and consultative process involving the public in a timely manner.

On guidance on reporting requirements, the MOPP, *inter alia*:

- requests each party submit to the Secretariat, in advance of each ordinary session of the MOPP a report on necessary legislative, regulatory or other measures that it has taken to implement the provisions of the Protocol as well as the practical implementation of these measures at the national or regional level;
- requests the Secretariat to circulate to all parties and relevant stakeholders a formal reminder of the reporting requirements; and
- requests the Secretariat to prepare a synthesis report for each ordinary session of the MOPP summarizing the NIRs submitted by the parties and identifying significant trends, challenges and solutions.

Chair of the PRTR Protocol Compliance Committee **Alistair McGlone** (UK)

Compliance Mechanism: On Thursday PRTR Protocol Compliance Committee Chair Alistair McGlone (UK) reported on the PRTR Protocol Compliance Committee's activities during the intersessional period (ECE/MP.PRTR/C.1/2011/2 and 2014/2).

McGlone said that two meetings had taken place during the intersessional period, with the third meeting running concurrently to MOPP 2. He said the first meeting adopted the method of work for the Committee, saying that the procedures decided on were informed by the procedures of the Aarhus Convention's Compliance Committee. As no submissions had been received, McGlone said that the second meeting addressed the compilation of the synthesis report. He said that there was also consideration of potential areas of work for the Committee, stating that three areas of work were identified: addressing systemic issues; providing advisory support; and strengthening expert capacities.

Chair Amand commended the Compliance Committee for looking forward to address ways to help parties and signatories in their implementation of the Protocol.

REC CEE queried as to what the systemic review and analysis would include. Chair McGlone said that specifics are not yet available, as the work is yet to commence. European ECO Forum suggested exploiting synergies with other efforts in the European region, if advisory support is provided in the future.

MOPP 2 Chair Amand then announced the parties' nominations for membership of the PRTR Protocol Compliance Committee (ECE/MP.PRTR/WG.1/2013/5): Ralid Ajabboune (France), Merab Barbakadze (Georgia), Ákos Fehérváry (Hungary), Nataša Kačić-Bartulović (Croatia), Alistair McGlone (UK), and Dmytro Skrylnikov, Bureau of Environmental Investigation (NGOs).

MOPP 2 took note of the report, welcomed the possible future activities of the Committee, accepted the nominations for the Committee and agreed on translating documents prepared by the Committee into the three official languages of the UNECE without recourse to additional resources.

On Friday, Chair McGlone reported to MOPP on the open roundtable session of the Committee. He said topics discussed included, *inter alia*: the methodology for preparing synthesis report; approaches to take on board feedback; and preparing an informal guidance on reporting, outlining what is expected from reporting and what is considered to be best practice.

MOPP 2 took note of the first roundtable session of the PRTR Protocol Compliance Committee and welcomed the production of an informal guidance on reporting for the parties, signatories and other states where requested and agreed to reflect the outcome in the List of Key Decisions and Outcomes of MOPP2 ECE/MP.PRTR/2014/CRP.3).

PROGRAMME OF WORK AND OPERATION OF THE PROTOCOL: Implementation of the Work Programme for 2011-2014: On Thursday, Chair Amand introduced the report on the Implementation of the Work Programme of the Protocol on PRTRs for 2011-2014 (ECE/MP.PRTR/2014/6).


Manuela Musella, EU

The EU encouraged the use of electronic tools. Germany noted its financial contribution intended for both the Aarhus Convention and PRTR Protocol, and highlighted that its in-kind contributions were not accounted for in the report. He suggested bilateral clarifications with the Secretariat in order to be able to continue advocating for support from capital. France, the EU and Croatia reported on their contribution commitments.

MOPP took note of the information provided, and expressed appreciation for the work of the Secretariat.

Strategic Plan for 2015-2020: MOPP 2 Chair Amand introduced this item on Friday. He noted that the PRTR Protocol working group had prepared a draft decision (ECE/MP.PRTR/2014/L.2) on the strategic plan 2015-2020.

The EU said that one of the main challenges is the second focal area, on lifting the barriers to ratification and expansion beyond the UNECE region. The OECD said that this decision, together with the Maastricht Declaration, sends a clear signal on priority areas for support. He said that third focal area, on development of the PRTR Protocol, was key area for collaboration with the OECD, urging discussion on this matter. The REC CEE suggested that actions under the first focal area, on implementation of the PRTR Protocol by each party, could be a particular challenge, emphasizing REC CEE would continue to support parties.

European ECO Forum underscored the first focal area, on implementation, as key. He welcomed the attention on expanding the number of parties acceding to the Protocol, both in and outside of the UNECE region. Asking how the strategic plan will be carried out going forward, he suggested language saying how the Working Group of the Parties should implement the strategic plan, including through establishing task forces where necessary.

Chair Amand said that the Working Group is listed and mandated as one of the implementing bodies. Chair Amand noted that as the Working Group has a mandate to be an implementing body, it is automatically mandated to carry out these tasks in the manner the working group deems most suitable. The EU said that the Working Group should maintain its flexibility, and will not support any text that may create a written obligation for the Working Group.

MOPP 2 adopted the decision without amendment.

Final Outcome: In the decision on the Strategic Plan for 2015–2020 for the Protocol on PRTRs (ECE/MP.PRTR/2014/L.2), the MOPP, *inter alia:*

- adopts the Strategic Plan for 2015–2020 set out in the annex to the decision; and
- agrees that the plan will guide the implementation and further development and of the Protocol until the MOPP 4.

Work Programme 2015-2017: On Friday, Chair Amand introduced draft decision II/3 on the work programme for 2015-2017 for the Protocol on PRTRs (ECE/MP.PRTR/2014/L.4).

The EU welcomed the draft decision and supported prioritizing activities and the allocation of their costs. Recognizing financial constraints for the period 2015-17, REC CEE underlined: the Strategic Plan and the work programme should go hand-in-hand; more attention on implementing these should be given in future strategic capacity-building meetings; and coordination be strengthened among parties, the bodies of the Protocol, stakeholders, international organizations and MEAs.

European ECO Forum welcomed the work programme. Chair Amand noted the differentiation between core and non-core budget requirements, expressing hope that parties will keep or increase their level of contributions to ensure implementation of the work program.

MOPP 2 adopted the decision.

Final Outcome: In the decision on the work programme for 2015-2017 for the Protocol on PRTRs (ECE/MP.PRTR/2014/L.4), the MOPP, *inter alia:*

- adopts the work programme for 2015–2017, containing the estimated costs of each activity, as set out in the annex to the decision;
- agrees upon the indicative allocation of resources and the resulting estimated costs set out in the annex, subject to annual review and, as appropriate, revision by the Working Group of the Parties on the basis of annual reports provided by the Secretariat pursuant to decision II/4 on financial arrangements;
- encourages parties to endeavor to ensure that the funding of the activities of the work programme remains stable throughout the period 2015–2017 and insofar as possible, and subject to the internal budgetary procedures of the parties, to contribute to the Protocol's trust fund for a given calendar year by 1 October of the preceding year, so as to secure the timely and effective implementation of the priority activities of the work programme for 2015–2017;
- calls upon the parties and invites signatories, other states and relevant intergovernmental, regional and NGOs to contribute actively to the activities contained in the work programme; and
- requests the Secretariat to prepare a draft work programme for the intersessional period following MOPP 3, including a detailed breakdown of estimated costs, for consideration and further elaboration by the Bureau and the Working Group of the Parties, at the latest three months before MOPP 3, with a view to possible adoption at that meeting.

Financial Arrangements: On Thursday, Chair Amand invited the MOPP to consider the draft decision on financial arrangements under the Protocol on PRTRs (ECE/MP.PRTR/2014/CRP.2). He reported that at the last meeting of the parties, the draft decision was concluded with three open options, including: keeping the current interim scheme of voluntary contributions; moving to a full mandatory contribution scheme; or a hybrid contribution scheme option.

The EU recognized the need for financial arrangements under the Protocol based on the principles of an equitable sharing of the burden, stable and predictable sources of funding and suggested: UNECE to explore allocating more resources to Aarhus Convention and its Protocol; discussions on ensuring long-term predictable and sustainable financing focus not just on how to increase financial flows but also to look at cost efficiency measures; and several amendments to the draft text, including the deletion of mandatory or hybrid contributions scheme options, retaining only the voluntary contribution option.

L-R: **Henrik Mikkelsen** and **Øyvind Hetland**, Norway

Reminding parties of their common responsibility, Norway noted that the financial burden has not been evenly distributed with "a significant number of parties not contributing at all." Expressing its preference for a mandatory scheme, Norway, supported by Switzerland and European ECO Forum, stated support for mandating the Bureau and the Working Group of the Parties to explore during the intersessional period options for more predictable and stable funding in which parties agree to review the operation of the scheme of financial arrangements at MOP 3. Armenia stressed signatories' contributions should be voluntary.

Chair Amand then suggested amending paragraph 5, which "invites signatories, other interested states and public and private entities to contribute, in cash or in kind, towards covering the costs of the work programme" with a reference stating "in accordance with the 2009 Revised Guidelines on cooperation between the UN and the business sectors." The Secretariat explained the reasoning behind this is to follow the guidelines, which aim at ensuring specific standards are being applied when contributions are received from private entities, and parties agreed.

MOPP 2 adopted the decision, as amended.

Final Outcome: In the decision on financial arrangements under the Protocol on PRTRs (ECE/MP.PRTR/2014/CRP.2), the MOPP, *inter alia:*

- recognizes the need to ensure that sufficient resources are available for implementing the Protocol's work programme for 2015–2017;
- notes with regret that the amounts contributed under the interim voluntary scheme have fallen short of the estimated costs of implementing the work programme for 2011-2014, and that the financial burden has not been evenly distributed, with a significant number of parties and signatories not contributing at all;
- decides to continue maintaining the interim voluntary scheme of contributions as reflected in decision I/3 of the MOPP;
- requests parties, to contribute each year, or to make multi-annual contributions towards the costs of activities under the work programme;
- invites signatories, other interested states and public entities to contribute, in cash or in kind, towards covering the costs of the work programme;
- calls upon countries with economies in transition to finance to the extent possible their own participation in the activities;
- encourages parties that have historically contributed generously to maintain their previous levels of contribution and parties that have so far not contributed, or have contributed modestly to increase their contributions during the current and future budget cycles;
- also requests the Secretariat to monitor the expenditure of the funds and to prepare annual reports for review by the Working Group of the Parties in order to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;
- further requests the Secretariat to prepare a comprehensive financial report for each MOPP, including information on how much parties and other participating states and organizations have contributed to the budget of the Protocol in cash and in kind, and on how the contributions were spent;
- mandates the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable, stable funding;
- requests the UNECE to allocate more resources to support the work under the Convention and its Protocol; and
- agrees to review the operation of the scheme of financial arrangements at MOPP 3.

ELECTION OF OFFICERS: On Friday, Chair Amand reported on consultations on the incoming composition of the Bureau. MOPP 2 then elected: as new MOPP Chair Tina Skarman (Sweden); as Vice-Chairs, Ulrike Schüler (Germany) and Øyvind Hetland (Norway); as members, Carmen Canales (Spain), Manuela Musella (EU), Roland Ritter (Switzerland) and Nebojsa Redzic (Serbia); and as observer invited by the Bureau, Mara Silina, European ECO Forum (NGO).

DATE AND VENUE OF MOPP 3: On Friday, Chair Amand noted that "in principle we should have the MOPP every three years." He highlighted that the Secretariat will assess the first back-to-back meeting of MOP 5 and MOPP 2 to guide discussions on whether the meetings should be held back-to-back or in parallel. MOPP 2 then took note of information provided and decided to hold the next ordinary session in 2017, and to consider at the next meeting of the Working Group of the Parties the date and place of MOPP 3.

CLOSING SESSION: On Friday MOPP 2 formally adopted the decisions and outcomes included in the List of Decisions and Major Outcomes of MOPP 2 (ECE/MP.PRTR/2014/CRP.3), and requested the Secretariat, in consultation with the Chair of the MOPP, to finalize the report.

Chair Amand congratulated participants for their fruitful work during the course of the week. Saying that the Protocol is now a "young adult that needs care and nurturing," he urged parties to continue their support of the Protocol in all spheres, and urged further exploration of synergies with intergovernmental organizations.


Incoming MOPP Chair **Tina Skarman** (Sweden)

The EU welcomed the opportunity that MOPP 2 had presented for parties to engage with civil society, business and other stakeholders and suggested that at MOPP 3, participants discuss innovative ways and means for stable, predictable financing.

Incoming MOPP Chair Tina Skarman (Sweden), expressed hope that under her tenure the

Incoming and outgoing Bureau, the Secretariat and the host country

optimistic mood is maintained. European ECO Forum said that despite different positions, all participants have the common agenda of effective implementation of the Aarhus Convention and the PRTR Protocol. The Netherlands said that while it will take some time to reach the ultimate goal of the Protocol, "you will be amazed at what can be seen and achieved along the way." Zaal Lomtadze, UNECE, thanked the Netherlands for their gracious hospitality. Chair Amand closed the meeting to a close at 3.37 pm.

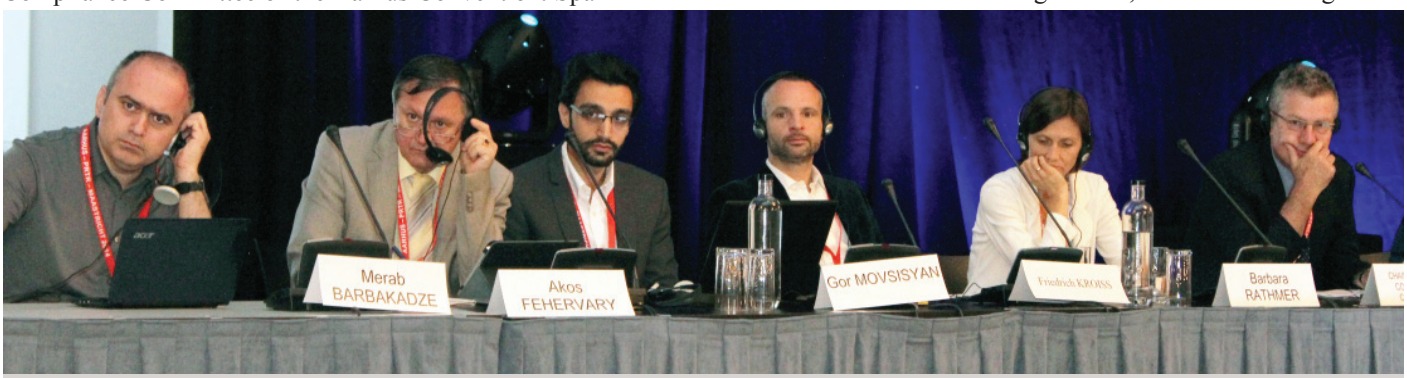
THIRD SESSION OF THE PRTR PROTOCOL COMPLIANCE COMMITTEE

ROUND TABLE ON LESSONS LEARNED FROM THE FIRST REPORTING CYCLE CONCERNING THE IMPLEMENTATION OF THE PRTR PROTOCOL: On Friday, PRTR Compliance Committee Chair Alistair McGlone (UK) invited participants to raise issues on the Compliance Committee's work so far, its future work, and provide feedback on the synthesis report on the status of implementation of the Protocol on PRTR (ECE/MP.PRTR/2014/5).

The UK welcomed the Committee's approach to take feedback on both procedure and substance similar to the Compliance Committee of the Aarhus Convention. Spain said it would be helpful if the Compliance Committee could prepare "some kind of guidance or recommendation" for the next reporting cycle, including clarifications such as on the reference year of emissions. Responding to the request, Chair McGlone responded the Committee could draw on its and parties' experiences to identify where clarification is needed.

Germany raised several questions, noting inconsistencies in the synthesis report with respect to Germany and suggested that if the inconsistencies were due to logistical working arrangements the Committee should address this. On the call for guidance from the Committee, he expressed hesitancy, noting it may be too early and inquiring about the authoritativeness and status of such guidance. He also asked about the meaning of the "technical assessment of the Protocol's provisions," suggested, to be possibly undertaken by the Committee, in the Report on the Possible Role of the Compliance Committee in Facilitating Implementation of the Protocol on PRTRs (PRTR/C.1/2014/Inf.1). He further suggested the Committee engage in direct communication with parties.

In response, Chair McGlone said that guidance on reporting, if requested by parties, should be understood as a practical exercise that does not have legal force, but rather is designed



Members of the Compliance Committee. L-R: **Merab Barbakadze** (Georgia); **Akos Fehervary** (Hungary); **Gor Movsisyan** (Armenia); **Friedrich Kroiss** (Austria); **Barbara Rathmer**, (Germany); and Chair of the PRTR Protocol Compliance Committee **Alistair McGlone** (UK)

to help parties. On the technical assessment he explained it could be built on the synthesis report and consultations with all parties and stakeholders to identify systemic problems that relate to the Protocol in order to address them. He also noted some constraints around both approaching all parties individually about their NIRs as well as for all Committee members to read all NIRs for the synthesis report.

Responding to a question concerning the expertise network, suggesting expertise circulation to be also taking place at the national level, Chair McGlone said the Committee plans to work closely with parties, the Bureau and Secretariat and in partnerships with experts including from international organizations.

From the floor, PRTR Protocol MOPP 2 Chair Amand recalled that the Compliance Committee of the Aarhus Convention identified additional recommendations or side questions parties could consider answering in their NIR, and suggested the Compliance Committee of the Protocol on PRTRs may follow this approach.

Upcoming Meetings

International Workshop on Open Data for Science and Sustainability in Developing Countries: This workshop is being organized by the UN Educational, Scientific and Cultural Organization (UNESCO), the International Council for Science's (ICSU) Committee on Data for Science and Technology, the World Federation of Engineering Organizations' Communication and Information Committee, and Kenya's Ministry of Communication and Information. It will discuss strategies and objectives of sponsoring and participating organizations concerning open data for science and sustainability in developing countries, with special consideration for the SDGs and ICSU's Future Earth research program in developing countries. **dates:** 6-8 August 2014 **location:** Nairobi, Kenya **contact:** Paul Uhlir, US National Academy of Sciences **phone:** +1-202-334-1531 **fax:** +1-202-334-2231 **e-mail:** puhlir@nas.edu **www:** http://www.wfeo.net/international-workshop-open-data-science...

65th Annual UN DPI/NGO Conference: The 65th UN DPI/NGO Conference is convening under the theme of '2015 and Beyond: Our Action Agenda,' is being organized by the UN Department of Public Information and the NGO/DPI Executive Committee, and will focus on the theme of 'The role of civil society in the post 2015 development agenda.' The outcome of the conference will be a declaration that will be shared with the UN system, the UN Member States, the global civil society and other stakeholders. **dates:** 27-29 August 2014 **venue:** UN Headquarters **location:** New York City, US **contact:** DPI/NGO Relations **phone:** +1 212 963 7234 **e-mail:** undpingo@un.org **www:** http://outreach.un.org/ngorelations/2014/04/15/65th-dpingo-c...

46th Meeting of the Compliance Committee of the Aarhus Convention: The Compliance Committee will meet from 23-26 September 2014. **dates:** 23-26 September 2014 **location:** Geneva, Switzerland **contact:** Aarhus Convention Secretariat **phone:** + 41 22 917 2682 / 917 1502 **fax:** + 41 22 917 0634 **email:** public.participation@unece.org **www:** http://www. unece.org/env/pp

Cartagena Protocol on Biosafety COP-MOP 7: The seventh meeting of the Convention on Biological Diversity (CBD) Conference of the Parties serving as Meeting of the Parties (MOP) to the Cartagena Protocol on Biosafety is scheduled for 29 September-3 October 2014. Among other issues, the meeting is expected to address: handling, transport, packaging and identification (HTPI) of living modified organisms (LMOs); risk assessment and risk management; and socio-economic considerations. **dates:** 29 September - 3 October 2014 **location:** Republic of Korea **contact:** CBD Secretariat **phone:** +1 514 288 2220 **fax:** +1 514 288 6588 **e-mail:** secretariat@cbd.int **www:** http://bch.cbd.int/protocol/e-doc/?notification=2036

47th Meeting of the Compliance Committee of the Aarhus Convention: The Compliance Committee will meet from 16-17 December 2014. **dates:** 16-17 December 2014 **location:** Geneva, Switzerland **contact:** Aarhus Convention Secretariat **phone:** + 41 22 917 2682 / 917 1502 **fax:** + 41 22 917 0634 **email:** public.participation@unece.org **www:** http://www.unece.org/env/pp

Aarhus Convention MOP 6 and PRTR Protocol MOPP 3: MOP 6 of the Aarhus Convention and MOPP 3 of the PRTR Protocol is expected to take place in 2017 at a venue to be determined. **dates:** 2017 **location:** TBD **contact:** Aarhus Convention Secretariat **phone:** + 41 22 917 2682 / 917 1502 **fax:** + 41 22 917 0634 **email:** public.participation@unece.org **www:** http://www.unece.org/env/pp

GLOSSARY

CEE	Central and Eastern Europe
EECCA	Eastern Europe, Caucasus and Central Asia
EEB	European Environmental Bureau
Ex MOP	Extraordinary MOP
EIA	Environmental Impact Assessment
GMOs	Genetically Modified Organisms
ICG	International PRTR Coordinating Group
LAC	Latin America and the Caribbean
MEAs	Multilateral Environmental Agreements
MOP	Meeting of the Parties
MOPP	Meeting of the Parties to the Protocol
NGOs	Non-Governmental Organization
NIRs	National Implementation Reports
NREAPs	National Renewable Energy Action Plan
OECD	Organisation for Economic Cooperation and Development
OSCE	Organization for Security and Co-operation in Europe
POPs	Persistent Organic Pollutants
PPIF	Public Participation in International Forums
PPDM	Public Participation in Decision-Making
PRTRs	Pollutant Release and Transfer Registers
REC	Regional Environmental Centre
SEIS	Shared Environmental Information System
UN	United Nations
UNEA	UN Environment Assembly
UNECE	UN Economic Commission for Europe
UNEP	UN Environment Programme
UNITAR	UN Institute for Training and Research