



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from: General Secretariat
to: Delegations

Subject: Outcome of the Fourth session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters
(Chisinau, Republic of Moldova, 29 June - 1 July 2011)
- Information from the Presidency and the Commission

Delegations will find annexed an information note from the Presidency and the Commission on the above topic, which will be dealt with under "other business" at the Environment Council meeting on 10 October 2011.

**4th session of the Meeting of the Parties to the Aarhus Convention
(Chisinau, 29 June - 1 July 2011)
- Information from the Presidency and the Commission -**

Introduction

Under the Hungarian and Polish Presidencies, the 4th Meeting of the Parties (4th MOP) to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (also known as the Aarhus Convention) was held in Chisinau (Moldova), from 29 June to 1 July 2011. MOP 4 was preceded by the 14th meeting of the Working Group of the Parties to the Convention (Chisinau, 27-28 June 2011), which prepared the draft decisions to be adopted by the MOP 4.

The 4th MOP was attended by delegations from 39 Parties and Signatories to the Convention from United Nations Economic Commission for Europe. It was chaired by Jan Dusik (CZ).

The 4th MOP included a High Level Segment meeting held on 1 July 2011, which was attended at ministerial level and chaired by Gheorghe Salaru, Minister of Environment of Moldova. The HL Segment was dedicated to the role of the Aarhus Convention in promoting sustainable development.

Representatives of business, academia and environmental organizations also participated at MOP 4 in a very active way. Many of them coordinated their input within the framework of the European ECO Forum – an umbrella organization associating ecological NGOs on an international level. The EU held two informal meetings with ECO Forum representatives in order to exchange views and pave the way for agreement on some agenda items.

Main outcomes

The most important decisions and outcomes of the 4th Meeting of the Parties:

1. The Chisinau Declaration

The MoP 4 adopted the Chisinau Declaration, a largely EU-inspired text focused on the contribution of the Aarhus Convention to sustainable development. The Chisinau Declaration has subsequently been transmitted to the UNCSD 2012 Secretariat as an input to the Rio+20 Conference.

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

The Meeting of the Parties adopted the decision IV/5. This decision does not change the current mechanism for countries acceding to the Convention. It means that the decision on accession of a new member state still belongs to the Meeting of the Parties.

NGOs expressed regret that the Meeting of the Parties was not willing to amend the Convention to change the mechanism of accession to the Convention by non-UNECE States in such a way that the accession would be possible also in the intersessional periods and not only during the Meetings of the Parties.

The secretariat informed the Meeting of the Parties that Mongolia expressed its willingness to join the Convention.

3. Financial arrangements

The MOP adopted decision IV/7 on financial arrangements. Decision did not change present system of voluntary contributions to the Convention and fully mirrored the position of the EU.

The Commission, on behalf of the EU, confirmed that the EU would maintain its annual pledge of €100,000 until that amount becomes 2.5% of the total estimated costs of activities under the work programme not covered by the UN regular budget. Norway expressed its regret that the MOP did not establish obligatory contributions.

4. Organization of the MOP 5

While Belarus presented and then withdrew its candidature for hosting MOP 5, the 4th MOP noted an expression of preliminary interest of Ukraine in hosting the next session of the Meeting of the Parties. The 4th MOP mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the fifth ordinary session, taking into account the proposal by Ukraine.

The full list of decisions adopted by MOP 4 is the following:

- Decision IV/1 on access to information
- Decision IV/2 on promoting effective access to justice
- Decision IV/3 on promoting the application of the principles of the Convention in international forums
- Decision IV/4 on reporting requirements
- Decision IV/5 on accession to the Convention by States from outside the United Nations Economic Commission for Europe region
- Decision IV/6 on the work programme for 2012–2014
- Decision IV/7 on financial arrangements
- Decision IV/8 on strategic planning
- Decision IV/9 on general issues of compliance

- Decision IV/9a on compliance by Armenia
- Decision IV/9b on compliance by Belarus
- Decision IV/9c on compliance by Kazakhstan
- Decision IV/9d on compliance by the Republic of Moldova
- Decision IV/9e on compliance by Slovakia
- Decision IV/9f on compliance by Spain
- Decision IV/9g on compliance by Turkmenistan
- Decision IV/9h on compliance by Ukraine
- Decision IV/9i on compliance by the United Kingdom

Elections

Election of officers and other members of the Bureau

The Meeting elected Mr. Peters from the Netherlands as Chair and elected Ms. Dall’Ora from Italy and Mr. Narkevitch from Belarus as Vice-Chairs. It also elected the following members of the Bureau: Mr. Pokorny from the Czech Republic, Mr. Legoupil from France, Mr. Brakeland from European Union, and Ms. Petkovic from Serbia.

Election of members of the Compliance Committee

The Meeting of the Parties elected four new members of the Compliance Committee:

- Mr. Pavel Černý, nominated by the European ECO Forum;
- Mr. Ion Diaconu, nominated by the European Union;
- Ms. Haghine Hakhverdyan, nominated by the Government of Armenia;
- Mr. Jerzy Jendroska, nominated by the European Union.

Other substantive issues that were discussed during the Meeting of the Parties are:

- Synergies between the Convention and other relevant multilateral environmental agreements.
- Implementation of the work programme for 2009-2011, including in relation to the Strategic Plan 2009-2014.
- Work programme for 2012-2014.
- Future Strategic Plan.

Background

- The Aarhus Convention

The Aarhus Convention was adopted on 25 June 1998 at the 4th Ministerial Conference of the "Environment for Europe" process, under the aegis of UNECE. It entered into force on 30 October 2001 and currently has 44 parties, including the European Union and its Member States, with the exception of Ireland which has signed the Convention but not yet ratified it.

The Aarhus Convention has 3 main objectives (the "3 pillars") in environmental matters, i.e.:

- Access to information,
- Public participation in decision making process, and
- Access to justice.

The Aarhus Convention aims at contributing to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.

The Aarhus Convention is open to any member of UNECE, as well as to any member of the UN upon approval by the MOP.

- The Kiev Protocol (PRTR)

The Aarhus Convention has a Protocol on Pollutant Release and Transfer Registers (PRTR) that was adopted at an extraordinary meeting of the Parties to the Aarhus Convention on 21 May 2003.

The meeting took place in the framework of the fifth Ministerial Conference 'Environment for Europe' (Kiev, 21-23 May 2003).

The Protocol is the first legally binding international instrument on PRTR. Its objective is "to enhance public access to information through the establishment of coherent, nationwide PRTRs." PRTRs are inventories of pollution from industrial sites and other sources.