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

Working Group of the Parties

Twenty-eighth meeting

Geneva, 2–4 July 2024

Item 7 (b) of the provisional agenda

Preparations for the eighth session of the Meeting of the Parties:
future financial arrangements

Draft elements of possible financial arrangements under the Convention*

Prepared by the Bureau

Summary

At its seventh session (Geneva, 18–21 October 2021), the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) mandated the Bureau and the Working Group of the Parties to explore options for more predictable, stable and equitably shared funding, and requested them to make the appropriate proposals for consideration by the Meeting of the Parties at its eighth session.^a

The present document was prepared pursuant to decision VII/6. The document includes information on the approach to drafting the decision on future financial arrangements and an indicative timeline for its preparation. A suggested draft decision on future financial arrangements is contained in annex I to the present document.

The major issues for consideration by the Working Group will include: (a) whether the scheme of financial arrangements should be mandatory, recommendatory or voluntary; and (b) whether the United Nations scale of assessments should apply to contributions.

* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control, as more time was required to finalize it.

The Working Group will be invited to consider the present note on future financial arrangements at its twenty-eighth meeting (Geneva, 2–4 July 2024) and to mandate the Bureau to finalize it, in the light of the discussions at the meeting, for submission to and approval by the twenty-ninth meeting of the Working Group of the Parties in 2025, with a view to its possible adoption at the eighth session of the Meeting of the Parties (scheduled for 2025).

^a. ECE/MP.PP/2021/2/Add.1, decision VII/6, para. 14.

I. Introduction

1. The present note was prepared pursuant to paragraph 14 of decision VII/6 of the Meeting of the Parties, adopted at its seventh session (ECE/MP.PP/2021/2/Add.1). The note includes information on the approach to drafting the future decision on financial arrangements and an indicative timeline for its preparation. A suggested draft decision on future financial arrangements is contained in annex I to the present document.

2. The Bureau notes that the current financial scheme, based on voluntary contributions, provides no guidance regarding their amount. The level of contributions fluctuates and makes the funding of extrabudgetary activities and posts unpredictable and far from secure. This has an impact on the secretariat's ability to carry out long-term planning. A mandatory contribution scheme, aligned with the United Nations scale of assessment, or at least a recommendatory scheme, would enhance the financial predictability, and thus the sustainability, of the work of the secretariat. Moreover, contributions in accordance with the United Nations scale of assessment would lead to a fairer distribution of the financial burden among the Parties.

II. Approach to the drafting of the decision on future financial arrangements

3. Considering that there has, to date, been no consensus support by the Parties for the scheme of contributions (e.g., mandatory or voluntary) and the introduction of a scheme of assessment of contributions, it is proposed that the draft decision on financial arrangements reflect the different options under consideration and the contents of the draft decision be updated, as appropriate. Thus, the draft decision contained in annex I below is based on the current adopted decision VII/6 on financial arrangements under the Convention (ECE/MP.PP/2021/2/Add.1), with new elements related to a mandatory scheme of contributions and to the United Nations scale of assessments, as well as an option involving a recommendatory scheme as a possible approach to strengthening the current voluntary scheme, which derived from draft decision VII/6 on the financial arrangements under the Convention submitted to the seventh session of the Meeting of the Parties to the Convention (Geneva, 18–21 October 2021) (ECE/MP.PP/2021/13). The required editorial changes were made and two new paragraphs added. To facilitate deliberations by the Working Group of the Parties, actual revisions to the current adopted decision VII/6 are shown in track changes in an accompanying informal document (AC/WGP-28/Inf.9). The draft decision therefore contains three options: the current financial scheme based on voluntary contributions; a recommendatory scheme; and a mandatory scheme of contributions aligned with the United Nations scale of assessment. For greater clarity regarding the different options under consideration for a financial scheme, text in bold in the draft decision indicates which option or options is/are applicable for the suggested text. Option A relates to a financial scheme with a voluntary contribution scheme. Option B is for a financial scheme with recommendatory contributions. Option C is for a financial scheme with mandatory contributions.

4. The major issues for consideration by the Working Group will include: (a) whether the scheme of financial arrangements should be mandatory, recommendatory or voluntary; and (b) whether the United Nations scale of assessments should apply to contributions.

III. Indicative timeline

5. The below indicative timeline for preparing the future decision on financial arrangements takes into consideration the need to: (a) provide Governments, non-governmental organizations (NGOs), the general public and other interested stakeholders with an appropriate time frame for consultations within their respective constituencies, organizations and networks; and (b) ensure that an advance draft of the document is ready for approval by the Working Group of the Parties at its twenty-ninth meeting in 2025, prior to the eighth session of the Meeting of the Parties (scheduled for 2025). This approach is based on previous experience and was welcomed by both Governments and stakeholders,

including NGOs, which had the possibility to provide inputs and negotiate text well in advance of its formal adoption.

6. The indicative timeline is as follows:

(a) A proposal regarding the preparation of the draft decision on financial arrangements will be submitted to the twenty-eighth meeting of the Working Group of the Parties for consideration;

(b) The revised draft decision on financial arrangements will be prepared, taking into account the comments received at the twenty-eighth meeting of the Working Group of the Parties, and made available online to Parties, NGOs, the general public and other interested stakeholders for comments (third quarter of 2024);

(c) Taking into account the comments received, the revised draft decision on financial arrangements will be prepared by the Bureau, made available online for comments, and submitted to the twenty-ninth meeting of the Working Group of the Parties (in 2025) for further discussion and approval, with a view to submitting it for adoption by the Meeting of the Parties at its eighth session (scheduled for 2025).

Annex I

Draft decision on financial arrangements

The Meeting of the Parties,

Recalling article 10 (3) of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which states that the Meeting of the Parties to the Convention may, as necessary, consider establishing financial arrangements on a consensus basis,

Recalling also its decisions I/13,¹ II/6,² III/7,³ IV/7,⁴ V/7,⁵ VI/6⁶ and VII/6,⁷ through which an interim voluntary scheme of contributions, open to contributions from Parties, Signatories and other States having opted to participate therein, has been established and maintained,

Having considered the outcomes of the assessment of the current interim scheme of contributions (ECE/MP.PP/WG.1/2013/9), and recalling discussions and decisions at each of the previous sessions of the Meeting of the Parties on financial arrangements under the Convention about the need to establish financial arrangements based on the goals of stability, predictability and an equitable sharing of the burden,

Recognizing the need to:

- (a) Ensure that sufficient resources are available to implement the Convention's work programme for 2026–2029, adopted through decision VIII/...,
- (b) Ensure a scheme of financial contributions that is transparent and accessible to all Parties, Signatories and other States and organizations wishing to contribute,
- (c) Establish financial arrangements under the Convention based on the principles of an equitable sharing of the burden, stable and predictable sources of funding, accountability and sound financial management,

[Expressing its serious concern that the financial burden has not been evenly distributed during the current intersessional period, with several Parties and Signatories not contributing at all,]⁸

Believing that alternative options to the financial arrangements in place under the Convention should be considered by the Meeting of the Parties at its next session to ensure that the arrangements meet the goals of stability, predictability and an equitable sharing of the burden,

1. **Option A for voluntary contributions:** *[Agrees to continue to use the existing interim scheme of contributions as reflected in decision VII/6 of the Meeting of the Parties to the Convention (ECE/MP.PP/2021/2/Add.1);]* **Option B for recommendatory contributions:** *[Establishes a recommendatory scheme of contributions;]* **Option C for mandatory contributions:** *[Establishes a mandatory scheme of contributions]* aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

- (a) The Parties should collectively ensure that the costs of the activities of the work programme that are not covered by the United Nations regular budget are covered through the financial scheme;

¹ See ECE/MP.PP/2/Add.14.

² See ECE/MP.PP/2005/2/Add.10.

³ See ECE/MP.PP/2008/2/Add.15.

⁴ See ECE/MP.PP/2011/2/Add.1.

⁵ See ECE/MP.PP/2014/2/Add.1.

⁶ See ECE/MP.PP/2017/2/Add.1.

⁷ See ECE/MP.PP/2021/2/Add.1.

⁸ This paragraph is to be verified closer to the adoption of the decision.

Relevant for Option C only: [(b) The burden of covering the costs of the activities shall be distributed among the Parties and Signatories to the Convention in proportion to the United Nations scale of assessments,⁹ with the indicative contribution of each Party for 2024 being as shown in annex II hereto;

(c) The scale of assessments shall be adjusted so that no Party or Signatory is required to contribute more than 22 per cent¹⁰ of the estimated costs to be covered by the scheme;

(d) Each Party or Signatory shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph ... [above/below] to the total estimated costs of the activities, but each contribution should not be less than stated in subparagraph ... [above/below];]

Relevant for Options A, B and C:

[(b)] No Party or signatory is expected to contribute less than \$1,000 for the Convention's work programme in its contribution for a given calendar year;

[(c)] Contributions shall be made in cash and shall not be earmarked for a particular activity;

[(d)] Additional contributions may be made in cash or in kind and may be earmarked for a particular activity;

[(e)] Contributions in cash shall be made through the United Nations Economic Commission for Europe Trust Fund for Local Technical Cooperation (Aarhus Convention project);

[(f)] If allowed by the domestic budgetary procedures of the Parties, contributions for a given calendar year should be made by 1 October of the preceding year, or, where this is not an option, it is recommended that contributions be made in the first six months of the calendar year, so as to secure payment of staff costs for the smooth functioning of the secretariat, as a priority, and the timely and effective implementation of the priority activities of the respective programme of work;

[(g)] To keep administrative costs related to fund management to a minimum, insofar as possible and subject to the internal budgetary procedures of the Parties, contributions should preferably be paid net, with possible charges at the expense of donors, concentrated as much as possible within the intersessional period, by, for example, making multi-annual or annual contributions continuously (for every calendar year) and by merging contributions for the Aarhus Convention and the Protocol into one transfer, if appropriate;

[(h)] Parties pledge, where possible, prior to the adoption of a work programme by the Meeting of the Parties, their expected annual or multi-annual financial and in-kind contributions. Signatories, other interested States and organizations may also wish to indicate their expected contributions;

2. *Requests* Parties to contribute each year or to make multi-annual contributions towards the costs of activities under the work programme, in accordance with the scheme referred to in paragraph 1 above;

3. *Invites* Signatories, other interested States and public entities, as well as the private sector, in accordance with the 2015 Guidelines on a principle-based approach to the

⁹ The United Nations scale of assessments is adopted by the General Assembly for a three-year period. It provides the basis for calculating the contributions of States Members of the United Nations to the United Nations regular budget. In December 2021, the General Assembly adopted resolution 76/238 on a scale of assessments for the apportionment of the expenses of the United Nations for the period 2022–2024 (A/RES/76/238). As reaffirmed in para. 4 of that resolution, the fundamental principle for calculating Member States' contributions is that "the expenses of the Organization shall be apportioned broadly according to capacity to pay".

¹⁰ In accordance with General Assembly resolution 76/238, para. 7 (h), which refers to 22 per cent for the period 2022–2024.

cooperation between the United Nations and the business sector,¹¹ to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Calls upon* countries with economies in transition to finance, to the extent possible, their own participation in the activities;

5. *Calls upon* international organizations working in countries with economies in transition to support the participation of representatives of those countries and non-governmental organizations in the meetings and other activities;

6. *Encourages* Parties that have historically contributed generously to maintain, or return to, their previous levels of contribution;

7. *Calls upon* all Parties to substantially increase their annual [voluntary] contribution to cover fully the requirements of the work programme, taking into account the expanded workload and complexity of the tasks regarding compliance matters, including with regard to advisory support and capacity-building under the Compliance Committee for the Parties concerned and the pressing need for safeguarding of environmental defenders leading to a rise in the number of related requests;

8. *Also calls upon* all Parties to increase their additional annual contribution to support the work of the Compliance Committee due to its increased workload;

9. *Requests* all Parties to ensure the equitable distribution of the financial responsibility for implementation of the work programme, and requests the Bureau to liaise with Parties where appropriate concerning the achievement of this goal;

10. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to allocate in the Convention trust fund, by 1 October of each year, the sum required for the extension of the contracts of extrabudgetary staff of the secretariat for the upcoming year, as a priority, and also costs needed for implementation of activities in the first quarter of the upcoming year;

11. *Also requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports specifically indicating contributions, and reflecting any changes to:

(a) The estimated costs of activities for the next calendar year;

(b) The composition of the Parties, for review by the Working Group of the Parties, in order to strive to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

12. *Requests* the Bureau, with the assistance of the secretariat, to provide an estimation of the operational costs needed for the effective functioning of the Convention, which should be clearly distinct from the cost of other activities that are subject to the availability of resources;

13. *Requests* the Working Group of the Parties to consider, in the light of the above-mentioned annual reports, whether changes would be required in the content or time frame of the work programme, in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

14. *Requests* the secretariat to prepare a comprehensive report on financial matters for each session of the Meeting of the Parties, including information on how much Parties and other participating States and organizations have contributed to the budget of the Convention in cash and in kind, and how the contributions were spent;

15. *Agrees* to review the operation of the scheme of financial arrangements at its ninth session;

16. *Mandates* the Bureau and the Working Group of the Parties to explore, in the next intersessional period, options for more predictable, stable and equitably shared funding,

¹¹ United Nations, Global Compact, report, 2015 (revised). Available at www.unglobalcompact.org/library/3431. This source will be checked closer to the adoption date.

and requests them to make the appropriate proposals for consideration by the Meeting of the Parties at its ninth session;

17. *Requests* the United Nations Economic Commission for Europe (ECE) to allocate more resources to support the work under the Convention, noting in this regard the positive evaluation of the Environment subprogramme during the 2013 review of the 2005 reform of the Commission,¹² the Self-evaluation on the activities serviced by ECE under the Aarhus Convention and its Protocol on Pollutant Release and Transfer Registers¹³ and considering, inter alia, the balance in the use of regular budgetary resources in the different subprogrammes.

¹² *Official Records of the Economic and Social Council, 2013, Supplement No. 17 (E/2013/37-E/ECE/1464, annex III, paras. 7–8).*

¹³ See https://unece.org/evaluation-reports#accordion_2.

[Annex II

Indicative contributions for 2024

<i>Column A: Countries (Parties and Signatories)</i>	<i>Column B: United Nations scale of assessments (percentage)^a</i>	<i>Column C: Adjusted United Nations scale of assessments (percentage)^b</i>	<i>Column D: Amount to be contributed for 2024 (US dollars):</i>
Albania	0.008	0.026	
Armenia	0.007	0.023	
Austria	0.679	2.221	
Azerbaijan	0.030	0.098	
Belgium	0.828	2.708	
Bosnia and Herzegovina	0.012	0.039	
Bulgaria	0.056	0.183	
Croatia	0.091	0.298	
Cyprus	0.036	0.118	
Czechia	0.340	1.112	
Denmark	0.553	1.809	
Estonia	0.044	0.144	
European Union ^{c, d}	—	—	
Finland	0.417	1.364	
France	4.318	14.124	
Georgia	0.008	0.026	
Germany	6.111	19.989	
Greece	0.325	1.063	
Guinea-Bissau	0.001	0.003	
Hungary	0.228	0.746	
Iceland	0.036	0.118	
Ireland	0.439	1.436	
Italy	3.189	10.431	
Kazakhstan	0.133	0.435	
Kyrgyzstan	0.002	0.007	
Latvia	0.05	0.164	
Liechtenstein	0.01	0.033	
Lithuania	0.077	0.252	
Luxembourg	0.068	0.222	
Malta	0.019	0.062	
Monaco	0.011	0.036	
Montenegro	0.004	0.013	
Netherlands	1.377	4.504	
North Macedonia	0.007	0.023	
Norway	0.679	2.221	
Poland	0.837	2.738	
Portugal	0.353	1.155	
Rep. of Moldova	0.005	0.016	
Romania	0.312	1.021	
Serbia	0.032	0.105	

<i>Column A: Countries (Parties and Signatories)</i>	<i>Column B: United Nations scale of assessments (percentage)^a</i>	<i>Column C: Adjusted United Nations scale of assessments (percentage)^b</i>	<i>Column D: Amount to be contributed for 2024 (US dollars):</i>
Slovakia	0.155	0.507	
Slovenia	0.079	0.258	
Spain	2.134	6.980	
Sweden	0.871	2.849	
Switzerland	1.134	3.709	
Tajikistan	0.003	0.010	
Turkmenistan	0.034	0.111	
Ukraine	0.056	0.183	
United Kingdom	4.375	14.311	
Total	30.573	100.0	

^a Figures in column B are based on the scale of assessments contained in General Assembly resolution 76/238 on a scale of assessments for the apportionment of the expenses of the United Nations for the period 2022–2024 (A/RES/76/238), adopted on 24 December 2021.

^b The percentages from the United Nations scale of assessments have been adjusted for the Convention by using a multiplier of 3.271, in order to arrive at a total of 100 per cent.

^c Subject to footnote d below on the contribution of the European Union, the figures in column D would be derived by multiplying the percentage value in column C by the annual estimated cost requirement of the work programme, as specified in the draft decision on the work programme 2026–2029 (ECE/MP.PP/...). The actual amounts for the contribution of each Party and Signatory between 2026 and 2029 will be calculated in due course, subject to the consideration and approval of the draft decision on the work programme for 2026–2029.

^d A percentage has not been assigned to the European Union, since the European Union is not included in the United Nations scale of assessments and therefore it is not possible to calculate the level of its contribution on the same basis as with the other Parties and Signatories (i.e. on the basis of the adapted United Nations scale of assessments). Pursuant to paragraph 2 of decision I/13 of the Meeting of the Parties, the European Union contribution to activities under the work programme not covered by the United Nations regular budget would account for 2.5 per cent of the total needed for core activities. This commitment is subject to annual endorsement by the budgetary authorities of the European Union.]