

November 29th, 2023

To: National Focal Points to the Aarhus Convention

Re: Call for action to address critical funding needed to support the Aarhus Convention's Compliance Committee

Dear National Focal Points,

We, the undersigned non-governmental organizations, write to you as a matter of great urgency to call on you to address the critical funding needs of the Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters). Specifically, sustainable funding on a continuous basis is urgently needed for legal staff in the Convention's secretariat to support the Aarhus Convention Compliance Committee. As you may recall, at the 27th meeting of the Working Group of the Parties to the Aarhus Convention in June 2023, the Parties recognized the seriousness of the funding situation and in particular recognized the need to provide urgent funding support as a priority for work programme area "V. Compliance mechanism".¹ Now is the time to follow through and to specifically ensure effective support for the Convention's Compliance Committee.

We call upon you and your respective ministries to forward this letter to all relevant individuals and governmental entities and to do all you can to ensure an affirmative and engaged response to our request. This will include bringing this letter to the most senior officers in your relevant ministries. It may also require reaching out to other ministries, each according to their respective and relevant mandates.

On 13 June 2023, Mr. Saladžius, the Chair of the Meeting of the Parties (MOP) to the Aarhus Convention, wrote to all Parties to the Convention to highlight the "alarming" financial issues the Convention is currently facing.² This is due not only to the fact that agreed-upon contributions have failed to be delivered, but also to the fact that such contributions, even where fulfilled duly and in full, are not enough.

This is due particularly to the unpredictable nature of fulfillment of contributions and commitments, and ultimately given the inadequacy of the overall funding contributions, as the workload for the secretariat supporting the compliance mechanism has increased significantly in the light of:

- In the present intersessional period (2022-2025), the number of Parties (18 Parties) subject to the Compliance Committee's follow-up procedure on MOP decisions and requests on the compliance of individual Parties has increased by 50% since the 2018-2021 intersessional period (during which just 12 Parties were subject to the Committee's MOP follow-up);
- Of the 47 current Parties to the Convention, 34 have to date been subject to a review of compliance by the Committee;
- The number of communications submitted to the Compliance Committee by members of the public has also continued to steadily increase. Since the Committee began to receive communications in late 2004, it has to date received 206 communications. At the Committee's

¹ ECE/MP.PP/WG.1/2023/2, para. 87(g).

² <https://unece.org/sites/default/files/2023-06/toParties%20letter%20fr%20Chair%20Aarhus%20Convention.pdf>

most recent meeting on 19-22 September 2023, the Committee considered the preliminary admissibility of six new communications submitted to that meeting alone;

- The Committee is receiving increasing requests from Parties for advice – typically on urgent, complex and sensitive matters – for example, the Committee recently had to respond to a request for advice from Ukraine on its obligations in the context of the war. In addition to its pending communications and its MOP follow-up procedure, the Committee is currently preparing recommendations on four requests from Parties for advice.

At the 27th meeting of the Working Group of the Parties in June 2023, the Chair of the Compliance Committee, Ms. Áine Ryall, emphasized the seriousness of the current situation and called on all Parties to provide further resources, on a long-term basis, as a matter of urgency to support the Committee’s vital work. She noted that a tiny secretariat team provided invaluable legal support but it was essential that sufficient financial resources be provided for the secretariat to secure additional legal staff to support the Committee.³ Her strong statement to the Working Group of the Parties comes after she had already made repeated calls in open session at meetings of the Compliance Committee itself for all Parties to provide further resources as a matter of urgency to support the Committee’s important work.⁴

This year 2023 is the 25th anniversary of the adoption of the Convention. For the celebrations to be meaningful, the secretariat of the Convention must be adequately supported so that it may help to address the existential environmental challenges ahead, and so that it can assist Parties and interested Member States to deliver on its objective in Article 1 of contributing to the right of every person of present and future generations to live in an environment adequate to his/her health and well-being, a right bolstered by the UN General Assembly Resolution in 2022 recognizing the right to a clean, healthy, and sustainable environment as a human right.

This year, 2023, is also the midpoint milestone for the delivery of the Sustainable Development Goals (SDGs). Yet we have all [heard](#) in recent weeks UN Secretary General António Guterres highlight that we are hopelessly off track on delivering on the SDGs, stating that “only 15 percent of the targets are on track and many are going in reverse.” He added: “the SDGs need a global rescue plan”. The Aarhus Convention, as you will appreciate, can and should be a key enabler for many of the SDGs, and in this regard the Compliance Committee plays a central role. Accordingly, now is the time that we must move to ensure that the Compliance Committee is adequately supported in fulfilling its mandate pursuant to [Article 15](#) of the Convention and [decision I/7](#) of the Meeting of the Parties.

We ask you to urgently provide sustainable long-term funding for legal staff in the secretariat to support the Compliance Committee, and thereby enable the Compliance Committee to continue its outstanding support to Parties for the implementation of the Convention.

³ Report of the 27th meeting of the Working Group of the Parties (Geneva, 26-28 June 2023), ECE/MP.PP/WG.1/2023/2, para. 43.

⁴ E.g. Report of the Compliance Committee’s 77th meeting (Geneva, 13-16 December 2022), ECE/MP.PP/C.1/2022/9, para. 83; Report of the Compliance Committee’s 78th meeting (Geneva, 21-24 March 2023), ECE/MP.PP/C.1/2023/2, para. 70; Report of the Compliance Committee’s 79th meeting (Geneva, 13-16 June 2023), ECE/MP.PP/C.1/2023/4, para. 70.

We look forward to hearing from you on this call and are very happy to assist in any way we can. We will also follow up to learn what progress has been made and to understand if there is anything further we can do to assist you.



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