



**Economic and Social
Council**

Distr.
GENERAL

ECE/MP.PP/2005/2/Add.9
13 June 2005

ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

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

REPORT OF THE SECOND MEETING OF THE PARTIES

Addendum

DECISION II/5c

**COMPLIANCE BY TURKMENISTAN WITH ITS OBLIGATIONS
UNDER THE AARHUS CONVENTION**

adopted at the second meeting of the Parties
held in Almaty, Kazakhstan, on 25-27 May 2005

The Meeting of the Parties,

Acting under paragraph 37 of the annex to decision I/7 on review of compliance,

Taking note of the report of the Compliance Committee (ECE/MP.PP/2005/13) and its addendum 5 (ECE/MP.PP/2005/13/Add.5), as well as addendum 5 to the report of its seventh meeting (ECE/MP.PP/C.1/2005/2/Add.5), with regard to the case of the Act on Public Associations,

Noting with regret that no response to the communication was provided by the Party concerned pursuant to the requirements set out in the annex to decision I/7,

1. Endorses the following findings of the Compliance Committee:

- (a) Article 5 of the Act on Public Associations is not in compliance with article 3, paragraph 9, of the Convention;
 - (b) Article 17 of the Act on Public Associations is not in compliance with article 3, paragraph 4, of the Convention;
 - (c) By enacting provisions that are not in compliance with article 3, paragraph 9, and article 3, paragraph 4, of the Convention, the Party concerned is not in compliance with the requirement of article 3, paragraph 1, to establish and maintain a clear, transparent and consistent framework to implement the provisions of the Convention;
2. Requests the Government of Turkmenistan to amend the Act on Public Associations with a view to bringing all of its provisions into compliance with the Convention;
 3. Recommends that the Government of Turkmenistan should immediately take appropriate interim measures with a view to ensuring that the provisions of the Act on Public Associations are implemented as far as possible in a manner which is in compliance with the requirements of the Convention;
 4. Also recommends that the Government of Turkmenistan should carry out the measures referred to in paragraphs 2 and 3 above with the involvement of the public and, in particular, relevant national and international organizations, including non-governmental organizations;
 5. Furthermore recommends that the Government of Turkmenistan should develop and make publicly available official guidance on the interpretation of the Act on Public Associations, taking into account the relevant provisions and standards of the Convention; and
 6. Invites the Government of Turkmenistan to submit a report to the Meeting of the Parties, through the Compliance Committee, no less than four months before the third meeting of the Parties on the measures taken to implement the recommendations in paragraph 2.