

JUSTICE AARHUS CONVENTION for our environment

Access to environmental information and regular environment assessments

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Kyiv, Ukraine 5 March 2019

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AARHUS CONVENTION for our environment

Linking Aarhus Convention, Protocol on PRTRs and SEIS





Aarhus Convention

- Adopted in 1998 and entered into force 2001
- Focus on public access to environmental information, public participation and access to justice
- Legally binding
- 47 Parties







Aarhus Convention: scope and types of environmental information



Definition of environmental information (Article 2, paragraph 3)

Material form

Information in written, visual, aural, electronic or any other material form.



and atmosphere, water, soil, land, landscape and natural sites, biological diversity and its components, including these elements.

b) Factors, such as substances, energy, noise and radiation, and activities or measures, including administrative measures, environmental agreements, policies, legislation, plans and programmes, affecting or likely to affect the elements of the environment, and cost-benefit and other economic analyses and assumptions used in environmental decision-making

(c) The state of human health and safety, conditions of human life, cultural sites and built structures, inasmuch as they are or may be affected by the state of the elements of the environment or, through these elements, by the factors, activities or measures referred to in subparagraph (b) above

- **Broad definition providing indicative and non-exhaustive list** ٠ of examples (see also <u>decision VI/1</u> of the Meeting of the Parties, para. 6)
- Cross-sectoral nature of environmental information and its ٠ linkages with geospatial, statistical, hydrometeorological, health, Earth observation and other relevant information possessed by various public authorities
- **Priority categories of information to be disseminated see** also Protocol on Pollutant Release and Transfer Registers, **2005 Recommendations on Electronic Information Tools** (assessment reports in 2007, 2013 and 2017), 49 ECE **Environmental Indicators**
- The potential of reports on the state of the environment and ٠ other assessments at the national, regional and global levels



Aarhus Convention: Information Pillar

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PUBLIC AUTHORITY'S DUTY TO POSSESS, UPDATE AND ENSURE EFFECTIVE PUBLIC ACCESS TO RELEVANT INFORMATION (art 5)

ELECTRONIC INFORMATION TOOLS

Upon request (art. 4)

- No interest to be stated
- As a general rule, in the form requested, including copies of the actual documentation
- Within one month
- Free of charge or at reasonable charges
- Public interest in disclosure to be taken into account for sensitive information
- Restrictive interpretation of exceptions

Through Dissemination (Art.5)

- Identify points of contacts, basic terms and conditions, access process and ways to support public
- Make progressively available in the electronic form through the Internet (portals, databases, lists, registers, files, SoE reports, etc.)
- Disseminate immediate and without delay dissemination in case of threat to human health or the environment

Within the public participation procedure (Art. 5 (7), Art. 6 (2) & (6), 7, 8)

- Provide access to all relevant information (notifications, drafts, comments and final documents)
- Timely
- Effective
- As soon as information becomes available
- Free of charge

Relevant to access to justice (art. 9)

JECE

- Provide access to
- Information on access to administrative and judicial review procedures
- Decisions of courts and other review bodies
- Information on compliance with environmental law

REVIEW PROCEDURES (art. 4 (7) and 9)



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Recommendations on Electronic Information Tools / Priority Categories of Information for disclosure through the Internet



Scoping Environmental Information System(s)

Protocol on PRTRs: win-win tool for industries, government and the public



UNECE

65 activities / 86 substances, categories



Aarhus <u>Decision VI/1:</u> improving data sharing, dissemination and re-use

- E-government initiatives encompassing activities of the public authorities to deploy information and communication technologies for improving knowledge and information in the service of the public
- Open government data initiatives encompassing activities to make information or data produced or commissioned by governments available for everyone to access, reuse and redistribute without any restrictions
- Shared Environmental Information System in the pan-European region launched at the EfE Ministerial Conference in 2011
- Establishment of single web access points, conceived to be user-friendly, that aggregate data and information resulting from different reliable sources
- Promote public accessibility to real-time, as appropriate, up-to-date, accurate and functional environmental information in forms and formats meeting the needs of different users
- Address gaps in access information on the quality of the environment and emissions into the environment in accordance with the Convention, hazardous substances and wastes, environment-related product information and decision-making in environmental matters



Thank you!

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