Format for the Aarhus Convention implementation report in accordance with Decision IV/4 (ECE/MP.PP/2011/2/Add.1)

The following report is submitted on behalf of CYPRUS in accordance with decisions I/8, II/10 and IV/4.

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| Name of officer responsible for submitting the national report: Nasia Dikigoropoulou | |
| Signature: |  |
| Date: 15/5/2014 |  |

Implementation report

Please provide the following details on the origin of this report

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| **Party: CYPRUS** |  |
| **National Focal Point:** | |
| Full name of the institution: Department of Environment, Ministry of Agriculture, Natural Resources and Environment | |
| Name and title of officer: Nasia Dikigoropoulou, Environment Officer | |
| Postal address: 1498 Nicosia, Cyprus |  |
| Telephone: 0035722408924 |  |
| Fax: 0035722774945 |  |
| E-mail: ndikigoropoulou@environment.moa.gov.cy |  |
| **Contact officer for national report (if different):** | |
| Full name of the institution: |  |
| Name and title of officer: |  |
| Postal address: |  |
| Telephone: |  |
| Fax: |  |
| E-mail: |  |

1. Process by which the report has been prepared

*Provide a brief summary of the process by which this report has been prepared, including information on the type of public authorities that were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account, as well as on the material that was used as a basis for preparing the report.*

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| *Answer:*  The report has been prepared by the Department of Environment, which is the competent authority for the implementation of the Aarhus Convention. It will be uploaded on the Department’s webpage, for a two week consultation period, inviting comments from the public, NGOs and other bodies. The results will be used to evaluate the implementation of the Aarhus Convention provisions and will provide insights for the future strategy to be followed regarding access to information and public participation. |
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1. Particular circumstances relevant for understanding the report

*Report any particular circumstances that are relevant for understanding the report, e.g., whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have direct effect upon its entry into force, or whether financial constraints are a significant obstacle to implementation (optional).*

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| *Answer:*  Cyprus has a central decision-making structure and any laws and policies are applicable to the whole country. The provisions of the Convention have been applicable since its ratification in 2003. |
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1. Legislative, regulatory and other measures implementing the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8

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| **List legislative, regulatory and other measures that implement the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8, of the Convention.**  Explain how these paragraphs have been implemented. In particular, describe:  (a) With respect to **paragraph 2,** measures taken to ensure that officials and authorities assist and provide the required guidance;  (b) With respect to **paragraph 3,** measures taken to promote education and environmental awareness;  (c) With respect to **paragraph 4,** measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection;  (d) With respect to **paragraph 7,** measures taken to promote the principles of the Convention internationally; including:  (i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, of the Convention and the Almaty Guidelines, indicating whether the coordination measures are ongoing;  (ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which access to information was provided;  (iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g., inviting non-governmental organization (NGO) members to participate in the Party’s delegation in international environmental negotiations, or involving NGOs in forming the Party’s official position for such negotiations), including the stages at which access to information was provided;  (iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;  (v) Measures taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums;  (e) With respect to **paragraph 8,** measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed |
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| *Answer:*  **Paragraph 1: A Clear, transparent and consistent framework to implement the Convention**  The legislation that has been enacted has facilitated the establishment of a clear and consistent framework enabling access to information and participation in decision-making processes. No changes in sectoral legislation have been enacted to in any way limit participation.  **Paragraph 2: Assistance and guidance to the public in public participation matters**  In 2004 the Law on Public Access to Environmental Information (No. 119(I)/2004) came into force, based on the requirements of the relevant EU Directive 2003/4/EC. According to its provisions, public authorities are required to make available the environmental information held by or for them to any applicant at his/her request and without his/her having to state an interest. In implementing this, public authorities must ensure that:   * 1. its officials support the public in seeking access to information, and   2. its lists are publicly accessible, to which end public authorities must establish practical arrangements to ensure that the right of access to environmental information is exercised effectively, including the designation of information officers, establishment and maintenance of facilities for the examination of the information requested, and maintenance of registers or lists of the environmental information held by public authorities or information centers with clear references as to where such information can be obtained.   The Law specifies that environmental information must progressively become available in electronic databases which are easily accessible to the public through public telecommunication networks. To this end, the Department of Environment, as well as other public authorities, is progressively uploading information on their websites to enable wider public access.  Most competent authorities have prepared registers and lists of the environmental information they hold. Information regarding these practical arrangements has been posted on the website of the Ministry of Agriculture, Natural Resources and Environment and the websites of other competent public authorities. The Department of Environment is currently upgrading the section of its website relating to access to information and public participation, to include steps and guidelines for public authorities and the public, regarding the law on access to information, practical arrangements (information officers, facilities, available information, etc), and online request forms. To assist public authorities in implementing the Aarhus Convention provisions and the general public in exercising their rights under these provisions, the Department of Environment will prepare an online Aarhus Manual, based on the Aarhus Implementation Guide currently discussed.  Regarding public participation, the legislative framework on waste management and packaging (N.185(I)/2011, 159(I)/2005), on the management of waste from the extractive industries (N.82(I)/2009), and pollution prevention, as well as the laws on the assessment of the impacts on the environment from certain projects (140(I)/2005) and certain plans and programmes (102(I)/2005) incorporate provisions which facilitate public participation in the decision-making process. According to their provisions, the competent authorities must notify the public through the Official Gazette of the Republic, two daily newspapers and the Internet of any proposal for projects, plans or programmes covered by these Laws, together with the times and place where the relevant information can be accessed and the practical provisions for submitting opinions. All the relevant information regarding a project, plan or programme, including information on the ways in which the opinions of the public have been taken into account in the decision-making process is kept in registers which are accessible to the public. The competent authorities are obliged to notify the public of any opinions expressed, decisions taken and how the registers can be accessed.  Concerning access to justice, obligations under the law on public access to environmental information and the laws which incorporate public participation mechanisms provide that the competent authority must inform interested parties on their rights to an appeal procedure.  **Paragraph 3: Environmental education and awareness raising**  The Department of Environment actively supports environmental awareness campaigns and provides financial assistance for education and awareness campaigns or other similar events organized by non-governmental organisations, local authorities and schools.  Furthermore, its website has been designed to facilitate the dissemination of information on a variety of topics, including public rights under the Aarhus Convention, so as to promote environmental education and raise awareness on environmental issues. Recognizing that a significant section of the public to a large extent still remains unaware of the major environmental issues, further targeted attempts will be made towards raising public awareness, informing the public and ensuring accessibility of information. The public is also informed through newsletters, leaflets, seminars, workshops, festivals etc. Especially for waste management there is an ongoing campaign targeted at schools and local authorities on proper waste management, separate collection, recycling, composting etc.  **Environmental education**: The environment has long been introduced in the curriculum of lower education. A new programme is currently implemented in primary schools on Education for Sustainable Development. The programme focuses on the consideration of environmental issues in a holistic and interconnected approach in light of the social, economic, political and cultural factors which influence them. The purpose is to shape environmentally conscious citizens, having the necessary knowledge and skills to actively protect the environment and effectively participate in the decision-making process.  **Environmental awareness raising by NGOs**: A number of NGOs actively participate in environmental awareness raising through targeted campaigns and seminars. Over the past few years NGOs like Birdlife Cyprus, Terra Cypria, Friends of the Earth Cyprus and CYMEPA have been organizing information campaigns and educational seminars on key environmental issues like nature protection, species conservation, GMOs, marine and coastal protection, climate change, resource efficiency, etc. Government has been supporting such activities through joint events and funding programmes. All the projects funded under the EU LIFE programme include a variety of awareness activities, including seminars and information campaigns.  **Paragraph 4: Support for environmental NGOs**  Listen  Read phonetically  The importance and role of NGOs has long been recognized and their participation in the decision-making process has been ensured through the relevant environmental legislation. The Federation of Environmental and Ecological Organizations of Cyprus, which represents several NGOs, is a permanent member of all major committees formed under environmental law, including the Scientific Committee for the Protection of Nature and Wildlife, the Committee for Genetically Modified Organisms, the Committee for Waste Management, the Committees for the Evaluation of Environmental Impact Assessment, and the Committee for the Evaluation of Strategic Environmental Assessments.  NGOs are registered under the Law on the establishment, operation and dissolution of societies and institutions by the appointed Registrar, either as societies and institutions. Although it is not mandatory for an NGO to be registered, it is necessary if it is to acquire corporate personality. For the registration legal assistance is required for the preparation of the articles of association or act of incorporation, depending on the case and no charges are made for the actual registration. |
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1. Obstacles encountered in the implementation of article 3

D*escribe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 3 listed above.*

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| *Answer*: |
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1. Further information on the practical application of the general provisions of article 3

*Provide further information on the* ***practical application of the general provisions of article 3.***

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| *Answer*: |
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1. Website addresses relevant to the implementation of article 3

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Legislative, regulatory and other measures implementing the provisions on access to environmental information in article 4

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| **List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4.**  Explain how each paragraph of article 4 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:  (a) With respect to **paragraph 1,** measures taken to ensure that:  (i) Any person may have access to information without having to state an interest;  (ii) Copies of the actual documentation containing or comprising the requested information are supplied;  (iii) The information is supplied in the form requested;  (b) Measures taken to ensure that the time limits provided for in **paragraph 2** are respected;  (c) With respect to **paragraphs 3 and 4,** measures taken to:  (i) Provide for exemptions from requests;  (ii) Ensure that the public interest test at the end of paragraph 4 is applied;  (d) With respect to **paragraph 5,** measures taken to ensure that a public authority that does not hold the environmental information requested takes the necessary action;  (e) With respect to **paragraph 6,** measures taken to ensure that the requirement to separate out and make available information is implemented;  (f) With respect to **paragraph 7,** measures taken to ensure that refusals meet the time limits and the other requirements with respect to refusals;  (g) With respect to **paragraph 8,** measures taken to ensure that the requirements on charging are met. |
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| *Answer*:  **Implementation of Article 4**  The Law on Public Access to Environmental Information (119(I)/2004) implements the requirements of Article 4 of the Convention, which transposes the relevant EU Directive 2003/4/EC.  **Provisions of the Law on Public Access to Environmental Information (No. 119(I)/2004)**  **Definitions** – definitions are detailed in Article 2 of the Law, as follows  Public Authority: In accordance with Article 2 of the Convention, public authority is defined to include   * + Any government or other public administration (including municipalities and community councils, public utilities, public bodies and public advisory bodies, at national, regional or local level)   + Any person performing public administrative functions under national legislation (including specific duties, activities or services relating to the environment)   + Any person exercising public responsibilities or functions or providing public services relating to the environment under the control of a body or person falling under the above.   Public: Public has been defined to include one or more persons, and their associations, organizations and unions.  Environmental information, has been defined to include any information in written, visual, aural, electronic or other form, concerning:   * The state of the elements of the environment, such as air and atmosphere, water, soil, landscape and natural sites, including wetlands, coastal and marine areas, biodiversity and its components, including genetically modified organisms, and the interaction among these elements; * Factors, such as substances, energy, noise, radiation or waste, discharges and emissions into the environment, affecting or likely to affect the elements of the environment; * Measures, including legislation and administrative measures, such as policies, plans, programmes, environmental agreements and activities affecting or likely to affect the elements and factors, as well as measures or activities designed to protect these elements; * Reports on the implementation of environmental legislation; * Economic analyses and assumptions used within the framework of the measures and activities referred to above; and * The state of human health and safety, including the contamination of the food chain, conditions of human life, sites and built structures, in as much as they are or may be affected by the state of the elements or through the factors or measures mentioned above.   In addition, "applicant" has been defined as any natural or legal person requesting environmental information, "information held by a public authority" as environmental information in its possession which has been produced or received by that authority; and "information held for a public authority" as environmental information which is held by a natural or legal person on behalf of a public authority.  The competent Minister is the Minister of Agriculture, Natural Resources and Environment.  **Public access to environmental information**  Public authorities are obliged to provide environmental information held by or for them to any applicant, without his having to state an interest. The information must be provided to the applicant within one month after receipt of the application by the public authority, or within two months, in cases when the volume and complexity of the information requested is such that the one month period cannot be complied with. The applicant must be informed as soon as possible and before the end of the one month period of any such extension and the reasons for it.  **Clarifications**  When the request is formulated in too general a manner, the public authority asks the applicant, within the one month time period, to specify the request and offers assistance, for example by providing information on the use of registers or lists of the environmental information held.  **Requests for information of a specific form or format**  Where an applicant requests environmental information in a specific form or format, the public authority satisfies the request unless the information is already publicly available in another form or format which is easily accessible to the applicant, or it is reasonable for the public authority to provide this information in another form or format, in which case, the reasons for this must be stated. Public authorities must endeavor to ensure that environmental information held by or on their behalf is available in a form or formats that are readily reproducible and accessible by computer telecommunications and other electronic means. The reasons for refusal (in whole or in part) of the request in the form or format requested must be communicated to the applicant within the one month time limit.  **Assistance provided by public authorities**  Public authorities must ensure that officials support the public in seeking access to information and that their lists are publicly accessible. For this purpose, public authorities must define practical measures to ensure that access to environmental information is exercised effectively. This may include the designation of information officers, the establishment and maintenance of facilities for the examination of the information requested, and the maintenance of registers or lists of environmental information held by public authorities with clear references to where such information can be found.  **Informing the public**  The public must be informed of their rights under the Law and provide, to the extent appropriate, information, guidance and advice to this end.  **Exceptions**  Public authorities may refuse a request for environmental information if:   1. The information requested is not held by or for the public authority to which the request is addressed. In this case, where the public authority is aware that the information is held by or for another public authority, it shall forward the request to that authority and inform the applicant accordingly or notify the applicant of the public authority to which it believes is possible to apply to obtain the information. 2. The request is manifestly unreasonable, formulated in too general a manner, concerns material in the course of completion or unfinished documents and data, or internal communications.   A public authority may also refuse requests for information if the disclosure of such information could adversely affect:   1. The confidentiality of the proceedings of public authorities where such confidentiality is provided for by law. 2. The international relations of the Republic of Cyprus, public security and national defense. 3. The course of justice, the right of any person to a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature. 4. The confidentiality of commercial or industrial information where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy. 5. Intellectual property rights. 6. The confidentiality of personal data or records relating to a natural person where that person has not consented to disclosure of the information. 7. The interests or protection of any person who supplied the information requested voluntarily unless that person has consented to the disclosure of the information. 8. The protection of the environment to which such information relates, such as the location of rare species.   Public authorities may not refuse a request for access to information on emissions into the environment. A refusal for the provision of information must be communicated to the applicant in writing, if the request was in writing or if the applicant so requests, within the time frames mentioned above, also stating the reasons for the refusal and information on the appeals procedure. Where possible, the information may be made available in part, if the information can be separated. The grounds for refusal are interpreted in a restrictive manner, taking into account the public interests served by disclosure or refusal.  In the case of a refusal, the Law provides that if the public authority is aware that the information requested is held by or for another public authority, it shall, as soon as possible, forward the request to the authority concerned and inform the applicant accordingly, or inform the applicant of the public authority to which it believes it is possible to apply for the information. Furthermore, where the request is refused on the basis that it concerns material in the course of completion, the public authority shall inform the applicant of the name of the authority preparing the material and the estimated time for completion.  In the case of registers kept under specific laws, such as the environmental impact assessment legislation, waste management legislation, etc, information considered as confidential under the law, is withheld.  **Charges**  Access to public registers and lists compiled and maintained in accordance with this law is free. Public authorities may apply a charge for providing environmental information provided that such charges do not exceed the reasonable cost of providing the information. When charges are made, public authorities must publish a schedule of charges and information regarding the circumstances under which charges may be levied or waived.  Most public authorities holding environmental data have not to this point applied charges for supplying environmental information. Charges are made by certain departments only when supplying copies of planning permits, maps, including digital maps, and statistical publications which relate to the environment. Detailed schedules of charges are always posted in the offices of the competent authorities and their websites, and applicants are informed when making an application if a charge needs to made and where detailed schedules can be found. |
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1. Obstacles encountered in the implementation of article 4

*Describe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 4.*

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1. Further information on the practical application of the provisions of article 4

*Provide further information on the* ***practical application of the provisions on access to information in article 4****, e.g., are there any statistics available on the number of requests made, the number of refusals and the reasons for such refusals?*

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| *Answer*:  **Paragraph 1: Provision of information**  All public authorities keep official records of all correspondence and other documents, including information requests and the responses provided. Only the basic correspondence data are officially required to enable the public authority to respond to information requests. Original providers of information may contact the competent authority in cases of misuse of information. Authorities will respond to such claims accordingly on a case-by-case basis.  **Paragraph 2: Timeliness of information**  Information must be provided within the time limits established by law, which also apply for refusals. An applicant has the rights to an appeals procedure before the Minister or the Supreme Court if a public authority fails to respond to an information request within the established timeframes.  **Paragraph 3: Refusals**  As mentioned above, when a request is formulated in too general a manner, the public authority assists the applicant in clarifying the request, for example by providing information on the use of registers or lists of environmental information held or by explaining the fields and types of information available. Regarding materials that directly or indirectly serve as a basis for an administrative decision, these may be regarded as confidential if they concern internal communications or if they concern material in the course of completion. In each case the public interest served by disclosure will be taken into account accordingly.  **Paragraph 4: Commercial confidentiality and personal data**  Personal data is defined by the Law on the Processing of Personal Data (Protection of Individuals) (No. 138(I)/2001) as any information relating to a living data subject. Under the same law, person means any natural person or any public or private corporate body whether or not it has legal personality, therefore a legal person may have personal data protection.  Regarding commercial confidentiality, a number of laws relate to the various categories of commercial or industrial information, including:   * The Trade Marks (Amendment) Law of 2000 176(I)/2000. * The Patents (Amendment) Law of 2000, 153(I)/2000. * The Patents (Amendment) Law of 2002, 163(I)/2002. * The Copyright and Related Rights (Amendment) Law of 2002, 128(I)/2002. * The Industrial Designs and Models Law of 2002, 4(I)/2002. * The Legal Protection of Semiconductor of topographies Law 2002, 5(I)/2002. * The Appellations of Origin and Geographical Indications of Agricultural Products and Foodstuffs Law of 2006, 139(I)/2006. * The Copyright and Related Rights (Amendment) Law of 2004, 128(I)/2004. * The Legal Protection of New Varieties of Plants Law of 2004, 21(I)/2004. * The Copyright and Related Rights (Amendment) Law of 2006, 123(I)/2006. * The Legal Protection of Industrial designs and Models (Amendment) Law of 2006, 119(I)/2006. * The Legal Protection of Semiconductor of Topographies (Amendment) Law of 2006, 120(I)/2006. * The Trade Marks (Amendment) Law of 2006, 121(I)/2006. * The Patents (Amendment) Law of 2006, 122(I)/2006.   **Benefits and limitations**  Implementation of these provisions has had a positive impact on the involvement of civil society particularly on projects and plans that may have an impact on the environment, as well as on compliance with permits and decisions. The public now has better access to environmental information so as to formulate more informed opinions and participate more effectively in decision-making. Access to particular information, such as consents and permits also ensures that they can voice their concerns and report cases of non-compliance. The negative impact is the administrative burden imposed on public authorities, particularly in cases where a significant volume of information may be requested, in a particular format, especially since such information may be held by a number of different departments.  **Paragraph 3: Access to justice under national environmental law**  **ACCESS TO information under the Waste Management Laws**  The provisions for access to information and public participation, under the Waste Law, No. 185(I)/2011, ensure that early and effective opportunities are given to the public concerned to participate in preparation and modification or review of the plans and/or programmes.  In the above cases, the Minister informs the public through a notification published in the Official Gazette, in two widely circulated daily newspapers and the internet, about:   1. any proposal for such plans or programmes or for their modification or review 2. details regarding the proposal for plan or program, can be examined during the working days and hours at the offices of the Environmental Authority, 3. that any person can submit comments or opinions to the Environmental Authority regarding the content of the proposal, within 36 days from the date of the notification.   The Environmental Authority informs the public through the internet of any proposals for plans or programmes or for their modification or review, as well as of any opinions and comments submitted by the public during the consultation period.  During the evaluation of proposals consultations are carried out with the public, including public hearings. The public with which the Environmental Authority carries out consultations includes the public that is affected or likely to be affected, or whose interests are at stake from the decision- regarding a plan and/or programme and includes non-governmental organizations promoting environmental protection. The results of the public participation and consultation are taking account of a decision.  The approval of the plan and/or programme, by the Council of Ministers is published through a notification in the Official Gazette of the Republic, two daily newspapers and through the Internet (Website of Department of Environment).  The Environmental Authority keeps a Register of the following information:   * all the proposals submitted, * the opinions and comments expressed by the public, * Information on how the various opinions and suggestions were taken into consideration by the Council of Ministers in its final decision and the reasoning and estimations on which the final decision was based.   The Register is available to the public and can be examined during working days and hours.  **ACCESS TO information under the Nature Protection Laws**  According to article 9(4) of the Law for the Protection and Management of Nature and Wildlife (no. 153(I)/2003), the public can access the database that is kept in the Department of Environment, containing Special Areas of Conservation, Sites of Community Importance, Special Protected Areas and areas that include priority habitats and species, as mentioned in art. 9(1).  **ACCESS TO information under the LAW ON THE management of the waste from the extractive industries**  The provisions for access to information and public participation, under the Management of the waste from extractive industries Law, ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:   1. the granting of   a mining waste management permit, 2. the granting of a permit for any substantial change, 3. the updating of a mining waste management permit, 4. the granting of an approval of a mining waste management plan 5. the granting of an approval for any substantial change 6. the updating of an approval of a mining waste management plan   In the above cases, competent authorities inform the public by Notification published in the Gazette, in two widely circulated newspapers and on the internet, at the beginning of the decision making process or, at the latest, as soon as the information can reasonably be provided, about:   1. the application for a permit or, as the case may be, the proposal for the updating of a permit or of permit conditions, including the description of the elements contained, 2. where applicable, the fact that a decision is subject to a national or transboundary environmental impact assessment or to consultations between Member States, 3. details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions can be submitted, and details of the time schedule for transmitting comments or questions, 4. the nature of possible decisions or, where there is one, the draft decision, 5. where applicable, the details relating to a proposal for the updating of a permit or of permit conditions, 6. an indication that the relevant information is available at the offices of competent authorities during working hours, 7. an indication that any opinions or representations from the public concerned may be submitted within 35 days from the publication of the Notification, 8. details of the arrangements for public participation and consultation, focusing mainly to the following: date and place of the public consultation, the deadline for submitting written views and positions, subjects identified as essential by the competent authorities, etc. 9. the main reports and advice issued to the competent authorities at the time when the public concerned were informed, 10. other information relevant to the decision, which only becomes available after the time the public concerned was informed,   The competent authorities evaluate and take into account the results of the public participation and consultation in the taking of a decision. When a decision on granting, reconsideration or updating of a permit has been taken, the competent authority make available to the public, including via the Internet in relation to points (a), (b) and (f), the following information:   1. the content of the decision, including a copy of the permit and any subsequent updates, 2. the reasons on which the decision is based,   the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision.  **ACCESS TO INFORMATION UNDER ANY OTHER LAWS**  According to Article 10 of the Law on Environmental Noise the competent authority must ensure that the strategic noise maps prepared, and where appropriate adopted, and the action plans drawn up are made available and disseminated to the public in accordance with the Law 119(I)/2004, including by means of available information technologies. The information must be clear, comprehensible and accessible. A summary setting out the most important points must be provided. |
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1. Website addresses relevant to the implementation of article 4

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Legislative, regulatory and other measures implementing the provisions on the collection and dissemination of environmental information in article 5

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| **List legislative, regulatory and other measures that implement the provisions on the collection and dissemination of environmental information in article 5.**  Explain how each paragraph of article 5 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:  (a) With respect to **paragraph 1,** measures taken to ensure that:  (i) Public authorities possess and update environmental information;  (ii) There is an adequate flow of information to public authorities;  (iii) In emergencies, appropriate information is disseminated immediately and without delay;  (b) With respect to **paragraph 2,** measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible;  (c) With respect to **paragraph 3,** measures taken to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks;  (d) With respect to **paragraph 4,** measures taken to publish and disseminate national reports on the state of the environment;  (e) Measures taken to disseminate the information referred to in **paragraph 5**; |
| (f) With respect to **paragraph 6,** measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products;  (g) Measures taken to publish and provide information as required in **paragraph 7**;  (h) With respect to **paragraph 8**, measures taken to develop mechanisms with a view to ensuring that sufficient product information is made available to the public;  (i) With respect to **paragraph 9,** measures taken to establish a nationwide system of pollution inventories or registers. |
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| *Answer*:  **Implementation of Article 5**  **Dissemination of information under the provision of Law 119(I)/2004**  With respect to Article 5 of the Convention, according to the Law on Public Access to Environmental Information (119(I)/2004) public authorities shall organize the environmental information which is relevant to their function and which is held by or for them, with a view to its active and systematic dissemination to the public, in particular by means of computer telecommunications and/or electronic technology where available. Specifically, it implements the following provisions:  **Requests for information of a specific form or format**  Public authorities must endeavour to ensure that environmental information held by or on their behalf is available in a form or formats that are readily reproducible and accessible by computer telecommunications and other electronic means.  **Informing the public**  All public authorities shall organize the environmental information relevant to their functions which is held by or for them, for its active and systematic dissemination. Generally, environmental information must progressively become available in electronic databases which are easily accessible to the public through public telecommunication networks. The information to be made available and disseminated includes the texts of international treaties, conventions or agreements, and of Community and national legislation on the environment or relating to it; policies, plans and programs relating to the environment; progress reports on the implementation of laws and policies; reports on the state of the environment; data or summaries of data from the monitoring of activities affecting or likely to affect the environment; permits that have a significant impact on the environment and environmental agreements or a reference to where these can be found; environmental impact studies and risk assessments or references to where these can be obtained. In the event of an imminent threat on human health or the environment as a result of human activities or natural causes, public authorities must without delay disseminate all information which could enable the public likely to be affected to take measures to prevent or mitigate harm arising from the threat.  In practice, all public authorities holding environmental information are progressively making such information available in electronic format which is more easily accessible by the public and uploading it on their websites, including in particular national legislation and regulations relating to the environment, as well as links to texts of international treaties, conventions and agreements; any policies, plans and programmes relating to the environment, e.g. the sustainable development strategy, the green public procurement strategy, etc.; the state of the environment reports; and monitoring data, e.g. air quality data, water monitoring data, etc. Environmental impact studies carried out from 2007 onwards are also available on the website of the Department of Environment, as well as the decisions issued by the environmental authority on development projects, plans or programmes since 2001.  Competent authorities ensure that information is regularly updated on their websites. So far most legal texts are already available in electronic format, while since the entry into force of the Law all information is progressively becoming available in electronic format, including the digitization of maps and spatial data.  The information made available by means of computer telecommunication and/or electronic technology need not include information collected before the entry into force of this Law unless it is already available in electronic form.  Moreover, according to the Law, a National State of the Environment Report must be published and disseminated to the public every two years, and which includes information on the quality of, and pressures on, the environment.  **Quality of environmental information**  Public authorities shall, to the extent possible, ensure that the information collected by or their behalf is up to date, accurate and comparable. Upon request, public authorities must respond to requests for environmental information, indicating to the applicant where information (if available) can be found on the measurement procedures, including methods of analysis, sampling and pre-treatment of samples used in compiling the information, or referring to the standard procedure used. To a large extent, the information held by public authorities is collected and compiled based on the reporting and monitoring requirements of environmental European Directives and the related national legislation, according to well defined procedures and formats, which ensures that they are up to date, accurate and comparable. There has been no request so far about the method used, although in the case of monitoring data, the methods of sampling and analysis is usually explained when reporting on the data.  **Is there an adequate flow of information to public authorities about proposed and existing activities which may significantly affect the environment?**  In the case of waste management, information is provided through (a) the obligation of the Waste Management Permit holders to submit to the competent authority a yearly report on quantities, type and final destination of the waste received, (b) the producers’ responsibility to submit a yearly report on the quantities of packaging, electrical and electronic equipment, batteries and accumulators and vehicle tyres they put on the market, (c) the individual and collective take back systems formed under the producers responsibility principle, (d) independent studies carried out by the competent authority and (e) surveys carried out by the Statistical Service. An electronic data base is under preparation in order to facilitate this procedure.  **Dissemination of Information under the provisions for public participation**  In addition, the Law on the Assessment of the Impacts on the Environment from Certain Projects (140(I)/2005), also provides that every government or public administrative body that holds information that could be considered relevant or necessary for the preparation or evaluation of an environmental impact assessment study or the preliminary environmental impacts assessment report has to make such information available to the developer, if it is requested, unless the information is considered to be of a confidential nature or it cannot be made available in accordance with the provisions of Law 119(I)/2004. The Law on the Assessment of the Impacts on the Environment from Certain Plans and Programmes (102(I)/2005) also provides that, in accordance with the provisions of Law 119(I)/2004, every public business, local authority or government service which holds information that could be considered relevant or necessary for the preparation or evaluation of an impact study is obliged to make such information available to the relevant authority, if this information is requested, unless it is considered to be of a confidential nature according to legislation. According to these Laws, the competent authorities must keep in the public registers information on how the opinions of the public were taken into account in the decisions over the projects, plans and programmes examined under these Laws, as well as the reasons and assessments on which the final decisions were based. Similarly, the registers maintained under other environmental legislation are publicly accessible. |
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1. Obstacles encountered in the implementation of article 5

*Describe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 5.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 5

*Provide further information**on the* ***practical application of the provisions on the collection and dissemination of environmental information in article 5****, e.g., are there any statistics available on the information published?*

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| *Answer*:  **Paragraph 1: Existence and quality of environmental data**  **Do various levels and kinds of environmental and sectoral authorities operate parallel data-processing systems? If so, are there any measures to make the information flow more effective and harmonize the data?**  In the case of waste management data a close cooperation exist between the competent authority and the Statistical Service where information received by the two parties is cross checked. An electronic data base is under preparation in order to facilitate this procedure.  **Is certain information provided in real-time mode (e.g. information on air quality in larger cities)?**  Not for waste management. However, some stakeholders involved (e.g. waste management permit holders, collective take back systems etc.) are obliged to keep records at all times and have them available to the competent authority at any time.  **Paragraph 1: Environmental emergency information**  **How is communication of information to the public covered under emergency planning legislation? Are there measures in place to coordinate emergency information dissemination efforts?**  In accordance with the Law on the Management of the waste from the extractive industries the competent Authority ensures that the public is informed on all measures taken in case of an accident. The external emergency plans for facilities in Category A extractive industries have special provisions to coordinate emergency information dissemination efforts by the competent authority and the police.  **Paragraph 9: Pollutant release and transfer registers (PRTRs)**  **Describe briefly the progress made towards ratification of the Kiev Protocol.**  Cyprus, as a Member State of EU, has fully adopted the provisions of the European Regulation No. 166/2006/EC for the establishment of a European Pollutant Release and Transfer Register (E-PRTR Regulation). To this and, Cyprus has developed a national inventory containing all the information required on releases of pollutants to air, water and land, as well as the required information for the off-site transfers of waste (hazardous and non-hazardous) and pollutants in waste waters.  Furthermore, in order to achieve the basic objective of the PRTR Protocol for improving and enhancing public access to environmental information, an online database has been created which recorded all the required information on pollutant releases and transfers. The database is available online in the website: <http://www.prtr.dli.mlsi.gov.cy>.  **What are the unique features of the PRTR system in place (additional to those of the Protocol or the EC Regulation)?**  The unique feature of Cyprus PRTR is the online system, which has been developed in order to facilitate reporting processes for both operators and competent authorities, as well as to enhance public access to environmental information and participation in the permitting process. It consists of a website dynamically linked with the database mentioned above.  The operators within the provisions of the PRTR Protocol and the relevant European Regulation have the ability to submit electronically, via the Internet, the environmental data which are then reviewed and approved by the responsible officers. Furthermore, through the online system, a geographical map of Cyprus is provided where facilities within the Protocol and information on pollutant releases and transfers are geographically displayed.  **Have the PRTR reporting obligations been harmonized with the other existing environmental and related reporting obligations (e.g. CO2 reporting, chemical safety, accident prevention) to reduce parallel reporting?**  At this stage, the above issue is under consideration. |
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1. Website addresses relevant to the implementation of article 5

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Legislative, regulatory and other measures implementing the provisions on public participation in decisions on specific activities in article 6

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| **List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6.**  Explain how each paragraph of article 6 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:  (a) With respect to **paragraph 1,** measures taken to ensure that:  (i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed activities listed in annex I to the Convention;  (ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;  (b) Measures taken to ensure that the public concerned is informed early in any environmental decision-making procedure, and in an adequate, timely and effective manner, of the matters referred to in **paragraph 2**;  (c) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of **paragraph 3**;  (d) With respect to **paragraph 4,** measures taken to ensure that there is early public participation;  (e) With respect to **paragraph 5,** measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;  (f) With respect to **paragraph 6,** measures taken to ensure that:  (i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure;  (ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph;  (g) With respect to **paragraph 7,** measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions that it considers relevant to the proposed activity;  (h) With respect to **paragraph 8,** measures taken to ensure that in a decision due account is taken of the outcome of the public participation;  (i) With respect to **paragraph 9,** measures taken to ensure that the public is promptly informed of a decision in accordance with the appropriate procedures;  (j) With respect to **paragraph 10**, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied, making the necessary changes, and where appropriate; |
| (k) With respect to **paragraph 11,** measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment. |
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| *Answer*:  Decisions on whether to permit specific activities are subject to the provisions of the Law on the Assessment of the Impacts on the Environment from Certain Projects (140(I)/2005. According to this the projects listed in Annex I, which is similar to Annex I of the Aarhus Convention, are subject to an environmental impact assessment study. Projects listed in Annex II are subject to a preliminary environmental impact report to decide whether to permit the project or whether a full study is required prior to taking a decision. Law 140(I)/2005 applies the provisions of Article 6 of the Convention regarding public participation in decisions on whether to permit specific activities.  According to the Law "public" is defined as one or more natural or legal persons.  **Paragraph 1: Provisions on public participation with respect to over certain projects (Annex I of the Convention)**  Law 140(I)/2005 applies to any project listed in Annex I or Annex II of the Law and which concerns the execution of construction works or other installations or schemes, which are expected to have impacts on the environment or the landscape, including the use of natural resources. Projects listed in Annex I are those which are expected to have significant impacts on the environment and are subject to a full environmental impact assessment study. Projects listed in Annex II are smaller in scale and are subject to a preliminary environmental impact assessment report. Based on this, it is then determined whether it is necessary to request a full environmental impact assessment study or to permit the project by simply imposing terms and measures to minimize or eliminate impacts.  The Law does not apply to projects serving national defense purposes.  **Are these provisions applied to decisions of proposed activities not listed in Annex I which may have a significant effect on the environment?**  Nο. For other projects outside the scope of Law 140(I)/2005 the permitting authority may require from the Department of Environment its opinion through a consultation procedure with relative ministries/departments/authorities. The opinion or/and terms and conditions of the Department of Environment may or may not taken into consideration before the final approval.  All projects or plans within a Natura 2000 site and are not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, are subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. This appropriate assessment is examined by an ad-hoc committee that is composed by several authorities and NGO’s that contributing their expert opinion. The results of this examination are then passed to the EIA Committee where public participation is more comprehensive.  **Paragraph 2: Measures taken to ensure that the public concerned is informed early in any environmental decision-making procedure and in an adequate, timely and effective manner**  According to Article 21 of Law 140(I)/2005, every person or public authority submitting an environmental impact assessment study has to issue, at the same time, a public notice in at least two daily newspapers of the Republic, announcing the following:   1. The application. 2. That the project is subject to an environmental impact assessment procedure. 3. The date of submission and the name of the person or public authority submitting the study. 4. The nature of the possible decisions or the decision plan. 5. The nature of the proposed project and the area where it will be executed. 6. That the study can be examined during working days and hours at the offices of the environmental authority or the competent town planning authority, or, where a public project is concerned, the offices of the competent public authority which has submitted it, or if it concerns a project which will be executed by a public organization, at the offices of this organization. The study can also be examined at the offices of the relevant local authority. 7. That any person may submit comments and opinions to the environmental authority regarding the content of the study or the possible environmental impacts that could result from the project.   Within 30 days from the notification any person may submit to the environmental authority comments or opinions regarding the content of the study or the possible environmental impacts that could result from the project. These will be taken into account by the Evaluation Committee when evaluating the study and the environmental authority when preparing its opinion.  Article 22 of the Law provides that once a decision is taken by the competent authority on whether to permit the project, it informs the environmental authority regarding:   1. the content of the decision and any terms that accompany it, 2. the way in which the concerns and opinions expressed by the interested public were taken into account in the decision-making process, the main reasons and assessments on which the decision was based, including the provision of information regarding the public participation process, and 3. where necessary, a description of the main measures necessary to avoid, reduce and, if possible, compensate major adverse impacts.   The environmental authority then informs the members of the Evaluation Committee and the public of the decision through the Internet, also specifying that the information is listed in the Register and the time and place where it can be obtained.  According to Article 23, the environmental authority keeps a Register in which the following information is listed:   1. All the environmental impact assessment studies and preliminary environmental impact reports submitted, 2. any document submitted by another state in the case of transboundary impacts, 3. all the opinions submitted by the environmental authority to the town planning or other public authority responsible for the project, 4. the opinions submitted by any organization, body or person to the environmental authority regarding an environmental impact assessment study or preliminary environmental impact report, 5. the decision of the town planning or other public authority responsible for the project, 6. the minutes of the meetings of the Technical Committee 7. information on any projects which were exempted from the provisions of the Law.   The Register is available to the public and can be inspected during working days and hours. Moreover, the environmental authority shall put a notification on the Internet when any of the information listed above is submitted to, or by, it.  Additionally, the environmental authority issues a public notice on the internet when the following are submitted to it or by it:   1. an Environmental Impact Assessment 2. any document submitted by another state 3. its opinion to the town planning or other public authority responsible for the project 4. the opinions of any organization, body or person regarding an environmental impact assessment.   **Paragraph 3: Measures taken to ensure that the time frames of the public participation procedures allow sufficient time-frames**  According to Article 13 of Law 140(I)/2005, once the environmental authority receives the environmental impact assessment study it has to send, within 30 days from the date of submission, a copy to the Environmental Impact Assessment Committee which will assess it. The person or public authority submitting the environmental impact assessment report has to publish, at the same time, a notification for the study. Any person may examine the study and submit opinions to the environmental authority regarding the content of the study and the possible environmental impacts of the project, also within 30 days from the date of the notification. These opinions and representations are then taken into account by the Committee when evaluating the report. This ensures that the public is informed at an early stage in the process and allows sufficient time to prepare and participate effectively during the decision-making.  **Paragraph 4: Measures taken to ensure that there is early public participation (when all options are open)**  The provisions mentioned above ensure that the public is involved early in the decision-making process, when all options are still open. This is also strengthened by the fact that it is required to include in the environmental impact assessment study an analysis of the major alternatives examined and the basic reasons for the final choice with respect to environmental impacts. The public can examine these alternatives and submit opinions regarding these and the final choice. At this stage, it is possible to change the parameters of the project, e.g. size, location, structure, etc., assign measures and impose terms to eliminate or minimize impacts. Participation of the local authorities is ensured at the Environmental Impact Assessment Committee during the assessment of the project.  **Paragraph 5: Measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions and to provide information before applying for a permit**  According to Article 6 of the Law, when the Evaluation Committee convenes to evaluate an environmental impact assessment study, a representative of the local authority of the community where the project will be implemented is invited to express the community’s opinions on the project. This provides an incentive to the person or public authority submitting the study to identify the public concerned, inform them of the project, get their opinions and concerns and enter into discussions to ensure their support. The opinions of local communities have an important weight in the decision-making process.  **Paragraph 6: Measures taken to ensure that competent authorities give the public concerned all available information relevant to the decision-making process**  As mentioned above, once the EIA study is submitted, the public is notified of the submission and of the times and place where the study can be examined. According to the law the study must contain the following information:   1. A description of the project and in particular:  * a description of the physical characteristics of the whole project and land use requirements during the construction and operational phases, * a description of the main characteristics of the production processes, * an estimate of the type and quantity of expected residues and emissions resulting from the operation of the proposed project.  1. An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account environmental impacts. 2. A description of the aspects of the environment likely to be significantly affected by the proposed project and its alternatives, including in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape, and the interrelationship between these factors. 3. A description of the possible significant impacts of the proposed project on the environment resulting from the sitting, construction and operation of the project, the use of natural resources, the emission of pollutants, creation of nuisances and disposal of waste, and a description of the forecasting methods used to assess the impacts on the environment. 4. A description of the measures proposed to prevent, reduce and, where possible, mitigate, or compensate for, any significant adverse impacts on the environment. 5. A non-technical summary of the information listed above, including a visual presentation with maps, drawings, diagrams, tables, photographs, etc., where necessary. 6. A description of the prediction methods used to assess impacts on the environment and the basic assumptions and hypothesis that have been adopted, as well as the data and measurements used, the models, and the calculations followed. An indication of any difficulties encountered in compiling the required information. 7. Where relevant, a detailed monitoring and management programme, particularly addressing the serious or long-term environmental and social impacts that will be identified.   All this information is contained in the study and is publicly accessible.  **Paragraph 7: Measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions relevant to the proposed activity**  Within 30 days from the date of the notification any person may submit to the environmental authority opinions and representations regarding the content of the environmental impact assessment study or the possible environmental impacts that could result from the project. These will be taken into account by the Environmental Impact Assessment Committee when evaluating the study and the environmental authority when preparing its opinion.  **Paragraph 8: Measures taken to ensure that in a decision due account is taken of the outcome of the public participation**  The comments and opinions expressed by the public during the 30-day period are taken into account by the Environmental Impact Assessment Committee when evaluating the environmental impact assessment study and by the environmental authority when preparing its opinion. Moreover, the opinions expressed by the local communities where the project will be executed, the Federation of Environmental and Ecological Organizations of Cyprus, as the representative of non-governmental environmental organizations in the Environmental Impact Assessment Committee, the two independent members of the Committee and the Cyprus Scientific and Technical Chamber, are taken into account by the environmental authority and have an important weight in the decision-making process.  **Paragraph 9: Measures taken to ensure that the public is promptly informed of a decision**  Once the final decision is taken by the competent authority, the environmental authority notifies the public of the decision through the Internet. The content of the decision is kept in the Register which is publicly available, together with a description of the way in which the concerns and opinions expressed by the public were taken into account in the decision-making process, and the main reasons and assessments on which the decision was based, including information on the public participation process.  **Paragraph 10: Measures taken to ensure that when a public authority reconsiders or updates the operating conditions of an activity the provisions for public participation are applied as appropriate**  Any change to or extension of any of the projects listed and which meets the thresholds, if any, set out in the Annex is subject to an environmental impact assessment study and the provisions set out above regarding public participation will apply.  **Paragraph 11: Measures taken for public participation with respect to decisions on the deliberate release of GMOs into the environment**  Projects involving installations where genetically modified organisms are produced or used, or are planned to be produced or used, are included in Annex I of the Law and are therefore subject to an environmental impact assessment study and the provisions of the Law, as set out above regarding public participation. Where the project will involve the storage or use of genetically modified organisms the study must include a scientific description of the organisms and an assessment of their origin and the necessary means and measures for their conservation. |
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1. Obstacles encountered in the implementation of article 6

*Describe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 6.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 6

*Provide further information**on the* ***practical application of the provisions on public participation in decisions on specific activities in article 6****, e.g., are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defence purposes.*

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| *Answer*:  **Does the national legislation define the public concerned?**  According to the Waste Law (185(I)/2011), “Public” means one or more physical or legal persons as well as unions, organisations or groups of them. Public consultation is taking place for waste management plans and waste prevention programs. The competent authority is obliged to consult with (a) public that is or can be affected or their interest are at stake from the decision making process concerning a plan or a programme and (b) non-governmental organisations (article 38(4) waste law, article 16B (4) packaging law).  **Paragraph 6: Ensuring access to information relevant to decision-making**  So far there have not been any cases where a complete set of EIA documentation was classified on the basis of commercial confidentiality or intellectual property rights.In some cases part of the documentation was classified as confidential and only part of the information was made publicly available.  **Paragraph 7: Public comments**  **What role do multilateral discussion techniques (e.g. public hearings) play in environmental decision-making procedures?**  Very important role as after the presentation of the subject/plan/programme all the interested stakeholders/parties can give their opinions/suggestions on the issue in order to be amended/improved or not go forward. Minutes are kept and published on the website. The final decision taken by the Council of Ministers is also published, in the form of a Notification, in the Gazette, in two widely circulated daily newspapers and on the website.  **Paragraph 9: Information about the decision**  **Does the reasoning part of the decision refer to the factual, professional and legal arguments raised in the participation procedure? If not, can such omissions be legally challenged?**  According to Waste Law, article 41(b), the Council of Ministers informs the public, in the form of a brief statement, how the various opinions and suggestions were taken into consideration in the final decision and the reasoning and estimations on which the final decision was based. |
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1. Website addresses relevant to the implementation of article 6

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7

*List the appropriate practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment, pursuant to article 7. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.*

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| *Answer*:  **Article 7: Public participation in the preparation of plans and programmes relating to the environment**  **Law on the Assessment of the Impacts on the Environment from Certain Plans and Programmes (102(I)/2005)**  The Law introduces environmental issues in the preparation and approval of plans and programmes, ensuring the assessment of the impacts on the environment from those plans and programmes which could potentially result in significant adverse impacts on the environment. According to the Law, an assessment of the impacts on the environment is required for every plan and programme:   * prepared in the fields of agriculture and animal husbandry, forestry, fishing, mining and quarrying, energy, industry, transport, waste management, water resource management, telecommunications, tourism, land planning and land use; or * which results in impacts in specially protected areas.   Furthermore, the Law ensures public participation in the decision-making process. "Public" is defined as one or more natural or legal persons, as well as their associations, organizations or groups.  The Law ensures the participation of non-governmental organizations active in the field of environmental protection, as the Federation of Environmental and Ecological Organizations of Cyprus is a permanent member of the Committee for the Assessment of the Impacts on the Environment from Plans and Programmes.  Regarding public participation, according to Article 13 of the Law, when a competent authority submits a strategic environmental assessment study for a preliminary plan and/or programme it has to issue, at the same time, a public notice in the Official Gazette of the Republic, two daily newspapers and through the Internet with which to announce:   * the submission date of the study and the name of the competent authority which has submitted it, * the nature of the proposed plan and/or programme and the area it concerns, * that the study can be examined during the working days and hours at the offices of the Environmental Authority and the competent authority, * that any person can submit comments or opinions to the Environmental Authority regarding the content of the study or the impacts likely to result on the environment from the approval of the plan and/or programme, within 35 days from the date of the notification.   During the evaluation of the study consultations are carried out with the public. The public with which the Environmental Authority carries out consultations includes the public that is affected or likely to be affected, or whose interests are at stake from the decision-making process regarding a plan and/or programme and includes non-governmental organizations promoting environmental protection.  During the evaluation of the study by the Committee the opinions and representations submitted to the Environmental Authority by any person, or the information and comments submitted during a public hearing procedure, if one was carried out, must be taken into account when the Committee members form their opinions and suggestions on which the Environmental Authority will base its opinion.  The opinion of the Environmental Authority is filed in the Register kept in accordance with Article 23 of the Law. The Environmental Authority issues a public notice through the Internet informing the public that the opinion is kept in the public Register. Before taking a decision regarding the plan and/or programme the competent authority must take into account the opinion of the Environmental authority and the results of the public hearing, if one was carried out.  Once the decision is taken by the competent authority, the Environmental authority informs the public of the decision by issuing a public notice through the Internet, and that the following information is available to the public, specifying the time and place where it can be obtained:   1. a description of the plan and/or programme as this was approved, 2. a summary statement regarding:    * the way in which the environmental parameters were incorporated in the plan and/or programme,    * the way in which the study and the opinion of the Environmental Authority were taken into account,    * any opinions expressed by the public or during public consultations,    * the reasons why the plan and/or programme approved was chosen taking into account other alternative possibilities examined, 3. a description of the major adverse environmental impacts that will arise as a result of the plan and/or programme, and 4. a description of the measures to monitor and control the adverse impacts that may result from the implementation of the plan and/or programme.   The Environmental Authority keeps a Register of the following information:   * all the studies submitted, * the opinions and comments expressed by the public, * the opinions of the environmental authority, * the information mentioned above, and * the results from the monitoring of the environmental impacts that may result from the approval of the plan and/or programme.   The Register is available to the public and can be examined during working days and hours.  **Participation under the Law on the Control of Water and Soil Pollution**  The provisions for access to information and public participation, under the Law on the Control of Water and Soil Pollution, No. 106(I)/2002, amended by Law No. 160(I)/2005, ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:   1. The preparation and modification or review of the plans and/or programmes, concerning the protection of waters against the pollution caused by nitrates from agriculture sources, 2. The granting of a Waste Discharge Permit.   In the above cases, the competent authority must inform the public through notifications in the Gazette, in two widely circulated newspapers and on the internet, about:   1. any proposal for such plans or programmes or for their modification or review 2. any application for a permit, 3. details regarding either the proposal for plan or program, or the application for a permit, 4. details of the competent authority responsible for taking the decision, from which relevant information can be obtained and to which comments or questions can be submitted, 5. an indication that the relevant information is available at the offices of competent authority during working hours, 6. an indication that any opinions or representations from the public concerned may be submitted within 35 days from the publication of the Notification.   The competent authority examines the comments and opinions expressed by the public before the taking of a decision and makes available to the public, including via the Internet, the following information:   1. the content of the decision, including a copy of the proposal or permit, 2. the reasons on which the decision is based, 3. the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision,   **ACCESS TO information and participation under the Law on Integrated Pollution Prevention and Control**  The Law on Integrated Pollution Prevention and Control (No. 56(Ι)/2003) has been repealed on 7.1.2014 by the Industrial Emissions Law No. 184(I)/2013, which transposed into national legislation the European Directive 2010/75/EU for industrial emissions (integrated pollution prevention and control).  The provisions for access to information and public participation, under the Industrial Emissions Law, ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:   1. the granting of a permit for new installations, 2. the granting of a permit for any substantial change, 3. the granting or updating of a permit for an installation where a derogation on emission limit values may apply, 4. the updating of a permit or permit conditions for an installation when the pollution caused by the installation is of such significance that the existing emission limit values of the permit need to be revised, or new such values need to be included in the permit.   In the above cases, competent authorities inform the public by Notification published in the Gazette, in two widely circulated newspapers and on the internet, at the beginning of the decision making process or, at the latest, as soon as the information can reasonably be provided, about:   1. the application for a permit or, as the case may be, the proposal for the updating of a permit or of permit conditions, including the description of the elements contained, 2. where applicable, the fact that a decision is subject to a national or transboundary environmental impact assessment or to consultations between Member States, 3. details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions can be submitted, and details of the time schedule for transmitting comments or questions, 4. the nature of possible decisions or, where there is one, the draft decision, 5. where applicable, the details relating to a proposal for the updating of a permit or of permit conditions, 6. an indication that the relevant information is available at the offices of competent authorities during working hours, 7. an indication that any opinions or representations from the public concerned may be submitted within 35 days from the publication of the Notification, 8. details of the arrangements for public participation and consultation, focusing mainly to the following: date and place of the public consultation, the deadline for submitting written views and positions, subjects identified as essential by the competent authorities, etc. 9. the main reports and advice issued to the competent authorities at the time when the public concerned were informed, 10. other information relevant to the decision, which only becomes available after the time the public concerned was informed,   The competent authorities evaluate and take into account the results of the public participation and consultation in the taking of a decision. When a decision on granting, reconsideration or updating of a permit has been taken, the competent authority make available to the public, including via the Internet in relation to points (a), (b) and (f), the following information:   1. the content of the decision, including a copy of the permit and any subsequent updates, 2. the reasons on which the decision is based, 3. the results of the consultations held before the decision was taken and an explanation of how they were taken into account in that decision, 4. the title of the Best Available Techniques (BAT) reference documents relevant to the installation or activity concerned, 5. how the permit conditions, including the emission limit values, have been determined in relation to the best available techniques and emission levels associated with the best available techniques, 6. where a derogation is granted, the specific reasons for that derogation, based on the criteria laid down in Article 15(4) of Industrial Emissions Directive.   The competent authorities also make available to the public, including via the Internet, at least in relation to point (a), the following:   1. relevant information on the measures taken by the operator upon definitive cessation of activities, 2. the results of emission monitoring as required under the permit conditions and held by the competent authorities.   As regards the provisions for access to justice, under the Industrial Emissions Law, ensure that members of the public concerned, having a sufficient interest, have access to a review procedure before a court of law or another independent and impartial body established by law to challenge the substantive or procedural legality of decisions, acts or omissions described above, as provided under article 146 of Constitution. To this end, the interest of a non-governmental organization promoting environmental protection and meeting any requirements under national law is deemed sufficient.  **Participation under the Waste Management Laws**  According Article 38 of the waste Law of 2011 (185(I)/2011) regarding public participation, the Minister through the Environmental Authority ensures that relevant stakeholders and authorities and the general public have the opportunity to participate in the elaboration, amendment or review of the waste management plans and waste prevention programmes, and have access to them once elaborated.  The Minister informs the public with a notification published in the Official Gazette of the Republic, in two widely circulated daily newspapers and at the Website about:   * the proposed waste management plan and/or waste prevention programme , * the fact that these proposals can be examined by the public during the working days and hours at the offices of the Environmental Authority, * that any person can submit comments or opinions to the Environmental Authority regarding the content of the plans/programmes from the approval of the plan and/or programme, within 36 days from the date of the notification.   The Minister can also carry out a public hearing before completing the public consultation procedure.  **participation under the packaging and packaging waste Law**  In accordance with Article 16A of the packaging and packaging waste law (Law 159(I)/2005) the Minister through the Environmental Authority ensure that relevant stakeholders and authorities and the general public have the opportunity to participate in the elaboration of the plans and programmes, and have access to them once elaborated.  The Minister informs the public with a notification published in the Official Gazette of the Republic, in two widely circulated daily newspapers and at the Website about:   * the proposed waste management plan and/or waste prevention programme , * the fact that these proposals can be examined by the public during the working days and hours at the offices of the Environmental Authority, * that any person can submit comments or opinions to the Environmental Authority regarding the content of the plans/programmes from the approval of the plan and/or programme, within 36 days from the date of the notification.   **participation under the LAW ON THE management of waste from the extractive industries**  In accordance with Article 16 of the Management of the waste from the extractive industries Law of 2009 (No.82(I)/2009), for facilities in Category A, the competent authority must draw up an external emergency plan specifying the measures to be taken off-site in the event of an accident.  The emergency external plan is intended to reduce the potential impact of major accidents on health and the environment and ensure the restoration of the environment following such an accident. The competent Authority must provide for participation by the public and for account to be taken of the opinions submitted.  The Competent Authority with a public notice in the Official Gazette of the Republic, two widely circulated daily newspapers and through the Internet (Website of Department of Environment) with which to announce:   * the proposed external emergency plans for facilities in Category A , * that the proposals can be examined during the working days and hours at the offices of the Environmental Authority, * that any person can submit comments or opinions to the Environmental Authority regarding the content of the plans from the approval of the plans, within 35 days from the date of the notification.   The Competent Authority keeps a Register of the following information:   * all the external emergency plans for facilities in Category A and their revisions, * the opinions and comments expressed by the public, * the announcement of the final external emergency plans for facilities in Category A public notice in the Official Gazette of the Republic, two daily newspapers and through the Internet (Website of Department of Environment)   The Register is available to the public and can be examined during working days and hours. Also the competent Authority ensures that the public is been informed about all the measures taken in a case of an accident.  **Participation under the Nature Protection Laws**  According to Article 15(3)(a) of the Law for the Protection and Management of Nature and Wildlife (no. 153(I)/2003), before the submission of the Decree regarding the management and protection of nature to the Minister of Agriculture, Natural Resources and the Environment by the Scientific Committee, a notification is publicized to the daily press regarding the Decree, where the complainants can submit their comments or objections.  **participation under the LAW ON THE management of the waste from the extractive industries**  In accordance with Article 16 of the Management of the waste from the extractive industries Law of 2009 (No.82(I)/2009), for facilities in Category A, the competent authority must draw up an external emergency plan specifying the measures to be taken off-site in the event of an accident.  The emergency external plan is intended to reduce the potential impact of major accidents on health and the environment and ensure the restoration of the environment following such an accident. The competent Authority must provide for participation by the public and for account to be taken of the opinions submitted.  The Competent Authority with a public notice in the Official Gazette of the Republic, two daily newspapers and through the Internet (Website of Department of Environment) with which to announce:   * the proposed external emergency plans for facilities in Category A , * that the proposals can be examined during the working days and hours at the offices of the Environmental Authority, * that any person can submit comments or opinions to the Environmental Authority regarding the content of the plans from the approval of the plans, within 35 days from the date of the notification.   The Competent Authority keeps a Register of the following information:   * all the external emergency plans for facilities in Category A and their revisions, * the opinions and comments expressed by the public, * the announcement of the final external emergency plans for facilities in Category A public notice in the Official Gazette of the Republic, two daily newspapers and through the Internet (Website of Department of Environment)   The Register is available to the public and can be examined during working days and hours.  Also the competent Authority ensures that the public is been informed about all the measures taken in the case of an accident.  **Participation under ANY OTHER LAWS**  According to Article 9 of the Law on Environmental Noise the Minister must ensure that the public is consulted on any proposals for action plans and given early and effective opportunities to participate in their preparation and review. The results of the participation must be taken into account and the public informed of final decisions. |
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1. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7

*Explain what opportunities are provided for public participation in the preparation of policies relating to the environment, pursuant to article 7.*

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| *Answer*:  **List the public hearings which have been held over the last 3 years**   * SEA for the Master Plan for the Vasilikos area. * Public Hearing on 9.5.2012 during public participation procedure (started 27.4.12) for the plan on the Management of Household Waste and similar type wastes. * Public Hearing on 11.7.2013 during public participation procedure (started 5.7.13) for the drawing up of 7 external emergency plan for facilities in Category A according the Management of the waste from the extractive industries Law of 2009 (No.82(I)/2009). * Public Hearing on 26.11.13 during public consultation procedure (15.11.13-23.12.13) for the preliminary waste prevention programmes with all relevant stakeholders, authorities and the general public. * Public Hearing on 14.1.2014 during public consultation procedure (started 20.12.13) for the draft Regulations under the Waste Law on the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment. * Public Hearing for the drawing up of 7 external emergency plan for facilities in Category A according the Management of the waste from the extractive industries Law of 2009 (No.82(I)/2009). |
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1. Obstacles encountered in the implementation of article 7

*Describe any* ***obstacles encountered*** *in the implementation of article 7.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 7

*Provide further information on the* ***practical application of the provisions on public participation in decisions on specific activities in article 7.***

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| *Answer*:  **General**  The provisions relating to Articles 6 and 7 of the Convention have introduced uniform procedures for public participation in the decision-making process over plans, programmes and projects relating to the environment. The practical arrangements which are now in place have provided the public with the opportunity to be informed in a timely manner regarding a possible decision and enabled concerned citizens to participate in the decision-making process more effectively. Through these arrangements, all information relevant to a possible decision is now accessible and the public, including non-governmental associations and other bodies concerned, can express opinions which must then be taken into account when the final decision is taken. This has also enabled public authorities to evaluate public opinion on a specific project or plan at a stage when it is still possible to introduce changes and measures to minimize any possible impacts and ensure wider acceptance. As a result, the decision-making process has become more efficient, the decisions taken meet the needs and concerns of the population, and are more transparent and with added validity. In many instances, public participation has also increased public awareness on specific issues, such as waste management and energy production.  The major advantage is the involvement of the public from an early stage in the decision-making process. This allows the public the opportunity to express their opinions and concerns regarding a possible decision, and the public authority to assess those opinions at a stage when it is still possible to change the parameters of a project or plan to reduce impacts and increase public acceptance. Additionally, implementation has ensured a uniform approach to public participation by incorporating procedures already found in other legislation (EIA and SEA Laws) in the decision-making process.  **Implementation of Article 7**  **Differences between plans, programmes and policies according to national legislation**  According to the SEA legislation plans and programmes include those subject to preparation and / or adoption by an authority at national, regional or local level or which are prepared by a competent authority for adoption through the legislative procedure, or which are required by any legislative provisions, including environmental and community legislation.  Policies are not within the scope of the SEA legislation (they are a matter of the Cabinet of Ministers). |
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1. Website addresses relevant to the implementation of article 7

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Efforts made to promote public participation during the preparation of regulations and rules that may have a significant effect on the environment pursuant to article 8

*Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment, pursuant to article 8. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.*

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| *Answer*:  In 2009 the Ministry of Finance, in cooperation with the Legal Services, published a Consultation Guide for public authorities providing guidance over the public participation procedures to be followed during the preparation of legislative and regulatory acts. The Guide forms part of the Impact Assessment questionnaire that must accompany a draft bill when submitted to the Legal Services for legal vetting and, following this, the Council of Ministers and the House of Parliament. One of the central aspects of the questionnaire is the public dialogue conducted with interested parties, and the Guide provides assistance to public authorities in this. The Guide covers the types of consultation that can be carried out when preparing a new legislative act or amending an existing one, ways to identify and engage interested bodies in the participation procedure, the preparation of the documents necessary for the participation process, and ways of evaluating the contributions made by interested parties, while setting timeframes for the participation process.  The Guide covers two types of participation procedures which may be followed, informal and formal participation. During the informal procedure there is a preliminary exchange of opinions with affected parties and an initial evaluation of responses to the proposed legislation. Based on this it is then decided whether it is necessary to conduct a formal participation procedure, which involves the notification of information material to interested parties, the submission of written comments, and the possible conduct of public hearings, meetings campaigns, public enquiries and expert committees, in case the written communication yielded no results. Interested parties are informed as to how their opinions have been utilised.  To oversee the process, Public Participation Officers have been appointed in each public service, informing the Coordinator of each Ministry, on an annual basis, as the public hearings conducted and their effectiveness in the preparation of legislative acts, who then prepares an overall annual report for the Ministry. The collective results will be submitted to the Council of Ministers. |
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1. Obstacles encountered in the implementation of article 8

*Describe any* ***obstacles encountered*** *in the implementation of article 8.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 8

*Provide further information**on the* ***practical application of the provisions on public participation in the field covered by article 8****.*

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| *Answer*:  **Participation at the conceptual stage of the legislative procedure**  The informal participation procedure is carried out at the initial stages of the legislative procedure allowing for a first exchange of views between interested parties and a first evaluation of responses to the proposed legislation.  **Time limits given to members of the public to form their opinions**  An informal participation procedure must be concluded within a 4 week period. In the case of formal participation procedures the consultation period must take at least 4 weeks and be concluded at a maximum of 8 weeks. The precise timeframes for informing interested parties and the submission of opinions is determined by the competent body preparing the legislation and depends on the precise procedure method chosen for participation. Invitations to participate in public consultation must be sent to interested parties at least 2 weeks prior to the onset of the consultation period. To ease access to necessary information, consultation documents must be made available through the Internet.  **Comments received**  The contributions received and the analyses made must be made available through the internet within 2 weeks after the consultation period. The results of the public consultation are submitted as part of the Impact Assessment Questionnaire which accompanies the draft bill when it is submitted to the Council of Ministers and then the House of Parliament. |
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1. Website addresses relevant to the implementation of article 8

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Legislative, regulatory and other measures implementing the provisions on access to justice in article 9

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| **List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.**  Explain how each paragraph of article 9 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:  (a) With respect to **paragraph 1,** measures taken to ensure that:  (i) Any person who considers that his or her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law;  (ii) Where there is provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law;  (iii) Final decisions under this paragraph are binding on the public authority holding the information, and that reasons are stated in writing, at least where access to information is refused;  (b) Measures taken to ensure that, within the framework of national legislation, members of the public concerned meeting the criteria set out in **paragraph 2** have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6;  (c) With respect to **paragraph 3,** measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment;  (d) With respect to **paragraph 4,** measures taken to ensure that:  (i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;  (ii) Such procedures otherwise meet the requirements of this paragraph;  (e) With respect to **paragraph 5**, measures taken to ensure that information is provided to the public on access to administrative and judicial review. |
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| *Answer*:  **Paragraph 1: Access to justice with respect to the provision of Article 4 (Access to information)**  The Law on Public Access to Environmental Information (119(I)/2004) includes provisions on access to justice. According to Article 10 of the Law, any person who thinks that his request for environmental information was:   * unjustifiably ignored, wrongfully refused, whether in full or in part, * was answered inadequately, or * was not dealt with in accordance with the provisions of the Law,   Has the right within 30 days from the notification of the decision or the end of the one-month (or two-month when warranted) period to appeal to the Minister to review the actions or omissions of the public authority in question. The Minister examines the matter and makes a decision, which is then notified to the interested person and the public authority.  Independently of the provisions of Article 10, Article 11 gives the applicant the right to a review procedure before the Supreme Court, in accordance with Article 146 of the Constitution.  **Paragraph 6: Access to justice with respect to the provision of Article 6 (Participation in decisions on specific activities)**  Law 140(I)/2005 on the assessment of the impacts on the environment from certain programmes, provides that any legal entity created with the purpose of promoting environmental protection, is considered to have sufficient interests that may be affected by a decision taken under the law and has the right to appeal before the court against the decision, in accordance with Article 146 of the Constitution.  According to Article 146 of the Constitution, the decision of the Supreme Court is binding. In cases of an annulment of a decision the public authority must ensure the environment is restored to its prior condition.  **Paragraph 5: Information to the public on access to administrative and judicial review procedures**   * + 1. Law 119(I)/2004 on access to information: When a refusal for the provision of information is communicated to the applicant the competent authority must state the reasons for the refusal and provide information on the appeals procedure.     2. Law 140(I)/2005 on the assessment of the impacts on the environment from certain programmes: According to Article 25(2) the environmental authority must ensure that practical information on the procedures for administrative and judicial review communicated to the public through notices in the daily press and the internet. |
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1. Obstacles encountered in the implementation of article 9

*Describe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 9.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 9

*Provide further information on the* ***practical application of the provisions on access to justice pursuant to article 9,*** *e.g., are there any statistics available on environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?*

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| *Answer*: |
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1. Website addresses relevant to the implementation of article 9

*Give relevant website addresses, if available:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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Articles 10-22 are not for national implementation.

1. General comments on the Convention’s objective

*If appropriate, indicate how the implementation of the Convention contributes 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.*

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| *Answer*: |
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1. Legislative, regulatory and other measures implementing the provisions on genetically modified organisms pursuant to article 6 bis and Annex I bis

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| **Concerning legislative, regulatory and other measures that implement the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, describe:**  (a) With respect to **paragraph 1 of article 6 bis** and:  (i) **Paragraph 1** of annex I bis, arrangements in the Party’s regulatory framework to ensure effective information and public participation for decisions subject to the provisions of article 6 bis;  (ii) **Paragraph 2** of annex I bis, any exceptions provided for in the Party’s regulatory framework to the public participation procedure laid down in annex I bis and the criteria for any such exception;  (iii) **Paragraph 3** of annex I bis, measures taken to make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release or placing on the market of such genetically modified organisms, as well as the assessment report where available;  (iv) **Paragraph 4** of annex I bis, measures taken to ensure that in no case the information listed in that paragraph is considered as confidential;  (v) **Paragraph 5** of annex I bis, measures taken to ensure the transparency of decision-making procedures and to provide access to the relevant procedural information to the public including, for example:  a. The nature of possible decisions;  b. The public authority responsible for making the decision;  c. Public participation arrangements laid down pursuant to paragraph 1 of annex I bis;  d. An indication of the public authority from which relevant information can be obtained;  e. An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments;  (vi) **Paragraph 6** of annex I bis, measures taken to ensure that the arrangements introduced to implement paragraph 1 of annex I bis allow the public to submit, in any appropriate manner, any comments, information, analyses or opinions that it considers relevant to the proposed deliberate release or placing on the market;  (vii) **Paragraph 7** of annex I bis, measures taken to ensure that due account is taken of the outcome of public participation procedures organized pursuant to paragraph 1 of annex I bis;  (viii) **Paragraph 8** of annex I bis, measures taken to ensure that the texts of decisions subject to the provisions on annex I bis taken by a public authority are made publicly available along with the reasons and the considerations upon which they are based; |
| (b) With respect to **paragraph 2 of article 6 bis**, how the requirements made in accordance with the provisions of annex I bis are complementary to and mutually supportive of the Party’s national biosafety framework and consistent with the objectives of the Cartagena Protocol on Biosafety to the Convention on Biodiversity. |
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| *Answer*:  Law 10(III)/2009 has been passed amending Law 33(III)/2003, which ratifies the Aarhus Convention, to incorporate Articles 6 bis and Annex I bis.  The Scientific Committee established by Law 160(I)/2003 to review and evaluate the applications for release of placing on the market of GMOs, is comprised of both government departments and public organizations, including the Cyprus Consumers Association, Cyprus National Bioethics Committee and the Federation of Environmental and Ecological Organizations of Cyprus.  The national legislation regarding the deliberate release into the environment and placing on the market of genetically modified organisms, Law 160(I)/2003, has an established procedure for providing the public with adequate information.  Specifically, Part IV of the Law refers to Record Keeping and Public Notification, where the procedure is laid out.  When the Scientific Committee receives an application for authorization of the release of placement on the market of GMOs, the applicant has to publish in two widely distributed newspapers. The public is given 30 days to provide written comments on the application.  Regardless of this provision, the law also states that the Scientific Committee is obligated to carry out a public consultation, in the form of a public hearing.  The records kept by the competent authority are available for inspection and include all applications submitted, all authorizations given, the Opinions of the Scientific Committee, the location where the GMOs were released and other relevant information.  Although the national legislation has been established on the matter, Cyprus has not authorized any GMOs and has kept a firm negative stance on the matter of GMO authorization. |
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1. Obstacles encountered in the implementation of article 6 bis and annex I bis

*Describe any* ***obstacles encountered*** *in the implementation of any of the paragraphs of article 6 bis and annex I bis.*

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| *Answer*: |
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1. Further information on the practical application of the provisions of article 6 bis and annex I bis

*Provide further information on the* ***practical application of the provisions on******public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis****, e.g., are there any statistics or other information available on public participation in such decisions or on decisions considered under paragraph 2 of annex I bis to be exceptions to the public participation procedures in that annex?*

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| *Answer*: |
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1. Website addresses relevant to the implementation of article 6 bis

*Give relevant website addresses, if available, including website addresses for registers of decisions and releases related to genetically modified organisms:*

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| [www.moa.gov.cy/environment](http://www.moa.gov.cy/environment) |
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1. Follow-up on issues of compliance

*If, upon consideration of a report and any recommendations of the Compliance Committee, the Meeting of the Parties at its last session has decided upon measures concerning compliance by your country, please indicate (a) what were the measures; and (b) what specific actions your country has undertaken to implement the measures in order to achieve compliance with the Convention.*

*Please include cross-references to the respective sections, as appropriate.*

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| *Answer*: |
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