GET YOUR RIGHT TO A HEALTHY COMMUNITY!

The 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, or Aarhus Convention, stands on three “pillars”: access to information; public participation; and access to justice in environmental matters. The Convention requires public authorities to grant the public rights to access environmental information and to participate in decisions affecting the environment and lives. It backs up these rights with access-to-justice provisions. The principles of environmental democracy enshrined in the Convention are universally accepted. This is why not just developed European States are Parties — a number of countries with economies in transition, including those in Central Asia and the Caucasus, have joined.

Presently, the Aarhus Convention is the only international legal instrument putting into practice Principle 10 of the 1992 Rio Declaration on Environment and Development. With over 10 years of implementation experience (the Convention has been in force since 2001), the Convention and its work was often held up as an example and featured centrally at the United Nations Conference on Sustainable Development in Rio de Janeiro in June 2012 (Rio+20 Conference), where the role of Principle 10 in promoting green economy and effective governance was highlighted. Importantly, one of the main outcomes of the Rio+20 Conference was the commitment declared by several countries in the Latin American and Caribbean region to develop a regional instrument to advance implementation of Principle 10. Parties to the Aarhus Convention, its secretariat and civil society demonstrated support for this initiative, by sharing their experience with Latin American and Caribbean countries, the Economic Commission for Latin America and the Caribbean and other partners involved in the process.

Promoting development and eradicating poverty

Health, environment and sustainable development are issues of worldwide concern today. Countries are struggling to find a balance between tackling poverty and a lack of basic services for their citizens, on the one hand, and, on the other, rapid industrialization and growth, which can have negative impacts on the environment and the health and well-being of their citizens. The Convention helps countries in negotiating this balancing act. The procedures established by the Convention have a twofold effect: first, they significantly improve the quality of development projects, because authorities have the opportunity to benefit from input from other authorities, interested experts and lay persons; and, second, they greatly support policies to tackle poverty and inequality by ensuring that all persons, including the poorest segments of society, rural communities and indigenous peoples, are able to participate in decisions that impact on their lives. In general, this creates an increase in the public’s trust in their governing institutions. Transparent, consensual, participatory decision-making is a prerequisite for a stable and secure society, which is, in turn, a prerequisite for economic prosperity and environmental and social sustainability.

The Convention and water management and cooperation

The provisions of the Convention have a cross-cutting character. They strengthen national development policies relating to water resources; and they support transboundary water cooperation and management.

For example, any person or organization should have the right to request and receive from the public authorities information relating to the protection and sustainable use of water resources and other environmental information. The public should also have the right to be actively informed when there is
a threat of flooding, water pollution, water scarcity and groundwater depletion, or if there is a danger to human health and safety.

Moreover, the Convention specifically requires Parties to allow the public to participate in various decisions on whether to permit activities designed to hold back and store water, such as dams, and installations for the transfer of water resources between river basins, as well as related activities.

In a transboundary context, riparian States and joint bodies for transboundary water cooperation should facilitate access to meeting documents of the joint bodies and their subsidiary organs, including information about the conditions of the transboundary waters and the results of monitoring, prevention and control measures, permits issued and the conditions to be met and drafts of plans and programmes, including comments by non-governmental organizations on them.

When transboundary cooperation has not yet progressed to the establishment of joint management institutions, riparian States should provide for public participation in the preparation and development of international water agreements. For example, the development of international documents, plans and programmes for specific catchment areas should be open to public participation, including programmes for monitoring the conditions of transboundary waters.

### The Protocol on Pollutant Release and Transfer Registers

The 2003 Protocol on Pollutant Release and Transfer Registers to the Convention (in force since 2009) is the first legal international instrument on pollutant release and transfer registers (PRTRs). The Protocol promotes the establishment and proper maintenance of coherent nationwide systems that collect and report on pollution information. The systematic organization and storage of pollution information not only enhances public access to information and facilitates public participation, it also promotes pollution reduction. Because the Protocol requires owners and operators to regularly report on a wide variety of activities — such as mining, waste and wastewater management and intensive livestock production — and substances, Governments are better able to track pollution trends, monitor pollution by owners and operators in different sectors and thus take the necessary prevention and adaptation measures. At the same time, industry is encouraged to improve environmental management.

For example, the Protocol sets out a specific regime for reporting on wastewater transfers, whether via a sewer, containers, tank trucks or any other means. Facilities that release wastewater directly to a water body, whether first treated at a facility wastewater treatment plant or not, also fall under the Protocol and will have to report their releases. Hence, a properly established and maintained register can enormously benefit water monitoring and assessment activities. In this connection, many Latin American and Caribbean countries have already made good progress in establishing national PRTRs and have made efforts to develop a regional system, which will become an important tool for transboundary water management.

### Background and contact information

The Aarhus Convention and its Protocol on PRTRs are open to accession by any United Nations Member State. As of 1 May 2013 the Convention has 46 Parties and the Protocol 32.

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