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**Substantive issues: access to information, including
electronic information tools**

Report on the Workshop on Electronic Information Tools to Support the Implementation of the Aarhus Convention¹ in South-Eastern Europe

Summary

This document was prepared pursuant to the work programme for 2009–2011 adopted by the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (ECE/MP.PP/2008/2/Add.17), and the decision of the Working Group of the Parties to the Convention (ECE/MP.PP/WG.1/2011/2; para. 14).

¹ Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

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Introduction

1. The Workshop on Electronic Information Tools to Support the Implementation of the Aarhus Convention in South-Eastern Europe was held on 25 and 26 November 2010 in Skopje, the former Yugoslav Republic of Macedonia. The event was organized by the Convention secretariat, pursuant to decision III/2 (ECE/MP.PP/2008/2/Add.4), in cooperation with the Ministry of Environment and Physical Planning of the former Yugoslav Republic of Macedonia and the Regional Environmental Center for Central and Eastern Europe (REC).²

2. The aim of the workshop was to foster the implementation of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) in South-Eastern Europe (SEE) by promoting the use of electronic information tools (EITs). The Workshop targeted public officials (policymakers and information technology (IT) specialists), as well as non-governmental organizations (NGOs), in order to spread information about the most up-to-date IT applications and share good practice examples of using electronic tools on environmental matters. Relevant authorities with political and technical responsibilities, as well as representatives of civil society and experts from participating countries, shared information, learned from each other and discussed solutions to existing deficiencies in relation to the use of EITs.

3. Main objectives of the workshop were to:

- (a) Build capacities on the use of EITs when implementing Aarhus Convention requirements for those authorities responsible for providing access to environmental information, issuing permits and licences that affect the environment and that are therefore subject to public participation procedures, adopting environmental plans, programmes and policies, and providing access to justice in environmental issues;
- (b) Promote the implementation of existing good practices and recommendations;
- (c) Facilitate the exchange of experiences;
- (d) Provide responses to specific and practical implementation questions; and
- (e) Train participants or offer expertise on how to use and contribute to the Aarhus Clearinghouse mechanism.

4. The workshop was attended by representatives of four Parties to the Convention, namely Croatia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia.

5. The Aarhus Centre in Kragujevac (Serbia) and representatives from the environmental authority of Kosovo (United Nations administered region),³ also participated.

6. The following non-governmental organizations (NGOs) and institutions were represented: Ecotim (Bosnia and Herzegovina); Environmentally Responsible Action (ERA) group (Kosovo, United Nations administered region); Florozon — Center for Environmental Democracy (the former Yugoslav Republic of Macedonia); Front 21/42 (the former Yugoslav Republic of Macedonia); Biosfera — Center for education, environment

² The programme, background materials and presentations are available on the United Nations Economic Commission for Europe website: <http://www.unece.org/env/pp/electronictools.htm>.

³ See Security Council resolution 1244 (1999).

and nature protection (the former Yugoslav Republic of Macedonia); Go Green (the former Yugoslav Republic of Macedonia); Centre for electronic communication — EKONET (the former Yugoslav Republic of Macedonia); EkoForum (Serbia); CEKOR — Centre for Ecology and Sustainable Development (Serbia); BlueLink Information Network (Bulgaria); Institute for Electronic Participation (Slovenia); Public-i (United Kingdom of Great Britain and Northern Ireland); Regional Environmental Center for Central and Eastern Europe (Hungary); and Research Institute on Judicial Systems (Italy).

7. In addition, several organizations were connected through Skype: the United Institute for Training and Research (UNITAR); United Nations Environment Programme (UNEP)/GRID-Arendal; Centre of Registers and Information Systems (Estonia); and Dialogue by Design (United Kingdom). Representatives of Gelderland Province (Provincie Gelderland) in the Netherlands also participated via Skype.

I. Opening of the meeting

8. The Minister of Environment and Physical Planning of the former Yugoslav Republic of Macedonia opened the meeting and welcomed the participants.

II. Main topic areas

9. Using an interactive format of presentations (Skype conference facility), discussions and hands-on training on the Aarhus Clearinghouse mechanism, the workshop provided a comprehensive guidance to new technological challenges and available interactive devices to foster the implementation of the Aarhus Convention.

10. Topics were discussed under every pillar of the Convention, showing several top-down as well as bottom-up initiatives under each subject, as set out in the following subsections A to F.

A. Access to information

11. The first session of the Workshop, on access to information, aimed to provide answers and guidance on the following issues:

- How to establish the flow of information under the institutional framework to feed the environmental website.
- How to create meta-information systems in order to help people in requesting information.
- Tips to create a website that is regularly and easily updated.
- How to create persona-led information systems.
- Tools to allow easy and low-cost management of contents.
- How to deal with e-information requests when there are legal procedures for ordinary written procedures; i.e., register of e-requests.

12. During the first session, several governmental initiatives were presented by (a) the Environmental Information Centre of the former Yugoslav Republic of Macedonia; (b) the virtual character-led information system “My living Environment” (www.gelderland.nl/mijnleefomgeving) being used in Gelderland Province, the Netherlands, and by (c) the online reporting facility www.servis48.si in the town of Celje in Slovenia.

13. The online reporting facility www.service48.si attracted the greatest interest of the three presentations. Participants asked about the motivation of the Celje municipality to run such a demanding initiative for citizens reporting on problems which need to be fixed in the territory of the municipality, such as uncollected garbage, roads/sidewalks in bad condition, out-of-order traffic lights, misused public parks, etc.

14. According to the presenter of the Institute for Electronic Participation (INePA), many discussions were taking place in Slovenia about the standards of administration and how to involve citizens in local management issues. The municipality of Celje had found its online reporting facility to be useful because it both increased the engagement of citizens and gathered more information from them, which ultimately helped to improve the municipality's performance.

15. Online reporting to the municipality was made three to four times per day and there was one person employed by the municipality who primarily handled the input given by citizens. For more complicated and complex issues there was a network of municipal employees who could help in solving the issues being reported. In cases involving environmental issues, the person managing the portal redirected the problem reported to the appropriate institutions.

16. Transparency issues regarding the online tool were problematic, as there was no clear strategy for enhancing transparency and no written feedback that could track how citizens' requests/proposals had been taken into account or implemented.

17. There was also no method to evaluate the quality of the service or to assess its effectiveness.

18. In conclusion, it could be said that this initiative served as an exemplary case of how citizens provided information to a public authority and also how citizens were using EITs to improve their living environment.

19. Bottom-up (citizens) initiatives related to access to information were presented by the Virtual Assistant in Gelderland Province, and by Bluelink Information Network for the online platform, Save the Forest (www.spasigorata.net) in Bulgaria.

20. The "Save the Forest" — online platform for alerts on illegal logging — was presented by BlueLink, which for the past 12 years has run a nationwide environmental information network, facilitating information exchange among NGOs, citizens and institutions.

21. The "Save the Forest" platform had involved Government authorities, NGOs and media, but had been temporarily stopped as BlueLink had not received support from the new Government for further operation.

22. Eventually around 10 per cent of the reported cases of illegal logging had been taken up by the National Forest Agency and had ended with sanctions being imposed. The problem was that in many cases the National Forest Agency was uncertain whether the reported cases were legal or illegal. The same problems had occurred also in other SEE countries.

23. The public was engaged in the online platform through social networks, through media, press releases, etc., and it was very easy to engage and mobilize citizens in that way.

24. It was concluded that the platform was also a good tool to aid law enforcement and access to justice. BlueLink was encouraged to share their expertise with other prosecutors and enforcement agencies, police or judges, not only in Bulgaria but also abroad. The online tool could be easily used in other countries for monitoring/discovering illegal logging and also for other pollution-related environmental crimes.

25. REC had a project under the Initiative on Environment and Security (ENVSEC) for SEE that could be used for promoting these types of platforms.

26. According to BlueLink, the NGO community had lots of other similar ideas, although not enough resources to put them into practice.

27. It was further reported that Geographic Information System (GIS) data-based positioning had been used in Estonia and Slovenia to pinpoint illegal waste dumps and clean them up. In Estonia, the State would have had to spend 22 million krooni (15.6 krooni = 1 euro) to collect all the illegal garbage, but the citizens initiative had done it for half a million krooni, and in a shorter time (half a day). Clearly, lots of resources could be saved when modern technologies were used.⁴

B. Public participation

28. The second session of the Workshop, on public participation, aimed to discuss the following issues:

- How to set up national e-participation platforms in order to hold electronic dialogues between authorities and citizens.
- How to combine e-participation and social networking platforms.
- What to bear in mind when an e-participation takes place.
- How to combine the e-procedure with the ordinary procedure: challenges and positive aspects.
- How to provide capacity-building to users and civil servants.
- How to make sure that everyone entitled to participate can have e-access to the procedure.
- How to make the participation procedure user-friendly.
- How to take into account outcomes of the e-participation procedure and how to inform the public better about decisions made by the responsible authority.

29. Governmental initiatives were presented using the example of online consultations organized on nuclear issues in the United Kingdom. Dialogue by Design presented a specific consultation on nuclear issues, as well as an overall methodology for online consultations. Participants found it very comprehensive and useful.

30. Online consultations on nuclear activities in the United Kingdom had been initiated by officials as an open process which had not targeted or exclude anyone. The invitation had been intended to reach as many people as possible. In addition to media announcements, about 2,000 people had been directly invited. Additional marketing had been done to reach out to the general public.

31. In order to make the comments/inputs credible, the names of persons who made comments were made public. At the same time, that had created a huge amount of problems regarding data protection, so that there should have been an option for people to opt out.

32. Overall, 25,000 people had answered online. Only 5 per cent had supported the newly built facility, although 53 per cent supported nuclear power in general. Public reactions had been negative and sometimes hostile, but the Government had expected it.

⁴ More about this initiative is available from: <http://www.letsdoit.org/>.

The Government already had a policy; they had consulted the public because they had wanted to legitimize their policy and to get some public support.

33. The presentation made by Public-i about how to combine social networking with more traditional e-tools was of great value for the participants.

34. E-petitioning was also discussed. Many questions arose after the presentation of the Slovenian citizens' initiative Citizens' Forum, which invited citizens to get involved and provide input on the agenda items of the European Parliament.

35. As a result of the Citizens' Forum, the public in Slovenia was well informed on the level of European decision-making; unfortunately, there was no similar online forum at the national level, and at local level the situation was even worse as there was no local e-democracy strategy yet.

36. There was no e-democracy/e-participation strategy within the environmental ministry. The Government had, however, been taking some steps to enhance civil dialogue.

37. Many participants expressed their interest and readiness to learn more about online forums and their operation. Some NGOs in the subregion were about to open similar online platforms. For example, the former Yugoslav Republic Macedonia NGO Front 21/42 was about to launch a public participation website and service as there was very limited official information about planning projects, integrated permits and other decision-making processes where public participation applied.

38. The INePA representative noted that it was the experience in Slovenia that if an NGO started any participation initiatives it was quite soon followed by the Government. Subsequently, participants discussed the necessity to develop and disseminate recommendations of good practices to help to deal with online consultation problems. They thought that those issues could be brought to the attention of the Task Force on Public Participation in Decision-making under the Aarhus Convention.

39. It was mentioned as symptomatic that online and offline consultations often had very similar problems. Moreover, instead of solving those problems new tools often created additional ones: for example, when there was a gap between the people who had access and who had knowledge to contribute.

40. The secretariat informed participants about ongoing preparations for the adoption of a code of good practice on information, participation and transparency in Internet governance developed under the Internet Governance Forum by the United Nations Economic Commission for Europe (UNECE), the Council of Europe and the Association for Progressive Communications.⁵ In addition, participants were invited to use the Recommendations on the More Effective Use of Electronic Information Tools to Provide Public Access to Environmental Information, adopted by the Parties to the Aarhus Convention in 2005.⁶

C. Access to justice

41. The third session of the Workshop, on access to justice, aimed to provide further examples and guidance in the following areas:

- Free online jurisprudence databases and benefits of access to justice.

⁵ Draft code is available at: <http://www.unece.org/env/pp/related.htm>.

⁶ Text of the recommendations is available at:
<http://www.unece.org/env/documents/2005/pp/ece/ece.mp.pp.2005.2.add.4.e.pdf>.

- Examples of how to keep the public informed of their Aarhus rights.
 - Examples of how administrative decisions are also made available online, providing the public and promoters with information and knowledge on how authorities deal with issuing permits, licences or authorizations.
42. As it was difficult to identify good examples on the application of EITs to access to justice, the discussion took place after the introduction to the subject prepared by the representative of the Research Institute on Judicial Systems, who explained why it was so difficult to use information and communication technologies (ICTs) in access to justice and his views on how to promote it.
43. The presentation on the Estonian e-file system drew many questions about the technical set-up, security and infrastructure issues.
44. The secretariat informed participants that the jurisprudence database on access to environmental justice would be available as of December 2010 at the Aarhus Clearinghouse for Environmental Democracy (<http://www.aarhusclearinghouse.org/>).

D. Electronic Pollutant Release and Transfer Registers

45. The fourth session of the Workshop was dedicated to electronic Pollutant Release and Transfer Registers (e-PRTRs). After the presentation by the representative of UNITAR, many comments and questions arose, including how to present PRTRs in a more user-friendly way, who should monitor that the data was presented on time and was of good quality, and how the public could participate in the development of the system.
46. To achieve a more user-friendly set-up of PRTR the speaker suggested the use of graphs, maps, tables and analyses. The quality of the information should be checked by the national authorities in charge of PRTR. Additional staff with the requisite ICT skills were also needed to ensure monitoring of the data. If the authority was not sure about the validity of the data, inspections should be undertaken to check it.

47. Finally, the UNITAR representative stressed that public participation was not an option, but an obligation according to the Aarhus Convention's Protocol on Pollutant Release and Transfer Registers. The public, as well as other stakeholders, including industry, should participate in the development of a PRTR; that was why it was so important that they understand the benefits of using a PRTR.

E. International and regional programmes, funding

48. The international and regional programmes and funding possibilities for ICTs and public participation were discussed during the fifth session of the Workshop. Issues discussed included a recommendation to seek opportunities through the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007–2013) and bilateral cooperation.

F. Hands-on training on the Aarhus Clearinghouse

49. The Workshop ended with a hands-on training session on the Aarhus Clearinghouse conducted by GRID-Arendal, where participants learned how to contribute to the mechanism, publishing their own information and resources.

III. Conclusions

50. Participants underlined the need to continue building on the outcomes of the Workshop. It was suggested that recommendations be prepared on how to improve the use of EITs in public consultations, as well as the need to work together with the Task Force on Public Participation in Decision-making. Work should take into consideration a host of material already produced under the Aarhus Convention and in other forums. Participants considered that many of the initiatives presented during the Workshop (e-petition, monitoring of illegal logging, etc.) should be promoted in the region and beyond. Finally, the importance of maintaining regular contacts among participants and with the National Focal Points of the Aarhus Convention and of the PRTR Protocol was also stressed.
