

**Meeting of the Parties to the Convention on Access to Information, Public Participation
in Decision-making and Access to Justice in Environmental Matters
Fourth session
Chisinau, 29 June - 1 July 2011
High-Level Segment**

Statement by Mr. Zoltan Illes, Secretary of State (Hungary)

“Distinguished Ministers, Mr. Executive Secretary, Ladies and Gentlemen!

The Agenda 21, the basic document for sustainable development states that broad public participation in decision-making is one of the fundamental prerequisites for the achievement of sustainable development. Individuals, groups and organizations should have access to information relevant to environment and development held by national authorities, including information on products and activities that have or are likely to have a significant impact on the environment, and information on environmental protection measures.

(We are all familiar with the content of Principle 10, however I would like to recall:

“Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.”)

These requirements were stated in the Rio Declaration almost 20 years ago; however its implementation is lagging behind in many regions of the world, where citizens, civil society organizations are kept out of influencing decision-making on those issues that considerably influence their everyday life and the future of their children.

The United Nations Economic Commission for Europe (UN ECE) had set a good example in 1998 by adopting the Aarhus Convention as the international instrument for the implementation of Principle 10 of the Rio Declaration in the UN ECE region. 16 countries were needed to ratify the convention in order to come into force - which happened on the 30th of October 2001. I can proudly say that Hungary was among the first 16 signatories.

The Aarhus convention has been described by Kofi Annan as the “the most ambitious venture ever in the area of environmental democracy”. The convention, born from the fourth “Environment for Europe” conference, and now with 40 countries and the EU itself as signatories, does indeed represent the most progressive international agreement on public participation and environmental justice in the world. It recognizes, and attempts to institutionalize public access to environmental information and of public participation in decision making. The negotiations for the Aarhus convention embodied this “progressive” spirit with an historic occasion. The Aarhus meeting was the first international ministerial meeting in history where NGO's were permitted to organize and lead a half-day dialogue between ministers and NGO representatives.

Access to information, public participation and access to justice in environmental matters – the main scope of the Aarhus Convention – are also fundamental elements of good governance at all levels.

Public participation in international meetings is getting more and more attention. The sessions of the UN Commission on Sustainable Development (CSD) provides a good example of involvement of stakeholders, the representatives of major groups defined in Agenda 21, namely women, children & youth, indigenous people, non-governmental organizations, local authorities, workers & trade unions, business & industry, scientific & technological community and farmers.

In 1997, CSD initiated its “organizing partners’ mechanism” to reach out to its major groups worldwide. Each major group engages in consultations with their groups’ networks to draft a “discussion paper” or a “priorities for action” paper (depending on the year of the implementation cycle), which represent a common platform for each sector. This approach allows the secretariat and the Bureau to consult in a more timely fashion with major groups during the preparatory phase of the CSD and to organize major groups’ participation in a more harmonious, targeted and coordinated manner during the sessions itself. These papers produced by the major groups are distributed as part of the CSD’s official documentation, in all official UN languages.

The United Nations General Assembly has called for a UN Conference on Sustainable Development (UNCSD) in Rio in 2012 to take stock, 20 years after the historic United Nations Conference on Environment and Development. The effectiveness of preparations for UNCSD will depend first and foremost on the national level preparations and the regional preparations that will feed into the global process. Multi-stakeholder processes and consultations form inevitable part of the national and regional preparations, therefore in many countries consultations started and coordination mechanisms have been established. For the sake of information sharing, the Rio+20 Secretariat invited UN Member States to share their preparatory activities (News stories and Events) on the Rio+20 Conference website.

The UNCSD in 2012 provides a further opportunity for involvement of major group representatives, building on the traditions of CSD and the Johannesburg World Summit on Sustainable Development, in the work of the international community on the future of sustainable development. The UNCSD will provide also a good opportunity for the UNECE region to share experience and best practices gained through the implementation of the UNECE Aarhus convention on access to information, public participation in decision-making and access to justice in environmental matters and encourage other UN regions to follow our path in this regard.

Finally, please allow me to share a Hungarian “good practice” example with you. Hungary has introduced the post of ombudsman for future generations, which is a unique office. The ombudsman’s mandate is based on guaranteeing the right of citizens to live in a healthy environment. This inter-generational responsibility is a whole new area for environmental law and contributes to the participation of citizens in policy making through making more pressure for long-term accountability for environmental resources.

I thank you for your kind attention!”

Annex

Background information – the Hungarian situation (historical overview)

The existing Hungarian legal system and the evolving practices on access to information and public participation enabled the ratification and promulgation of the Aarhus Convention (by Act LXXXI of 2001).

The development of an appropriate institutional background is one of the main tasks in the implementation of the Convention at national level (especially for collecting, processing and disseminating environmental information).

The establishment and operation of the Ministry's Public Information Office was the first significant step. The Information Office assisted interested organizations and citizens with practical information and services on environment-related topics since June 1997. The Global Resource Information Database (GRID) Budapest Center collected and – through the Office – made available data on the state of the environment and environmental resources in Hungary. The Information Office also functioned as a mediator of public demands, suggestions and reflections.

Building on this corner-stone, the Ministry gave further expansion to this kind of services co-operating with a group of environmental NGOs, the Hungarian Association of Environmental Consultants. Sixteen environmental information offices run by non-governmental organizations in different cities in the country supply environmental information in co-operation with the Information Office of the Ministry since 1998. The establishment of the network was financed from the Central Environmental Fund and co-financed from NGO and municipal sources.

In order to improve access to information and public participation in Hungary the Ministry expanded the co-operation on this field by settling information offices/visitor centers at every Environmental Inspectorate and National Park Directorate in order to strengthen the links, exchange of experience, sharing information of public interest between the governmental and NGO services. The Ministry also provided further financial and practical assistance to the operation of the NGO-run information offices to ease them to provide information on environment and sustainable development.

The increased use of electronic tools (especially Internet) for information provision of easier access for broader public through linking the web site of the ministry, the environmental inspectorates and national park directorates and the Hungarian web site of sustainable development (www.ff3.hu) and the web site of the NGO network will help us to achieve these goals.

Public participation in legislative drafting in Hungary is regulated since 1996. The web site of the ministry was used to collect public opinion concerning legislative drafts.

More and more organizations realize their possibilities and get involved in environmental legislation, making the best of the rights ensured by the Hungarian law. In the case of preparing themes raising major interest, the Ministry organizes co-ordination discussions for the sake of the earliest possible, better and mutual learning of opinions, exchange of views among the representatives of various stakeholders. As it was justified by the last period, this method meets the requirements of the Convention as well.