

## **Aarhus Convention; MOP-5, Maastricht**

### **6. Promotion of the Convention and relevant developments and interlinkages (c) Global and regional developments on issues related to Principle 10 of the Rio Declaration on Environment and Development**

#### **Statement by Mr. Hou, law professor from China University of Political Science and Law**

Good morning, ladies and gentlemen. Thank you, Mr. chair. I am Jiaru Hou, law professor from China University of Political Science and Law. I am here on behalf of Quaker United Nation. I would like to talk about the latest development and the challenges of China law on access to information, public participation in decision-making and access to justice in environmental matters.

First, I shall point out that Aarhus Convention has a significant influence on China's related legislation. As far as I know, the UNECE has been invited on several occasions to present the Chinese government officials and other stakeholders the experiences and challenges its Parties have gained in implementing the Convention. Aarhus Convention has been well studied by the academia. From 2006 to 2013, there are 4 doctoral thesis and 7 master's thesis on Aarhus Convention in China.

Secondly, China has now established a legal framework on these environmental matters. Especially after the new modification of China Environmental Protection Law which was adopted in April 24 2014, and the modification of China Civil Procedure Law which was passed in 2012, China has substantially established the legal systems regulated on these environmental matters.

Thirdly, We might say, China Laws on these environmental matters are good, on paper; but there is still a long distance from the public expectation in practice. A growing number of massive environmental disputes were reported in recent years, and there are many good reasons to account of why they happened, the most important one is that these laws are not well obeyed by the government officials and also the citizens. China does have the law on paper, but these laws have not been implemented and complied well enough in practice.

It seems to me that the biggest challenges and the key issues to be addressed in the future of China law on access to information, public participation in decision-making and also access to justice will be how to put the law into practice, how to implement this existed legal system. But it is not easy. After all, The idea of rule by people has been rooted in Chinese culture over 5000 years, but the concept of rule of law just prevailed in new China for about only 30 years. As a Chinese saying, the future is bright while there is still a long way to go.

Finally, I would like to conclude my speech with the quotation of former United Nation Secretary-General Kofi Annan, "Although regional in scope, the significance of this Aarhus Convention is global. It is by far the most impressive elaboration of principle 10

of the Rio Declaration, which stresses the need for citizens' participation in environmental issues and for access to information on the environment held by the public authorities. As such it is the most ambitious venture in the area of environmental democracy. So far undertaken under the auspicious of the united nations." I can't agree more with him.

Thank you.