

## QUESTIONNAIRE FOR CONSULTATION PROCESS ON ISSUES ADDRESSED BY THE AARHUS CONVENTION'S ALMATY GUIDELINES

The aim of this questionnaire is to elicit the views of international forums on the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums, in a context of exchange of experience between international forums on access to information, public participation in decision-making and access to justice on environmental matters.

**1. Please provide any comments on the Guidelines, in view of your forum's own processes, activities and particular characteristics.**

The Guidelines are very generic, and guidance is mainly a matter of common sense and good practice. However, this is indeed the nature of UN guidance. Considering the importance of the topic, more should be done to develop PRACTICAL guidance, including clear examples and procedures, for public participation in environmental issues and processes, and access to information. Most of what proposed in the guidelines has been discussed and proposed at length under other processes such as CSD. Although repeating these concepts is important, the fact there is a need to still address the issue is a sign that afforest so far were not effective, and new instruments and a different type of guidance should be developed.

**2. Does your forum have any formalized rules or procedures concerning access to information, public participation in decision-making, and access to justice in environmental matters? If yes, please provide an overview??**

No specific rule and procedures beyond the qualified right of NGOs to attend the Conference of Parties . Several mechanisms are however in place for information sharing and a specific mandate to the secretariat from the Convention to 'provide for the general public information concerning this Convention and its objectives' . Public information mandate is often missing from the responsibilities of other MEAs Secretariats. CMS has also adopted at the last COP an Outreach and Communications plan (Res. 8.8) – see link [http://www.cms.int/bodies/COP/cop8/documents/proceedings/html/en/cop8\\_res\\_rec\\_en.htm](http://www.cms.int/bodies/COP/cop8/documents/proceedings/html/en/cop8_res_rec_en.htm) indicating actions and areas for public information work. Public participation is formalized through partnership agreements with interested NGOs and IGOs, however no formal structure has been set up.

**3. Does your forum have any non-formalized practices concerning access to information, public participation in decision-making and access to justice in environmental matters? If yes, please provide an overview.**

Most of the practices to access information and for public participation are not formalized. In general our policy is to provide information requested unless it is of a confidential nature. See above.

**4. Are there any current or future work plans of your forum that may affect the extent of or modalities for access to information, public participation in decision-making and access to justice in environmental matters? If yes, please provide an overview.**

CMS is increasing the number of bodies with which it develops Partnerships – the bodies concerned include other IGOs (eg Regional Seas Conventions), scientific bodies (eg Zoological Society of London), conservation and animal welfare bodies (eg Whale and Dolphin Conservation Society) and user groups (eg Commission International pour la Chasse) This naturally extends the accessibility of CMS information and public participation.

**5. In particular, what kind of challenges, if any, has your forum encountered with regard to access to information, public participation in decision-making and access to justice in environmental matters (for example, low involvement of civil society, or practical difficulties in managing public participation)? If appropriate, please provide a description underlining those experiences you think could be most useful to consider when reviewing the relevance and practicality of the Almaty guidelines.**

Most of the challenges indicated in the questions are experienced more at the national level than at the international one. However, for what pertains CMS process, involvement of civil society had been good and open, and no serious problems have been experienced. More practical guidance could be provided on difficult situations, like the handling of close sessions. More details could also be provided in Para 31, providing examples actions described.

Please note that the term “the public” is used throughout the questionnaire to mean one or more natural and legal persons, including non-governmental organizations.

Answering the questionnaire may require selection of a limited number of elements amongst what is often a complex field of rules and practice. To support or complement your answer, please feel free to provide existing relevant documentation about your forum.

The questions have been formulated in a broad manner so that each forum can approach the subject on the basis of its own views and experience. More specific indications of points that may be relevant to the consultation are provided by the Almaty Guidelines themselves.

Responses should be sent in writing to the Aarhus Convention Secretariat, Environment, Housing and Land Management Division, United Nations Economic Commission for Europe, Bureau 332, Palais des Nations, CH-1211 Geneva 10, Switzerland, fax: +41 22 917 0634, email: [public.participation@unece.org](mailto:public.participation@unece.org).

Finally, please note that the deadline for responses to the questionnaire is 17 September 2006.

**Thank you for your kind cooperation!**