

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.

Reply by the UNESCO World Heritage Centre (m.rossler@unesco.org)

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

These guidelines have never been provided to the World Heritage Committee, the governing body of the 1972 World Heritage Convention – so there was no formal process of taking them into account; However for selected field missions monitoring World Heritage properties the Aarhus Convention was noted in the recommendations (e.g. mission to Durmitor National Park, Montenegro (2005) concerning threats by a hydropower project)

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.

There are rules of procedures for the World Heritage Committee (21 Members elected by the General Assembly of all States Parties, currently 183) which guide the access to meeting (and therefore access to decision making documents) which are available on the web-page of the World Heritage Centre at whc.unesco.org

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.

The current practice is to allow NGOs to attend the sessions of the World Heritage Committee and if time permits to speak, such as Climate Justice, Birdlife International WWF etc. Some Committee debates such as the one on climate change and World Heritage (see decisions by the 30th session of the World Heritage Committee at whc.unesco.org); Information on environmental issues can come through civil society, NGOs or individuals to the World Heritage Centre according to paragraph 172 of the Operational Guidelines (whc.unesco.org).

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.

The increasing interest in the participation in World Heritage Committee sessions may lead to the restriction of access (e.g. the number participants in Observer delegations had to be restricted already in 2006).

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.

The biggest challenge is for access to decision making at the local that means the site level: transparency of processes is absolutely necessary to make people feel “partners in site management” (see para 40 of the Operational Guidelines): “Partners in the protection and

conservation of World Heritage can be those individuals and other stakeholders, especially local communities, governmental, nongovernmental and private organizations and owners who have an interest and involvement in the conservation and management of a World Heritage property. “

However this may not be applied equally in all states parties to the World Heritage Convention and some NGOs and civil society may feel excluded from decision making processes in and around World Heritage properties.

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.

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

Thank you for your kind cooperation!