

**Working Group of the Parties to the Aarhus Convention**

**Fifteenth meeting**

Geneva, 3–5 September 2012

Item 6 of the provisional agenda:

**Thematic session on the promotion of the principles of the Convention in international forums**

**EXTRACTS FROM THE NATIONAL IMPLEMENTATION REPORTS  
ON ARTICLE 3, PARA. 7<sup>1</sup>**

**Background paper for thematic session  
to be held Tuesday, 4 September 2012, 15.00-18.00**

This document contains a “cut and paste” compilation of all reporting on article 3, para. 7 provided in the national implementation reports submitted by Parties to the Aarhus Convention in the 2005,<sup>2</sup> 2008<sup>3</sup> and 2011<sup>4</sup> reporting cycles. As well as extracting all text in the national implementation reports expressly purporting to report on the implementation of article 3, para. 7, the compilation also includes text relevant to promoting the principles of the Convention in international forums contained in the reports under other provisions. All paragraph numbers contained in the document relate to the paragraph numbers in the original NIR.

Delegates are invited to peruse this document in advance of the thematic session in order to gain an overview of activities carried out to date by individual Parties to implement article 3, para. 7. Delegates are also invited to take note of the wide variation in the quality of reporting on this provision.

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<sup>1</sup> Article 3, para. 7 provides: “Each Party shall promote the application of the principles of this Convention in international environmental decision-making processes and within the framework of international organizations in matters relating to the environment.”

<sup>2</sup> [http://www.unece.org/env/pp/reports\\_implementation\\_2005.html](http://www.unece.org/env/pp/reports_implementation_2005.html)

<sup>3</sup> <http://www.unece.org/env/pp/mop3/mop3.doc.html> (see category II documents)

<sup>4</sup> [http://www.unece.org/env/pp/reports\\_implementation\\_2011.html](http://www.unece.org/env/pp/reports_implementation_2011.html)

 **Albania**

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

No information provided on the implementation of article 3, para. 7.

 **Armenia**

**Year: 2005**

(d) The public structures organize more often public hearings of publications and reports prepared for presentation in international forums. Representatives from the Ministry as well as NGOs take part in international forums. In all the programmes related to environmental protection two provisions of the Convention are stressed and exercised: the right to access to information and the right for the public to participate.

Since the above-mentioned EU-TACIS programme and as a result of the training conducted for officials of other ministries, awareness of the Convention has increased. The commitment to further implementing the Convention on an international level has also increased;

**Year: 2008**

21. The authorities are more actively organizing public hearings on publications and reports prepared for presentation at international forums. Representatives from the ministry, and also of non-governmental organizations, attend international forums. In all the programmes related to environmental protection two provisions of the Convention are stressed and exercised: the right to access to information and the right of the public to participate.

22. In 2007 a number of workshops with international experts were organized in Yerevan. These included a workshop on pollutant transfer registers and a regional seminar on the Convention on Environmental Impact Assessment in a Transboundary Context and the Protocol on Strategic Environmental Assessment.

**Year: 2011**

13. The authorities are more actively organizing public hearings on publications and reports prepared for presentation at international forums. Representatives from the Ministry and non-governmental organizations attend international forums. All environmental programmes stress and implement two of the provisions of the Convention: the right to access to information and the right of the public to participate.

14. Over the period 2002-2004, the EU-TACIS programme on environmental information, education and public awareness was put into effect. In order to raise public awareness of environmental issues and to promote environmental outreach, competitions were organized with the support of the OSCE office in Yerevan for journalists on the best coverage of environmental issues in the press and on television.

15. Starting from 2008, the principles of public participation in international forums, including the Almaty Guidelines, have been presented to civil society representatives in the framework of the training periodically organized for various professional groups, civil servants and NGOs by the Environmental Law Resource Centre of the Faculty of Legal Science of Yerevan State University.

16. In 2010, the Ministry of Nature Protection published a bulletin on Armenia's environmental NGOs, which includes information on the main types and areas of activity of NGOs. Such publications give state bodies the opportunity to define the public concerned and provide timely and accurate information about the corresponding processes, thereby increasing the effectiveness of public participation. This is not the first such digest and such information is periodically updated.

17. Information on international forums is mainly distributed by email, and is only partly available to interested parties. However, public liaison units within state bodies do not have a duty to distribute such information among the public. The media's activity in this area is also passive.

18. Public information about international forums is more effective when the information is distributed directly by the forum itself.

19. This process needs to be systematized at national level in order to improve the effectiveness of public participation in international forums. In this respect, state bodies are mainly guided by the professional aspects of the problem. It should be noted that NGOs also conduct discussions with public representatives on their own initiative.

20. The experience of the NGO Khazer was positive: an Armenian delegation took part in the 15th Conference of the Parties to the UN Framework Convention on Climate Change (COP15) that took place in Copenhagen in December 2009. This conference was preceded by a forum for representatives of environmental NGOs in Yerevan entitled "The Road to Copenhagen: Armenia on the Threshold of the 15th Conference of the Parties to the Convention on Climate Change". On Khazer's initiative, a conference entitled "From Copenhagen to Cancún" was held on 11 May 2010.

21. The NGO Women for Health took part in the World Health Organization Health and the Environment conference. It is worth noting the working meeting held in Budapest on the initiative of Women in Europe for a Common Future as a positive experience of public participation and access to information on water management. This was attended by representatives of the Ministry of Nature Protection and NGOs.

22. NGO representatives were included in the Armenian delegation to the Belgrade conference of ministers of the environment (2007).

23. Steps taken to apply the Convention's principles in work programmes, projects, decisions and other significant outcomes of other international forums are not based on legislative requirements but are the results of initiatives of state bodies and international forums. For example, the Ministry of Nature Protection, the National Ozone Centre and the UNDP invited public representatives to participate in preliminary work on the Programme for the Staged Replacement of CFCs (25-26 February 2010).

## OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 3

**Year: 2011**

4. As regards encouraging public participation in international forums, the following obstacles exist: a) financial obstacles; b) a lack of specific criteria and transparency when selecting NGO representatives.

## Austria

Year: 2005

Not Party at time of reporting cycle.

Year: 2008

25. The coordination of Austrian positions in international matters is also part of the consultation mechanism stated under article 3, paragraph 4. As regards several meetings of international bodies, environmental organizations are also part of the Austrian delegation (e.g. the Sixth Ministerial Conference “Environment for Europe” as well as in the framework of the recent United Nations Climate Conference held in Bali). Especially in the framework of the Convention and the Convention on Biological Diversity, environmental organizations are involved very deeply.

Year: 2011

In order to assess the participation of the Austrian public in the context of international negotiations in the environment field the BMLFUW entrusted the Ökobüro (an Austrian environmental NGO) with the task to identify the current practise as well as best practise examples of public participation and to provide related recommendations. The project was carried out in three steps. Firstly, interviews were conducted with both representatives of NGOs as well as with ministry representatives who take part in international negotiations in October 2009. Secondly, a summary and commented German version of the PPIF-Guidelines was produced and finally, based on the results of the interviews, recommendations were compiled. These recommendations were published both on the Ökobüro website and on the website of the BMLFUW. Finally, a PPIF-workshop took place in November 2009 at the BMLFUW, where the results and recommendations were presented to the interested public and discussions took place.

To ensure the knowledge of the guidelines for the future, the BMLFUW spread the results of the project and the workshop by e-Mail and published them on the BMLFUW website (the Ökobüro also published the results in their newsflash magazine to about 3000 recipients and on its website). The results of the project were also presented in the UNECE workshop on “experiences of promoting the application of the principles of the Aarhus Convention in international forums” that took place in June 2010 in Geneva as part of the fifth meeting of the Task Force on PPIF.

25. The project showed that while knowledge of the Aarhus Convention and awareness about its aims existed, knowledge about the Almaty guidelines was less widespread. But it also showed that international negotiators within the BMLFUW broadly acted in conformity with the guidelines, even if they did not know them. It proved useful to have an early or ongoing exchange of information process in the run up to international negotiations and to have well established personal contacts between involved players of the Ministry and NGOs. The exchange of information on a national level regarding international forums, however, varies depending on the type of international forum and the quality and confidentiality of the information. Due to these differences there is no formalised procedure for the exchange of information on a national level. In addition to the information provided on the BMLFUW website and related websites, specific information is often provided upon request. In many cases a climate of personal acquaintance and mutual trust proves useful as a solid basis for the exchange of information. The coordination of Austrian positions in international matters is also part of the consultation mechanism stated under article 3, paragraph 4. As regards several meetings of international bodies, environmental organizations are also part of the Austrian delegation (e.g. the Sixth Ministerial Conference “Environment for Europe” as well as in the framework of the last United Nations Climate Conferences (held in Bali and Copenhagen). Especially in the framework of the Convention and the Convention on Biological Diversity, environmental organizations are involved very deeply.

Year: 2008

28. Concerning Article 3 (7) Austria has already used the second meeting of the Parties to the Convention to point to the complex challenges constituted by the guidelines, as they include manifold international details. Also, in a basically highly-networked State featuring a high environmental profile, the implementation of the guidelines represents a major task which demands the cooperation of several ministries and sectors.

**Year: 2011**

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 **Azerbaijan**

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

5. In order to ensure coordination within and between government departments, officials who participate in other relevant international forums are informed on an on-going basis. All information, including information of the type described above, is available through the web pages of the Ministry of Ecology and Natural Resources and other state authorities.

6. A council has been formed under the Ministry of Ecology and Natural Resources that includes representatives of NGOs and the public, where on-going discussions of international forums are held.

7. In order to promote and enable public participation at national level with respect to international forums, members of NGOs are invited to participate in the Party's delegation in international environmental negotiations or involved in preparing the Party's official position. NGOs and members of other social groups are granted access to information during the stages of negotiations.

8. Decisions are taken to promote the principles of the Convention in the procedures of other international forums by working groups on international conventions that include members of NGOs.

9. Measures are taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums.

10. Legislation grants everyone the right to judicial protection of their rights. For example, article 1 of the Act on the Judicial Appeal of Decisions and Actions (Omissions) that Infringe the Rights and Freedoms of Citizens specifies that if citizens believe their rights and freedoms to have been breached by a decision or action (omission) of state authorities, enterprises and officials, they may file an action in court.

**Year: 2011**

12. Various steps are being taken to ensure the practical application of the article within the regulatory framework. All information, including information of the type described above, is provided through the web pages of the Ministry of Ecology and Natural Resources and other state authorities. A council has been set up under the Ministry of Ecology and Natural Resources that includes representatives of NGOs and the public where international forums are discussed on an on-going basis. Decisions are taken to promote the principles of the Convention in the procedures of other international forums by working groups on international conventions that include members of NGOs.



**Year: 2005**

(d) On the initiative of the Nature Ministry, representatives of the public have participated in the activities of the Aarhus Convention Working Groups: on access to justice, the application of the principles of the Convention in international decision-making processes and environmental matters. On the basis of article 7 of the Convention, the Nature Ministry has initiated discussions with the public concerning the ratification of a number of international agreements (conventions) (for more details see the Ministry's website);

**Year: 2008**

28. At the initiative of the Ministry of Environment, representatives of the public attended the work of the working groups established in the context of the Aarhus Convention: Groups work access to justice, implementation of the principles of the Convention in international decision-making processes, and issues related to the environment. Pursuant to paragraph 7 of the Convention, the Ministry of Environment has launched a public debate on the ratification of all international treaties (conventions). On 28 December 2007, the State Coordinating Council on Environment devoted a meeting to review the issue of Belarus' accession to the Berne Convention. In addition, the Ministry of Environment encourages the participation of representatives of non-governmental organizations in efforts regarding education for sustainable development.

**Year: 2011**

36. On the initiative of the Ministry of the Environment, public representatives have taken part in the work of Aarhus Convention working groups on access to justice and on the application of the Convention's principles in international environmental decision-making processes. On the basis of paragraph 7 of the Convention, the Ministry of the Environment initiated a public consultation on the ratification of a series of international agreements (conventions). For example, the issue of Belarus's accession to the Berne Convention was discussed at the meeting of the Public Environmental Coordination Council of 28.12.2007. Moreover, the Ministry of the Environment is facilitating the involvement of NGO representatives in the process of developing education for sustainable development.

37. A Centre for Environmental Conventions and Agreements has been set up on the basis of the department for international conventions and agreements of the Ecology scientific and research centre, a Republican unitary enterprise. Its aim is to improve the implementation of the obligations undertaken by the Republic of Belarus under international environmental conventions.



**Year: 2005**

#### **Federal authority**

(d) There are no legislative or regulatory provisions governing the application of article 3, para. 7, of the Convention at the federal level. With regard to the composition of the delegations responsible for international negotiations, it has become a growing practice for representatives from non-governmental organizations (NGOs) to be included in the regular delegation;

#### **Walloon Region**

(d) As a rule, the Foreign Ministry heads the Belgian delegation. In matters that come under its jurisdiction, the Region strives to ensure that NGOs are informed and participate through prior coordinating activities;

### **Brussels Capital Region**

(d) No particular measures were taken by the Region;

Year: **2008**

### **Federal authority**

24. An in-depth analysis will be carried out in the beginning of 2008 by external contracting parties on the implementation of the guidelines by Belgium as well as on the formulation of recommendations, if necessary.

### **Walloon Region**

33. As a rule, the Foreign Ministry heads the Belgian delegation.

34. In matters that come under the region's jurisdiction, the Walloon Region strives to ensure that NGOs are informed and participate through prior coordinating activities.

### **Brussels Capital Region**

40. No particular measures were taken by the region.

### **Flemish Region**

Year: **2011**

(d): With respect to paragraph 7

In the past, a survey was organised within the public services on the application of the PPIF-guidelines. Flemish International environmental policy is coordinated by a permanent body: the Flemish International Environmental Policy Consultation (VOIM) and for Belgium by the permanent Coordination Committee for International Environmental Policy (CCIM). Every six months, in January and July, an information meeting is organised with organisations involved in environmental policy: professional federations, trade unions, environmental organisations, ... During these meetings, priority files for negotiation for the coming six months are further explained. These priorities are each time elucidated in a thorough informative memorandum which is sent to all stakeholders invited to these meetings.

The <http://www.lne.be/themas/beleid/internationaal/multilateraal-milieubeleid/> website informs the citizen about the implementation of a multilateral policy and provides an overview of the different international forums, agenda and files.

### **Bosnia and Herzegovina**

Year: **2011**

According to article 63 LoPE FBiH/75 LoPE RS/60 LoPE BD, relating to the environmental impact assessment in the context of cross-border impact, these provisions apply in circumstances of international commitments, bilateral agreements or other reasons. According to article 70 LoPE FBiH/84 LoPE RS/70 LoPE BD, in case the operation of a plant or project may cause negative implications on the territory of another state, the environmental permit request shall be submitted to the country concerned. Further, if in the procedure to issue an environmental permit in another country, the FBiH MET, RS MSPCEE and BD DSPLPR receives documentation showing that the plant in question may have

adverse impact on the environment in FBiH/RS/BD, the population living in the concerned area shall be informed and provided opportunity to give their opinion. The law provides that detailed information about cross-border impact of plants on another country, should be determined through bilateral agreements.

In practice, NGO representatives participate in international delegations of Bosnia and Herzegovina. The last such example was the participation of NGO representative in the BiH delegation at the negotiations on UN Framework Convention on Climate Change in Copenhagen. It is also important to note that university representatives are involved in international representation of BiH. An example is the participation of the University of Sarajevo representative at the Cop 10 of the Convention on Biodiversity in Japan. It is important to continue supporting such efforts.

## Bulgaria

Year: **2005**

No information provided on the implementation of article 3, para. 7.

Year: **2008**

No information provided on the implementation of article 3, para. 7.

Year: **2011**

9. There is a practice NGOs to be involved in the preparation of Bulgaria's position on issues related to the environment at international level.

10. Guidelines for applying the principles of the Aarhus Convention in international forums has been submitted to the national coordinators of conventions related to the environment.

## Croatia

Year: **2005**

Not Party at time of reporting cycle.

Year: **2008**

With respect to paragraph 7 of the Convention we refer to Article 14, paragraph 2 of the EPA.

The RC has been a Party to the Convention on Environmental Impact Assessment in a Transboundary Context since 1997 (OG, International Treaties 6/96) and is experienced in procedures based on the Convention mentioned and, consequently, in information and participation of the public from the adjacent countries. The experiences in promoting the principles of this Convention are shared, among other things, through bilateral and multilateral bodies/international treaties to which the RC is a Party.

In this context Chapters 4.1 and 9 of the Contingency Plan for Accidental Pollution of the Adriatic (OG 92/08) are relevant too.

Moreover, as regards paragraph 7, the public is being regularly informed about activities and participation of representatives of public authorities in meetings of the parties to international treaties in the field of environmental protection, conservation of biological and landscape diversity and environmental components in general, including the outcomes of such meetings, on the web sites of the public authorities and/or through mass media. The public is also regularly informed about activities directly contributing to enforcement of international treaties, such as instances of seizure and return of illegal shipments of alien strictly protected species to the country of their origin, in collaboration with the authorities of those countries in charge of the CITES.

**Year: 2011**

The principle of cooperation in implementation of environmental protection within the state and cooperation with other countries, including provision of access to information about transboundary environmental impacts to other countries and sharing environmental information is laid down in Article 14 of the Environmental Protection Act (OG 110/07, hereinafter referred to as the EPA). Moreover, Article 45 of the Air Protection Act (OG 178/04, 60/08, hereinafter referred to as the APA) stipulates that the MEPPPC in conjunction with a competent authority of another state shall initiate activities aimed at adoption of joint air pollution abatement plans and programmes through application of appropriate measures in case of a major transboundary air pollution. The RC has been promoting principles of the Convention relating to transboundary environmental impact assessment through, among other things, bilateral and multilateral bodies/international treaties to which the RC is a Party.

The Ministry of Culture reports regularly on the results reached in international and interdepartmental cooperation on its website or by means of press releases at the request of mass media or on its own initiative. Non-governmental organizations are regularly involved in meetings of the parties relating to implementation of international conventions that the RC is a Party to.

As a competent authority the MEPPPC submits annual reports on greenhouse gas emission inventories and periodical national reports on climate change according to the UN Framework Convention on Climate Change (UNFCCC) (national reports on climate change according to the UN Framework Convention on Climate Change are publicly available on the websites of the MEPPPC and the UNFCCC Secretariat). Pursuant to the provisions of the Contingency Plan for Accidental Pollution of the Sea (OG 92/08) such accidents are recorded in reports and the general public is informed accordingly by the press and mass media about activities undertaken. The sub-regional plan has also made it obligatory to inform authorities of other countries about marine pollution. The Sub-Regional Contingency Plan for Prevention of, Preparedness for and Response to Major Marine Pollution Incidents (OG-IT 7/08) provides that the parties are obliged to establish and maintain an effective and operational information system in compliance with the standard POLREP system whose application was agreed within the context of the Prevention and Emergency Protocol to the Barcelona Convention. The provisions of the paragraph 4.4 of the Sub-Regional Plan, lay it down that national support teams established will provide advice to the National On-scene Commander concerning public information. According to the provisions of paragraphs 8.1 to 8.4 of the sub-regional plan, the designated public relations officer shall be responsible for maintaining contacts with the press, preparing press releases on behalf of the Lead Authority, following the information released by the press and clarifying any possible misunderstandings.

 **Cyprus**

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

No information provided on the implementation of article 3, para. 7.

 **Czech Republic**

**Year: 2005**

(d) The principles of the Convention are applied within the framework of the Organisation for Economic Co-operation and Development (OECD); the Czech Republic was the first party to invite NGOs to the discussions on the European Pollutant Emission Register (EPER), has ratified the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, etc.;

**Year: 2008**

9. Concerning paragraph 7, basic principles of the Convention such as public access to information, public participation in decision-making and access to legal protection, are transposed through a number of laws (see the Act on the right for information on the environment, the Act on environmental impacts assessment, the Act on Nature and Landscape Protection, the Act on Administrative Procedure, the Building Act, etc.).

15. The Czech Republic applies the principles of the Convention within the Organisation for Economic Co-operation and Development (OECD), where the country was the first party to invite NGOs to preparation and final negotiations of the Environment Performance Review (EPR). It has also ratified the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), etc. The Czech Republic has suggested that the meetings of the OECD Committee for Environmental Policy on the ministerial level be open to all interest groups, including NGOs. There are no standard binding rules to regulate obligatory participation of NGO representatives in government delegations to international forums that have environmental impacts. So it is up to the ministry or any other State administration body to decide whether the NGOs should be invited to take part or not.

16. Nevertheless, the Ministry of the Environment of the Czech Republic adopted an internal regulation in December 2007 which deals with NGO participation in delegations led by the Ministry of the Environment in international meetings.

**Year: 2011**

Re d): There currently exist no uniform binding rules governing compulsory participation of representatives of non-governmental organisations (NGOs) in State delegations at international forums concerned with the environment. It is up to the discretion of the individual central governmental authorities whether or not they will invite NGOs to participate. In 2007, the Ministry of the Environment drew up a sample agreement on participation of NGOs in a delegation of the Czech Republic led by the Ministry of the Environment in international negotiations; the agreement specifies the obligations and rights of NGOs and the Ministry of the Environment in international negotiations where an NGO is part of the Czech delegation. The Czech Republic employs the principles of the Aarhus Convention, e.g., in the framework of the OECD; it was the first party to invite NGOs to the preparation and final discussion of the EPR.

The Czech Republic supports opening of the meetings of the OECD's Environment Policy Committee to all special-interest groups, including NGOs. The former Minister of the Environment of the Czech Republic, JUDr. Jan Dusík M.Sc, is the chairman of the bureau of the Aarhus Convention for the 2008-2011 period. In November 2009, J. Dusík chaired an intergovernmental meeting on the preparation of global guidelines to promote implementation of Principle No. 10 of the Rio Declaration (access of the public to environmental information, public participation in decision-

making and access to justice in environmental matters). These guidelines were adopted at the 11 th special session of the UNEP GC/GMEF (24 to 26 February 2010) at Bali. Within its Presidency in the EU Council, the Czech Republic organised an international conference on the practical application of the provisions of the Aarhus Convention in the area of access to justice in environmental matters (16 to 17 April 2009).

## Denmark

### Year: 2005

(d) Denmark promoted these principles in negotiations at the 2002 World Summit on Sustainable Development in Johannesburg, and strives to ensure the broadest possible application of the principles globally and regionally;

### Year: 2008

18. Denmark has promoted the principles of the Convention in international forums at both global and regional levels. Denmark promoted these principles in negotiations at the World Summit on Sustainable Development in Johannesburg in 2002 and has promoted the principles in other international meetings and forums.

19. Concerning public participation in international environmental decision-making processes, there is a practice of including NGO members in delegations representing the State in international environmental negotiations. There is also a practice of involving NGO members in the national process forming the official position for such negotiations as well as in follow-up meetings.

20. As an example, the Convention on Biological Diversity can be mentioned. In most of the negotiation meetings, NGO members are part of the Danish delegation and if they are not present, it is because they have chosen not to participate. The ordinary Danish procedure in forming the country's official position involves both NGOs and other stakeholders. The national process between the international meetings also includes an international contact group for biodiversity and for forests as well as a stakeholder backup group for the negotiations under the Convention.

21. There have been internal consultations between the officials dealing with the Convention and officials involved in other international forums in matters relating to the environment with regard to the implementation of the Guidelines. The Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines) have thus been distributed and promoted in internal networks on environmental Conventions.

### Year: 2011

(d) When implementing the Aarhus Convention in 1998, the ministries were contacted and their legislation evaluated and amended in order to implement the Convention sectorially.

It is part of the procedure to involve non-governmental organisations when forming the Danish position in international and EU cases. The Danish position is primarily formed at frequent meetings held in the Special Committee for the Environment (Miljøspecialudvalget). The Special Committee is open to all organisations with an interest in environmental matters, and at present about 85 organisations are members of the Special Committee for the Environment. The Danish position may also be formed through written procedure in the Special Committee.

Non-governmental organisations are part of the Danish delegation in most major international negotiation meetings, whereby public participation is integrated in international decision making processes.

The national hearing process between the Administration and the non-governmental organisation continues in the interim period between the international meetings on ad hoc basis and in different fora.

As a member of the European Union, Denmark is part of the promotion of the Aarhus Convention which is carried out by the Commission and the Presidency in other international foras.

## Estonia

### Year: 2005

No information provided on the implementation of article 3, para. 7.

### Year: 2008

12. ... Mutual respect and partnership between the State and NGOs has improved significantly recently; in some cases the representatives of NGOs are included in the delegations for international negotiations.

### Year: 2011

In 2010, there was general contentment with the legal requirements on the establishment and functioning of NGOs, problems arose with the instability of support schemes. Public authorities have more and more included NGOs in the composition of different regular or specific committees, although the possibilities of NGOs to affect decisions are often restricted and vary. Bigger NGOs have received some financial support from the State in recent years which has helped to cover partly the overhead costs. Mutual respect and partnership between the State and NGOs has improved significantly recently; in some cases the representatives of NGOs are included in the delegations for international negotiations.

(d) Various ministries have engaged NGOs in the foreign visits of several ministers and international forums. E.g. NGOs participated in the second meeting of contracting parties of Arhus Convention in Kazakhstan, meeting of the contracting parties of the United Nations Framework Convention on Climate Change in Canada, Kenya, Bali and Denmark. The representatives of NGOs have also been included in several international organisations and networks such as TRINET, BaltCoast, EUROBATS, Copa-Cocega, ECOSOC etc. that improve their speaking rights.

The NGOs still find that involvement could be more systematic and extensive. NGOs are interested in participation in international cooperation but the prerequisite is covering of the costs incurred by the State as NGOs mainly lack own funds. NGOs also find that the public should be more engaged in the forging of national viewpoints already during the early stages.

## European Union

### Year: 2008

9. Commission representatives try, in most negotiations on rules of procedure of decision-making bodies under multilateral environmental agreements, to allow for the participation of a wide circle of interested parties. The Civil Society Dialogue (CSD) initiative is also noteworthy in the field of international trade. The CSD was set up in 1998 and is open to European Union (EU) not-for-profit organizations and participants from such organizations in Candidate Countries<sup>8</sup> as well as to their affiliates in developing countries, where such participation can enhance the dialogue. Participants should register their organizations with the Commission's department for international trade (DG Trade) via a dedicated website. Since the launch of the dialogue, the number of participating organizations has increased substantially, to approximately 800 registered organizations. From 2002 to 2006, approximately 350 of these organizations regularly attended meetings. A Contact Group was established in 2000 as a mechanism by which to help structure and organise the dialogue. The Contact Group functions as a facilitator and sounding board for DG Trade.

Contact Group members are selected by their constituencies; DG Trade does not intervene in this selection. There are currently 14 Contact Group members. The Contact Group members are also part of the EU delegation at World Trade Organization (WTO) Ministerial Meetings as advisers to the Commission.

Year: 2011

### **Article 3, paragraph 7**

9. Commission representatives try, in most negotiations on rules of procedure of decision-making bodies under multilateral environmental agreements, to allow for the participation of a wide circle of interested parties. Moreover, pursuant to the Working Group of the Parties to the Aarhus Convention at its 12th session (Geneva, June-July 2010), notes from the Aarhus team were directed to different departments of the Commission at the level of Head of Unit or Director. This note requested those departments to endeavour that, not only should EU statements refer to Aarhus principles whenever the issue of access to information and public participation came up in international negotiations, but to make sure that the EU statements would do so in the next Meetings. The note further requested that feedbacks be given to the Aarhus team. Finally, it was also recommended to contact convention secretariats directly and consider appointing members of the EU delegation at the Meetings as focal points for civil society.

10. The developments contained in the 2008 report under Section III on Article 7 paragraph 7 with regard to the Civil Society Dialogue remain valid. The only modifications relate to

- the ‘European Union’ having succeeded the ‘European Community’
- the number of participating organisations: it is ‘nearly 900’, instead of ‘approximately 800’,
- the insertion at the end of the paragraph of the following sentence: ‘A report of activities is made available each year<sup>8</sup>.

### **Finland**

Year: 2005

(d) Finland has promoted the principles of the Aarhus Convention in international environmental decision-making processes, in international organizations and in the preparation of European Community legislation.

Year: 2008

23. Finland has promoted the principles of the Convention in international environmental negotiation and decision-making processes, in international organizations and in the preparation of European Community legislation.

24. The guidelines on promoting the application of the principles of the Aarhus Convention in international forums (Decision II/4) adopted at the second meeting of the Parties held in Almaty, Kazakhstan, in 2005 were widely distributed among officials and their superiors representing Finland at different international environmental meetings and among the political leadership of the Ministry of the Environment. Together with these guidelines, the UNECE Aarhus Secretariat’s brochure on the Convention “Your Right to a healthy environment” was also distributed.

25. The Ministry of the Environment and the Ministry for Foreign Affairs have jointly aligned their policies regarding the participation of NGOs in international meetings and have arranged discussions on this issue with NGO representatives. NGO representatives have as much as possible been included in Finland’s delegations as expert members, for which their travel expenses have been partially or fully reimbursed. NGOs can also participate, upon invitation, in national preparatory meetings for international meetings. NGOs have been requested to coordinate among themselves their self-representation at the different meetings.

26. Environmental organizations are also represented in an environmental sub-committee under the committee established for national preparation of European Union (EU) matters. Furthermore, environmental organisations are represented in numerous focus groups for international environmental issues, such as the Advisory Committee on International Forest Policy.

Year: 2011

**Article 3, paragraph 7 (a)**

34. The guidelines approved at the second meeting of the parties to the Aarhus Convention at Almaty in 2005 (Decision II/4) on promoting the principles of the Convention in international organisations was widely distributed to officials representing Finland at various international environmental conferences, as well as to their superiors and the political leaders of the Ministry of the Environment. In that connection, the leaflet about the Convention, "Your Right to a Healthy Environment", prepared by the ECE Aarhus Secretariat was also distributed.

**Article 3, paragraph 7 (b)**

35. The Ministry of the Environment introduced a ground-breaking experiment in October 2010 at disseminating up-to-date information, as far as possible, via its website on the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity, where globally significant decisions to protect natural biodiversity were made. The purpose of the blog was to disseminate information on pending conclusions and outcomes, and in preparation for the conference, negotiations as well as individual and unexpected questions of fact that emerged along the way. Entries were made by the Minister and experts at the Ministry. Citizens had the opportunity to post their comments relating to the news on the blog.

36. Experience from the blog will be made use of in preparing the strategies and measures of the Ministry of the Environment for utilising social media.

**Article 3, paragraph 7 (c)**

37. The Ministry of the Environment and the Ministry for Foreign Affairs have jointly aligned their policies regarding the participation of NGOs in international conferences and have arranged discussions on the subject with representatives of NGOs. Representatives of NGOs have been included, as far as possible, as expert members in Finnish delegations, and their travel expenses have been reimbursed fully or in part. NGOs may also participate as invited delegates in national preparatory conferences for international conventions. NGOs have been asked to coordinate their opinions as to what their proposed representation will be in different conferences.

38. Environmental organisations are also represented in sub-committees under the committee for the national preparation of EU matters, such as the sub-committee on the environment, the sub-committee on regional policy and the sub-committee on forest policy. Furthermore, environmental organisations are represented in many groups preparing international environmental issues, such as the Advisory Board for International Forest Policy.

39. In September 2010, the Ministry of the Environment proposed a representative of the Finnish Association for Nature Conservation to serve in the extended makeup of the national Committee for EU Affairs. In accordance with the principle of sustainable development, the environmental view should be put forward when broad-ranging matters relating to EU policy are discussed on the Committee.

40. The Ministry of the Environment has also catered for naming an NGO contact person in the delegation for the 2010 Climate Change Conference (Cancún).

**Article 3, paragraph 7 (d)**

41. Finland has promoted the implementation of the principles of the Aarhus Convention in international negotiations and decision-making processes and in the preparation of EU legislation.

**Article 3, paragraph 7 (e)**

42. No specific information in this point.

 **France**

**Year: 2005**

(d) Under a decree dated 14 January 2003, France established a National Council for Sustainable Development, made up of representatives of civil society. The Council provides advice on matters within its sphere of competence, and is invited to join with the public authorities in marking major international events. Act No. 2000-328 of 14 April 2000 authorized approval of the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo, Finland on 25 February 1991. The implementing decrees were modified accordingly. Under these instruments, if the competent authority considers that a project may have a significant impact on the environment of another State, the authorities of the latter State are provided with a full dossier, and an additional period of time is allowed for them to communicate their views;

**Year: 2008**

14. The National Council for Sustainable Development, created in 2003 and made up of representatives of civil society, is consulted during major international meetings.

15. In autumn 2006 the Ministry put in place a process whereby NGOs are regularly consulted on preparations for major international events on the environment. At the same time, one-off consultation meetings may be organized prior to each major international event.

16. In order to raise awareness of the issue of public participation in international forums among the French focal points for the international environmental conventions, the Ministry conducted a study and presented the conclusions at a meeting of the Task Force on Public Participation in International Forums in November 2007.

**Year: 2011**

17. In order to facilitate dialogue and information-sharing with NGOs on international and European questions, the ministry responsible for the environment has favoured a mode of collaborative working. Hence, during the French Presidency of the European Union in 2008 the ministry created an extranet platform known as "Envilogue". The principle of collaborative working has since been adapted to various international events.

18. The ministry responsible for the environment organizes consultations with NGOs in the run up to major international environmental events. For example, an international operational committee on biodiversity was set up for the International Year of Biodiversity. The committee's purpose was to collect the views of stakeholders, including civil society, in preparation for the Nagoya conference in October 2010. NGOs could submit their remarks at any time while the French position was being prepared. They were also consulted on a very regular basis during the preparation of the French position for the Copenhagen conference in 2009.

19. Similarly, in December 2010 France launched a broad civil society consultation exercise in preparation for the Rio+20 Conference by creating the Rio+20 Committee that brings together participants in the National Committee for Sustainable Development and the Grenelle Environmental Round (CNDDGE), NGOs and experts in sustainable

development that are not members of the CNDDGE. The aim of the Rio+20 Committee is to allow civil society representatives to contribute to the French position in international negotiations that will take place in May 2012.

#### FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE GENERAL PROVISIONS OF ARTICLE 3

Year: **2005**

As far as international decision-making processes are concerned, France has experience in transmitting dossiers relating to infrastructure and development projects with environmental impacts to the authorities in neighbouring countries, for purposes of public consultation.

#### Georgia

Year: **2005**

(d) Georgia always supports public participation in international global and regional environmental decision-making processes (World Summit on Sustainable Development, “Environment for Europe”, “Environment and Health”) according to the principles of the Convention;

Year: **2008**

47. Georgia always supports public participation in international global and regional environmental decision-making processes (e.g. the World Summit on Sustainable Development (WSSD), the Environment for Europe ministerial conferences, Environment and Health) according to the principles of the Convention.

48. A practice of including NGO members in delegations representing the State in international environmental negotiations exists. The representatives of NGOs have the consultative as well as State delegation member status during international negotiations connected to environmental matters.

49. Regarding implementation of the Guidelines on Public Participation in International Forums, this is demonstrated by the regional and international organizations working in the country, with such activities offered as financial support to the NGO sector and media representatives to enable them to participate in international activities, either with the status of governmental delegation members or independently. A practical example of this was the fifth Pan-European Environment for Europe Ministerial Conference (Kyiv, 21-23 May 2003), where the REC<sup>3</sup> Caucasus provided financial support to NGOs and media representatives.

50. The Guidelines on Public Participation in International Forums were translated in Georgian and disseminated to the applicable organizations in the country through an electronic newsletter.

51. There has not yet been any internal consultation with regard to the implementation of the Guidelines between the officials dealing with the Convention and officials involved in other international forums on matters relating to the environment.

(d) In 2006 English and Georgian versions of the Almaty Guidelines were disseminated to all relevant organizations in Georgia.

Georgia, according to the principles of the Convention, always supports public participation in global international and regional environmental processes.

In general, the non-governmental sector regularly participates in international forums. To support NGO participation in international forums held in Georgia the government, when possible, provides particular financial assistance. The

government also supports NGO participation in official delegations.

## Germany

### Year: 2008

12. As regards the implementation of Article 3 (7) of the Convention, all relevant bodies of the Federal Government have been informed, in the context of the internal consultation process, about the Convention's principles and the Almaty Guidelines. The departments have received German versions of the Guidelines. Additionally, an internal dialogue has been initiated to collect and exchange experiences on the application of the Guidelines in international forums. The concrete applicability of the Guidelines was considered by some as difficult given the specific autonomous decision structures in the different forums. Still, the general view was a positive one, namely that the Convention's principles on access to environmental information and public participation in environmental matters were being implemented in the international context by all the parties involved even if there was not always a direct reference to the Guidelines. In the case of water-related conventions, for example (in particular river basin commissions and agreements on marine protection), the Guidelines' content is implemented de facto through the requirements of the European Union (EU) Water Framework Directive which also provides for active public participation. In some cases, clear reference has been made in international decision procedures to the "information of the public", as had been suggested by Germany, for example in a UNECE document on pipeline safety.

### Year: 2011

11. As regards the implementation of Article 3 (7) of the Convention, all relevant bodies of the Federal Government have been informed, in the context of the internal consultation process, about the Convention's principles and the Almaty Guidelines. The departments have received German versions of the Guidelines. Additionally, an internal dialogue has been initiated to collect and exchange experiences on the application of the Guidelines in international forums. The concrete applicability of the Guidelines was considered by some as difficult given the specific autonomous decision structures in the different forums. Still, the general view was a positive one, namely that the Convention's principles on access to environmental information and public participation in environmental matters were being implemented in the international context by all the parties involved even if there was not always a direct reference to the Guidelines. In the case of water-related conventions, for example (in particular river basin commissions and agreements on marine protection), the Guidelines' content is implemented de facto through the requirements of the European Union (EU) Water Framework Directive which also provides for active public participation. In some cases, clear reference has been made in international decision procedures to the "information of the public", as had been suggested by Germany, for example in a UNECE document on pipeline safety. Cooperation with the Protocol on Water and Health of the UNECE Water Convention is being considered in the framework of the newly created Aarhus Convention Task Force on Public Participation.

## Greece

### Year: 2008

26. Greece promotes the Convention's principles of transparency, access to information and public participation in international forums, international environmental negotiations and decision-making processes. The MoE as well as other ministries invite NGO representatives to participate as experts in international meetings. Those representatives have as far as possible been included in Greek delegations as expert members, for which their travel expenses have been partially or fully reimbursed. NGOs can also participate, upon invitation, in national preparatory meetings for international meetings.

27. Greece, through the Ministry of Foreign Affairs supports, coordinates and assists NGOs and other agencies in the implementation of development programmes, in accordance with the United Nations Millennium Development Goals, with the focus on combating poverty. The Ministry of Foreign Affairs, through YDAS-2 (Rehabilitation and Development Directorate), handles Greece's relations with the OECD Development Assistance Committee, participating in its working groups and networks as well as in the Ministerial Councils

28. NGOs were invited by the MoE to participate in the preparation of an environmental performance review, under the auspices of OECD (2007–2008).

29. Greece has been the lead country of the Mediterranean Component of the EU Water Initiative (MED EUWI), which since 2002 has served as a platform for promoting strategic partnerships between the EU and the Mediterranean countries as well as between government, civil society and the private sector. One key recent development is the initiation of the “Country Policy Dialogues” on water for Mediterranean non-EU partner countries.

30. The partner countries of the Development Assistance Programme of MoE belonged to the wider geographic subregion of South-Eastern Europe, and activities were implemented by NGOs and Universities which covered, inter alia, capacity-building as well as environmental information and awareness, training and education on environment and sustainable development. The actions and projects selected for funding were characterized by applicability, sustainability, perspective of actions and transferability, as well as accountability and transparency of all activities.

31. Greece participated in the following meetings:

- a. The High-level International Meeting of Education and Environment Ministries in Vilnius (17–18 October 2005) promoting environmental education, ESD and environmental awareness;
- b. The Sixth Ministerial Conference “Environment for Europe” (Belgrade, 10–12 October 2007).

32. Greece participates in the following projects:

- a. The Project of Associated Schools; in cooperation with the lead agency, UNESCO<sup>4</sup>: programmes have been implemented within the framework of the Decade of ESD by 20 of the 80 schools participating in the network
- b. The South-Eastern Mediterranean Environmental Project (SEMEP), a network of 40 schools. It began as programme of environmental education.
- c. The official launching in Athens of the United Nations Decade of ESD in the Mediterranean Area (2005), where the Convention’s principles were mentioned by the MoE.

33. The contribution of Greece to tsunami relief in South-East Asia, the development and humanitarian assistance offered by Greek State agencies and the ever-expanding presence of civil society in international assistance projects show that the awareness of Greek public opinion has indeed been raised and that the view has taken root that our country must participate and assist countries that face natural disasters. Greece supports such initiatives and is participating in the discussions already taking place within the United Nations framework with interventions intended to increase transparency and enhance the United Nations monitoring systems, while making its actions more effective.

**Year: 2011**

25. Greece promotes the Convention’s principles of transparency, access to information and public participation in international forums, international environmental negotiations and decision-making processes. The MoEECC as well as other ministries invite NGO representatives to participate as experts in international meetings. Those representatives have as far as possible been included in Greek delegations as expert members, for which their travel expenses have been partially or fully reimbursed. NGOs can also participate, upon invitation, in national preparatory meetings for international meetings.

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- (c) The official launching in Athens of the United Nations Decade of ESD in the Mediterranean Area (2005), where the Convention’s principles were mentioned by the MoEECC .

The Marine Environment Protection Directorate provides constant information to the institutions of the Greek shipping industry and other specialized institutions, shipping center operators eg ELKETHE about international forums and meetings for the environment to give them the possibility to participate.

32. The contribution of Greece to tsunami relief in South-East Asia, the development and humanitarian assistance offered by Greek State agencies and the ever-expanding presence of civil society in international assistance projects show that the awareness of Greek public opinion has indeed been raised and that the view has taken root that our country must participate and assist countries that face natural disasters. Greece supports such initiatives and is participating in the discussions already taking place within the United Nations framework with interventions intended to increase transparency and enhance the United Nations monitoring systems, while making its actions more effective.

33. The Mediterranean Climate Change Initiative In October 2010 the Greek Government presented the launch of the Mediterranean Climate Change Initiative in collaboration with leaders from across the Mediterranean and with the support of the European Investment Bank. It aims to accelerate the region’s responses to the impacts of climate change and lead by example the transition to a low carbon development model.

34. During the Hellenic Chairmanship of the Human Security Network<sup>3</sup> (HSN) (May 2007-May 2008) Greece chose to focus its activities on the human security implications of climate change in developing countries. The objective of the Hellenic Chairmanship was to raise awareness on the impact that changing living conditions, as a result of climate change, can have on peoples’ security in developing countries, with a special emphasis on three specifically vulnerable groups, namely women, children and populations fleeing their homes as a result of climate change. Seeking to actively contribute to the international dialogue for adequate policy planning to confront climate change implications on human security, the Hellenic Chairmanship proceeded, in co-operation with competent International Organizations, to the elaboration of a number of relevant policy texts. The main findings and policy proposals of these papers were presented

at a High-Level International Conference (Athens, May 2008) concluding the works of the Hellenic HSN Chairmanship.

35. Many awareness raising events on environmental issues organized by Ministry of Foreign Affairs. from end 2008 to 2010 .

36. Cooperation between Greece and nine European countries for the prevention and monitoring of forest fires promoted by the MoEECC , which participated in the program entitled «European Forest Fire Monitoring using Information Systems - EIFFMIS».

<sup>2</sup> United Nations Educational, Scientific and Cultural Organization

<sup>3</sup> The Human Security Network (HSN) is an informal international forum in co-operation with international organizations, civil society and the academia, aiming at raising awareness at the international level regarding new forms of threats that endanger human security. Member states of the HSN include: Canada, Norway, Switzerland, Ireland, Austria, Slovenia, Jordan, Mali, Chile, Costa Rica, Thailand, as well as South Africa with observer status

## Hungary

Year: 2005

No information provided on the implementation of article 3, para. 7.

Year: 2008

28. Hungary supports the initiatives aimed at the enhancement of transparency of international decision-making procedures.

29. The Ministry of Environment and Water holds consultations with regard to the national position at some outstanding international events. In the context of the Convention, government positions to be represented in the relevant international meetings are discussed in the Aarhus Working Group (see above).

30. At the second meeting of the Parties (Almaty, 2005) two NGO representatives were included in the Hungarian governmental delegation: the chairman of the National Council on Environment (then Chairman of Göncöl Alliance) and an expert of the Confederation of Hungarian Employers and Industrialists.

Year: 2011

26. Hungary supports the initiatives aimed at the enhancement of transparency of international decision-making procedures.

*Is there a practice of including NGO members in delegations representing the State or in any national-level discussion groups forming the official position for such negotiations?*

27. The Aarhus Working Group under point 22 also discusses, when necessary, participation in international events related to the Convention.

28. In the course of preparation for the key international events, the ministry responsible for the environment coordinated its position with NGOs in numerous cases. However, there are no uniform regulations or practice in place in relation to the participation of NGOs in international delegations and the coordination of positions represented at certain international events with NGOs.

## OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 3

**Year: 2008**

36. Principal obstacles to the effective implementation of article 3 are the lack of funding due to budgetary restrictions and the occasional passive attitude of the competent authorities. Outstanding issues

...No institutionalized system exists as of yet for the involvement of the public in the preparation of government positions to be presented in EU decision-making forums. Participation has been rather ad hoc;

### Iceland

**Year: 2005**

Not Party at time of reporting cycle.

**Year: 2008**

Not Party at time of reporting cycle.

**Year: 2011**

Not Party at time of reporting cycle.

### Ireland

**Year: 2005**

Not Party at time of reporting cycle.

**Year: 2008**

Not Party at time of reporting cycle.

**Year: 2011**

Not Party at time of reporting cycle.

### Italy

**Year: 2005**

(d) There are a number of examples of efforts to apply the Convention's principles in international processes. To give some, Italy has contributed to:

- The EU proposal, presented during preparation of the World Summit on Sustainable Development, for global guidelines on Principle 10 (unfortunately rejected);
- The preparation of the Guidance on Public Participation in Transboundary EIA, adopted under the Convention on Environmental Impact Assessment in a Transboundary Context (by providing both funding and case studies);
- The preparation of Guidelines on public participation in international fora, to be adopted by the Convention itself (funding and leadership);
- The UNECE Strategy on Education for Sustainable Development (funding and in-kind);
- The improvement of information and public participation as provided for by the Barcelona Convention on the Mediterranean Sea Protection (UNEP/MAP): Italia is committed to re-focus the Regional Action Centre on Remote Sensing in Palermo (ERS/RAC) by extending its activities to environmental information and communication, in accordance with the Decision taken at the 13th Conference of the Parties;
- The enforcement of the principles of the United Nations Convention to Combat Desertification on access to information (art. 16), through the development of a Clearing House Mechanism for exchanging and integrating information among Northern Mediterranean countries (CLEMDES project);
- Other international initiatives/partnerships such as the Mediterranean Education Initiative for Environment and Sustainability, PP10 (Partnership for Principle 10), cooperation projects like “UMANA DIMORA” (a project aiming at facilitating networking between environmental NGOs in south-eastern Europe).

In October 2005, Italy will host the Third World Congress on Environmental Education (WEEC3) in Turin, sponsored by the United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Environment Programme (UNEP) and Food and Agriculture Organization (FAO).

In March 2004, the second international forum on partnerships for sustainable development (voluntary initiative involving governments, international institutions and civil society) was organized by the MoE as a follow-up to the Johannesburg Summit. Many NGOs and other stakeholders participated to present their initiatives and discuss the added value of their partnership.

The Agency for the Protection of Environment and Technical Services and the MoE are establishing a global biodiversity database, in accordance with international agreements and national needs, which will provide free information to the general public, including public and private research institutions.

Among civil society initiatives, an example is the System of Marine Environmental Education in the Mediterranean project, promoted by an NGO, Forum for the Venice Lagoon, which will lead to the establishment of a network of marine environmental education centres in the Mediterranean, addressed at schools, associations, tourist operators, the general public and local institutions.

With regard to participation in international conferences on environment and sustainable development, preparatory meeting are usually held at the national level for the major events (e.g. the Johannesburg Summit and the United Nations Convention on Climate Change), with the participation of major groups. In certain cases, NGOs and other stakeholders form part of the Italian delegation;

#### **Year: 2008**

4. To further the Convention's principles in international forums Italy has strongly supported and provided leadership for the drafting, adoption and application of the Almaty Guidelines on public participation in international forums (PPIF).

25. There are a number of examples of efforts to apply the Convention's principles in such forums. Among others, Italy has contributed to:

- a. The EU proposal, presented during preparation of the World Summit on Sustainable Development, for global guidelines on Principle 10 (unfortunately rejected);
- b. The preparation of the Guidance on Public Participation in Transboundary Environmental Impact Assessment (EIA), adopted under the Convention on EIA in a Transboundary Context (by providing both funding and case studies);

- c. The improvement of information and public participation as provided for by the Barcelona Convention<sup>3</sup> (United Nations Environment Programme (UNEP)/Mediterranean Action Plan (MAP)): Italy is committed to re-focus the Regional Action Centre on Remote Sensing (ERS/RAC) by extending its activities to environmental information and communication;
  - d. The enforcement of the principles on access to information and public participation within the United Nations Convention to Combat Desertification through information projects and the organization of the International Conference on the Role of Women in Combat Desertification;
  - e. The promotion of public awareness and participation within the Convention on Biological Diversity (CBD);
  - f. Support and more interactive participation of major groups in the United Nations Commission on Sustainable Development and strengthening of civil society participation within UNEP.
26. In 2007 the MoE, in order to raise the awareness of its own officials dealing with international negotiations in environmental fora, has organized an internal consultation on the Almaty Guidelines. Moreover, it has informed the Ministry of Foreign Affairs on the Guidelines contents and is planning to organize, in 2008, a national workshop for the civil society.
27. General praxis is that, when the MoE organizes an international event, it invites the civil society to actively participate. This was the case for example with the 2004 International Forum on Partnership for Sustainable Development and with a series of events organized in the period 2006-2007 on bioenergy and climate change (in particular, the 2007 Climate Change National Conference).
28. With regard to participation in international conferences on environment and sustainable development, preparatory meetings are usually held at the national level for the major events (e.g. the World Summit on Sustainable Development and the United Nations Convention on Climate Change), with the participation of major groups. In certain cases, NGOs and other stakeholders form part of the Italian delegation.

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<sup>3</sup> Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention)

#### Year: 2011

(d) In order to further the Convention's principles in international fora Italy has strongly supported and provided leadership for the drafting, adoption and application of the Almaty guidelines on PPIF.

There are a number of examples of efforts to apply the Convention's principles in such fora. Among others Italy has contributed to:

- The EU proposal, presented during preparation of the World Summit on Sustainable Development, for global guidelines on Principle 10 (unfortunately rejected) and for global guidelines on public participation adopted by UNEP in 2009;
- The preparation of the Guidance on Public Participation in Transboundary EIA, adopted under the Convention on Environmental Impact Assessment in a Transboundary Context (by providing both funding and case studies);
- The improvement of information and public participation as provided for by the Barcelona Convention on the Mediterranean Sea Protection (UNEP/MAP): Italy is committed to re-focus the Regional Action Centre on Remote Sensing (ERS/RAC) by extending its activities to environmental information and communication;
- The enforcement of the principles on access to information and public participation within the United Nations Convention to Combat Desertification through information projects and the organization of the International Conference on the Role of Women in Combat Desertification
- The promotion of public awareness and participation within CBD
- Support and more interactive participation of major groups in the UN-CSD and strengthening of civil society participation within UNEP.

In 2007 the MoE, in order to raise the awareness of its own officials dealing with international negotiations in environmental fora, has organized an internal consultation on the Almaty Guidelines and has duly informed the Ministry of Foreign Affairs on the Guidelines contents. In 2008, together with the University of Bologna, has organized a national workshop to inform the civil society with regard to public participation in international fora and to collect experiences of participation and indications by Italian NGOs.

It is general praxis that, when the MoE organizes an international event, it invites the civil society to actively participate. This was the case for example with the 2004 International Forum on Partnership for Sustainable Development, with a series of events organized in 2006-2007 on bioenergy and climate change (in particular the 2007 Climate Change National Conference), with the 2009 G8-Environment in Siracusa and with the 2010 Ministerial Conference on Environment and Health in Parma.

With regard to participation in international conferences on environment and sustainable development, preparatory meetings are usually held at the national level for the major events (e.g. Summits on Sustainable Development and the United Nations Convention on Climate Change), with the participation of major groups. In certain cases, NGOs and other stakeholders form part of the Italian delegation (in particular, since a number of years, at least one representative by NGOs is present within the Italian delegation dealing with climate change).

### OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 3

#### Year: 2005

The international promotion of the Convention's principles is not easy because each international forum has its own rules and characteristics, and often the result is influenced by partners (organizations and States) that are not committed to the Aarhus process.

#### Year: 2008

33. Regarding article 3, paragraph 7, the international promotion of the Convention's principles is not easy because each international forum has its own rules and characteristics, and often the result is influenced by partners (organizations and States) that are not committed to the Aarhus process. The application of the Almaty Guidelines is expected to substantially improve the situation both at the national and international levels in the next years.

#### Year: 2011

Regarding art. 3 para 7, the international promotion of the Convention's principles is not easy because each international forum has its own rules and characteristics, and often the result is influenced by partners (organizations and States) that are not committed to the Aarhus process. The application of the Almaty Guidelines is helping to improve the situation both at the national and international level.

### Kazakhstan

#### Year: 2005

See below under "Obstacles encountered in the implementation of article 3".

#### Year: 2008

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

18. With regard to paragraph 7:

Kazakhstan is a State Party to the following international agreements:

- the Universal Declaration of Human Rights, ratified by Kazakhstan in 1991. Article 19 enshrines the right to freedom of information;
- the International Covenant on Civil and Political Rights (ICCPR) adopted by the UN General Assembly in 1966;
- the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Human Rights Defenders Declaration) adopted by UN General Assembly Decision No. 53/144 of 8 March 2008;
- Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, UN Document E/CN.4/2000/63, 2000, paragraph 42;
- UN Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention);
- UN Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention);
- Document of the Copenhagen Meeting of the Conference for Security and Co-operation in Europe (CSCE) on the Human Dimension, adopted in 1990;
- Johannesburg Principles on National Security, Freedom of Expression and Access to Information, adopted by a group of experts convened by Article 19, 1 October 1995;
- interstate agreements on access to information adopted by members of the Commonwealth of Independent States from 1991 to 2008, including the Convention of the Commonwealth of Independent States on Human Rights and Basic Freedoms, Minsk, 26 May 1995.

19. The OSCE commitments on media legislation provide important guidance. They give clear criteria for the openness of information that is important to the public in OSCE member states. Kazakhstan adopted these commitments at the 15th OSCE Ministerial Council, held in Madrid in 2007 and work is currently underway to fulfil them and bring national legislation into conformity with them.

20. In 2004, UNESCO developed Policy Guidelines for the Development and Promotion of Governmental Public Domain Information. These Guidelines set out joint actions by UN member states through UNESCO and every individual government to improve access to information created by state bodies.

21. Article 192(1) of the Environmental Code of Kazakhstan establishes a mechanism to enable interstate cooperation in the field of environmental protection and use of natural resources. Representatives of state bodies and the public actively engage in international forums and conferences, exchange environmental information, present national reports on implementation of international obligations, and evaluate compliance with international commitments, among other activities. NGOs regularly take part in various international forums and are members of various international thematic networks (such as the Global Water Partnership, the International POPs Elimination Network, and the European ECO-forum).

22. Through the regulations and practice of the Interstate Commission for Sustainable Development of Central Asia (ICSD), public representatives (i.e. the ICSD Public Council and the Central Asia Youth Network), in partnership with Ministry of Environmental Protection officials and the ICSD research centre, draft programmes, participate in the preparation and discussion of programmes and documents presented at ICSD meetings, and directly participate in these meetings. Moreover, the public participates in interstate consultations between Kazakhstan and Kyrgyzstan on transborder environmental impact assessments in fulfilment of the Espoo Convention.

### **OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 3**

**Year: 2005**

(d) A number of environmental NGOs in the Caspian region have noted the lack of effective mechanisms for public participation in the drafting and ratification of international environmental conventions and protocols to them. In order to remove existing obstacles in this area, at the end of March 2004 environmental NGOs and activists from Azerbaijan, the Islamic Republic of Iran, Kazakhstan, the Russian Federation and Turkmenistan established the Working Group on

the Initiative to Adopt the Framework Convention for the Protection of the Marine Environment of the Caspian Sea. The Working Group conducts activities to mobilize public support for ratification of the convention at the current stage, and also to enable the public to participate in the mechanism for monitoring its observance.

#### FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE GENERAL PROVISIONS OF ARTICLE 3

36. Bilateral agreements about the encouragement and mutual protection of investment say almost nothing about openness. Some agreements mention openness with regard to national legislation.

37. Only the Agreement between the Governments of Kazakhstan and Austria on the encouragement and mutual protection of investment (Vienna, 12 January 2010) contains a special article on transparency:

- “1. Each party shall without delay publish or otherwise make publicly accessible its laws, rules and procedures, and also its international agreements, that may influence the validity of this Agreement in accordance with the national legislation of its state.
- 2. Each party shall without delay answer special questions and provide at the request of the other party information about any measures and issues referred to in paragraph 1 of this article.
- 3. Neither side shall require that access or permission to access be granted to information about individual investors or investments, the disclosure of which would impede compliance with law or contravene national legislation on protection of confidentiality.”

38. Article 20(2) of the Energy Charter Treaty of 17 December 1994 states:

“Laws, regulations, judicial decisions and administrative rulings of general application made effective by any Contracting Party, and agreements in force between Contracting Parties, which affect other matters covered by this Treaty shall also be published promptly in such a manner as to enable Contracting Parties and Investors to become acquainted with them. The provisions of this paragraph shall not require any Contracting Party to disclose confidential information which would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of any Investor.”

39. Thus the transparency rules set out in many international agreements regarding the use of natural resources only apply to laws, judicial decisions and administrative regulations. They do not affect the confidentiality of contracts.

#### Kyrgyzstan

Year: 2005

(d) Kyrgyzstan is actively engaged in international processes, including those in the field of environmental protection. The country is now party to 11 environmental conventions.

Representatives of the NGOs are participating actively in international forums. Examples of such participation include the process of preparation for the World Summit on Sustainable Development (Johannesburg) and the Fifth Ministerial Conference “Environment for Europe” (Kiev, May 2003). A draft Environmental Strategy of the EECCA countries has been developed and discussed. The work of the representatives of the NGOs on the Intergovernmental Commission on Sustainable Development for Central Asia, as members of the public council, is enabling the NGOs to participate in all the regional projects initiated by the Commission, etc.;

Year: 2008

29. Kyrgyzstan is actively engaged in international processes, including those involving environmental protection. It is currently a party to 13 environmental conventions. Representatives of NGOs participate actively in international forums. One example of such participation is the NGO representatives' civil society council under the Inter-State Commission for the Sustainable Development of Central Asia, the members of which take part in all regional projects initiated by the Inter-State Commission. At the national level, activities are carried out under the mining and extraction industries' transparency initiative, and also under the Europe and North Asia Ministerial Conference on Forest Law and Governance international process. An environment and security initiative is being carried out in the Fergana valley.

30. It is common practice to include NGO representatives in government delegations taking part in international negotiations on environmental matters.

31. Internal consultations are held between officials responsible for the Aarhus Convention and those who take part in other international forums on environmental matters in order to address the implementation of the guidelines. However, the consultations are not systematic.

**Year: 2011**

35. Kyrgyzstan is actively engaged in international processes, including those involving environmental protection. It is currently a party to 13 environmental conventions. Representatives of NGOs participate actively in international forums. One example of such participation is the NGO representatives' civil society council under the Inter-State Commission for the Sustainable Development of Central Asia, the members of which take part in all regional projects initiated by the Inter-State Commission. At the national level, activities are carried out under the mining and extraction industries' transparency initiative, and also under the Europe and North Asia Ministerial Conference on Forest Law and Governance international process. An environment and security initiative is being carried out in the Fergana valley.

36. It is common practice to include NGO representatives in government delegations taking part in international negotiations on environmental matters.

37. Internal consultations are held between officials responsible for the Aarhus Convention and those who take part in other international forums on environmental matters in order to address the implementation of the guidelines. However, the consultations are not systematic.

38. Non-governmental organisations regularly take part in international forums and are members of international thematic networks (such as the International POPs Elimination Network (IPEN), and the European Ecoforum).

39. In accordance with the regulations and practice of the Interstate Commission on Sustainable Development (ICSD), public representatives (the ICSD Public Council and the Youth Environmental Network of Central Asia) in partnership with officials at the State Agency, the Ministry of Economic Development and the ICSD Research and Development Centre, design programmes, participate in preparatory work and discussions on programmes and documents presented at ICSD meetings, and directly participate in ICSD sessions.

40. In addition, transboundary consultations between Kazakhstan and Kyrgyzstan on transboundary EIAs are undertaken with the participation of the public in fulfillment of the Espoo Convention

 **Latvia**

**Year: 2005**

(d) Latvia follows the activities of the Aarhus Convention's Expert Group on Public Participation in International Forums and evaluates its achievements. The National Aarhus Convention Coordination Group is updated on these

activities.

No special measures at the international level are taken;

**Year: 2008**

27. Latvia is following the activities of the Convention's Expert Group for Public Participation in International Forums

28. Respective specialists have been informed about the Almaty Guidelines and have been invited to apply the principles of access to information, participation and justice in their implementation of other international conventions.

29. At the Sixth Ministerial Conference "Environment for Europe" (Belgrade, 2007), the Minister of Environment chaired a session on experience and challenges in implementing the Convention, which fostered implementation of the Convention's principles in international events, including, discussions on other United Nation conventions.

<sup>3</sup> United Nations Educational, Scientific and Cultural Organization.

**Year: 2011**

37. Latvia is following the activities of the Convention's Expert Group for Public Participation in International Forums

38. Respective specialists have been informed about the Almaty Guidelines and have been invited to apply the principles of access to information, participation and justice in their implementation of other international conventions.

39. Public participation is ensured in accordance with Paragraph 7 of the Cabinet of Ministers (CM) Regulation No.96 "Procedures, by which the National Position of the Republic of Latvia shall be Developed, Harmonised, Approved and Updated in Matters of the European Union" of 3 February 2009 and Paragraph 12 of the CM Regulation No.707 "Regulations on the Development of Documents for the Purpose of Protection of State Development Goals in International Organizations, the Harmonisation, Approval and Update Procedure thereof" of 3 August 2010. The relevant provisions stipulate that the responsible institution shall ensure the development, update and harmonisation of the State's official position with other responsible authorities, local governments, social partners' organizations, associations and foundations.

40. Although NGO members are seldom included in delegations representing the State in international environmental negotiations, environmental NGOs have the opportunity to comment Latvia's national positions. Representatives of environmental NGOs have been involved, for example, in COP14 and COP15 meetings of the United Nations Framework Convention on Climate Change.

41. ECC is informed on the planned activities during development of the MOE annual work plan. ECC has the opportunity to provide comments.

 **Lithuania**

**Year: 2005**

(d) The principles of the Convention have not only been applied domestically but have also influenced activities and decisions at the international level, such as at the EU level and in the context of An Agenda 21 for the Baltic Sea Region (Baltic 21);

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<sup>1</sup> For further information, see the supplementary document to the national implementation report found at <http://www.unece.org/env/pp/reports%20implementation.htm> (available in English only), para. 1 (a).

<sup>2</sup> id. para. 1 (b).

<sup>3</sup> id. para. 1 (c).

## Year: 2008

9. The principles of the Convention have not only been applied domestically but have also influenced international activities and decisions made on this level. The provisions of the Convention are applied on the EU level, an Agenda 21 for the Baltic Sea Region – Baltic 21, aimed at sustainable development.

10. Agreement on the procedure of information of authorities and the public of an EU Member State liable to experience significant environmental impacts is reached during transboundary consultations. This procedure should ensure that authorities and the public of EU Member States liable to experience significant environmental impacts receive information on the opportunities to provide their opinion on the decision to be taken and on where one could have access to the approved document on land-use planning, to the motives that determined the choice of alternative solutions and to the measures of monitoring the impact of implementation of the landuse planning document, as well as to information on how the environmental issues were integrated in the land-use planning document and on how account was taken of information provided in the Strategic Environmental Impact Assessment Report, conclusions of strategic environmental impact assessment subjects, proposals from the public and the results of transboundary consultations, if any.

68. All information about international agreements signed (in accordance with the competence) is published on the websites of the MoE, the EPA and other authorities.

71. The MoE and its subordinate institutions issue different factual and analytical thematic information on the environment and international agreements, the list of which is available in the International Relations and Agreements section at [www.am.lt](http://www.am.lt). The MoE has decided to stop publishing periodical information handouts (e.g. the information publication *The Ministry of Environment for the Public*, as other dissemination channels with a better reach such as the media and the Internet have been chosen.

## Year: 2011

(d) The provisions of the Convention are applied to both domestic and international activities. The provisions of the Convention apply to EU member states (e.g. on 1–2 June 2010, Lithuania hosted the Baltic Development Forum (BDF), also known as “the Baltic Davos”, where influential business, political and academic figures gathered together to discuss the current economic situation and possibilities to improve it, the EU policy towards the Baltic Sea region and look for cooperation opportunities).

The procedure for informing the institutions and society of an EU member state that is to experience significant environmental effects is agreed during cross-border consultations. Such a procedure should ensure that the institutions and society of an EU member state that is likely to experience significant environmental effects are informed of possibilities to express their opinion on a decision planned to be taken and are provided with information as to where they can familiarise themselves with an approved spatial planning document, reasons for the selection of an alternative solution, measures for monitoring the effects of implementation of the spatial planning document as well as with information on the inclusion of environmental issues in the spatial planning document, taking into account of information contained in the Strategic Environmental Assessment Report, findings by strategic environmental assessment entities, public proposals and the results of cross-border consultations, if any.

Ambient air quality data are sent to the European Environment Agency (EEA) in the NRT (near real time) mode.

Programmes of transboundary river basin district measures are coordinated with foreign countries according to international agreements. The procedure for coordination of programmes of measures is established by the Government of the Republic of Lithuania or an institution authorised by the Government.

Exchange of information on cross-border surface water body monitoring and data on the state of water bodies and the pollution load passing from Lithuania to Latvia is regularly performed and joint sampling in transboundary surface water bodies and interlaboratory comparative tests are performed with Polish environmental institutions in accordance with various cooperation agreements.

When preparing River Basin District (hereinafter “RBD”) Management Plans and Operational Programmes, information was exchanged and experience in preparing RBD Management Plans was shared with representatives of various Polish institutions. Information on the state of water bodies was exchanged and experience in preparing RBD Management Plans was shared with representatives of various Belarusian institutions. Environmental aspects in planning economic activities are also discussed at meetings with representatives of the neighbour states.

The issuance of a permit for an installation that may affect the environment of another country should be considered to be an international decision in the area of environmental protection. Such cases are governed by paragraphs 35–37 of the Rules for the Issuance, Renewal and Cancellation of Integrated Pollution Prevention and Control Permits approved by Order No D1-330 of the Minister of the Environment of 29 June 2005 (Official Gazette Valstybes Žinios, 2005, No 103-3829):

“35. If, based on a reasoned decision of REPD, operation of the installation indicated in Annex 1 to the Rules may have a negative impact on the environment of another EU member state, the REPD shall immediately present the Ministry of the Environment with the information referred to in Annex 7 to these Rules in relation to the accepted application for a Permit.

Upon receiving the information indicated in the first subparagraph of this paragraph from the Regional Environmental Protection Department or an application from an EU member state likely to be strongly affected, the Ministry of the Environment shall present any information required to be presented or announced under Annex 7 to the Rules to another member state at the same time as it is presented to the public of the Republic of Lithuania for familiarising with this information.

Upon receiving similar information from another EU member state, the Ministry of the Environment shall transfer this information to the Environmental Protection Department of a relevant region, which shall, in accordance with Chapter XI of the Rules, acquaint the public concerned with it within the territory of the region.

36. The REPD shall ensure that the public concerned of the Republic of Lithuania and the other member state has access to information on the planned operation of an installation or a major change in operation and has the right to express its opinion and submit applications before the REPD or the competent authority of the other member state has taken its decision.

37. The Ministry of the Environment shall notify each member state consulted on the issuance or renewal of a Permit about the decision taken in respect of the issuance or renewal of the Permit and shall send it the information referred to in paragraph 75 of the Rules. Upon receiving similar information from another member state, the Ministry of the Environment shall transfer this information to the Environmental Protection Department of a relevant region, which shall, in accordance with paragraph 75 of the Rules, acquaint the public concerned with it within the territory of the region.”

Regulations on Public Information and Participation in the Spatial Planning Process approved by Government Resolution No 1079 (Official Gazette Valstybes Žinios, 1996, No 90-2099, 2007, No 33-1190; 2010, 78-4010) (hereinafter “Regulations”) also establish a requirement to agree on a detailed procedure for informing the institutions and society of an EU member state that is to experience significant environmental effects during cross-border consultations. Such a procedure should ensure that the institutions and society of EU member states likely to experience significant environmental effects are informed of possibilities to express their opinion on a decision planned to be taken, an adopted decision and are provided with information as to where they can familiarise themselves with an approved spatial planning document, reasons for the selection of an alternative solution, measures for monitoring the effects of implementation of the spatial planning document as well as with information on the inclusion of environmental issues in the spatial planning document, taking into account of information contained in the Strategic Environmental Assessment Report, findings by strategic environmental assessment entities, public proposals and the results of cross-border consultations, if any.

## **Luxembourg**

**Year: 2005**

Not party at date of reporting cycle.

**Year: 2008**

Luxembourg participates actively in international forums including in its capacity as a member state of the European Union.

**Year: 2011**

Luxembourg participates actively in international forums including in its capacity as a member state of the European Union.

 **Malta**

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

13. There is a practice in Malta to include NGO members in delegations representing the State in international environmental negotiations or in international-level discussion groups, for example NGOs were members of the delegation that attended the 1992 Rio Conference on Environment and Development and the 2002 Johannesburg World Summit on Sustainable Development.

**Year: 2011**

There is a practice in Malta to include NGO members in delegations representing the State in major international environmental negotiations or in international-level discussion groups, for example NGOs were members of the delegation that attended the Rio de Janeiro UN Conference on Environment and Development in 1992 and the 2002 Johannesburg World Summit on Sustainable Development.

 **Montenegro**

**Year: 2005**

Not party at date of the reporting cycle.

**Year: 2008**

Not party at date of reporting cycle.

**Year: 2011**

Measures undertaken to promote the principles of the Convention internationally with the Secretariat of the Mediterranean Action Plan under UNEP (UNEP/MAP) and regional centres under UNEP/MAP; Mediterranean Commission of Sustainable Development (MCSD); Regional Environmental Centre (REC), and in the context of numerous regional initiatives include:

- Adriatic-Ionian Initiative (AII)

Montenegro is presiding the Initiative in the period 2010/2011. A round table about the environment of the Adriatic-Ionian Initiative was held in Ancona, Italy, May 26, 2010.

Topics that were discussed related to adaptation to climate changes and sustainable development. In addition to these, topics that were discussed on this occasion related to the EU Marine Strategy Framework Directive, Integrated Coastal Management, Integrated Marine Policy and potential synergy between the Adriatic-Ionian Initiative and Trilateral Commission for environmental protection.

Emphasis was placed on the importance of work of the Trilateral Commission, particularly the sub-regional plan for emergency interventions, and the importance of including as many countries of the Adriatic-Ionian Initiative into the sub-regional plan for emergency interventions. The representative of the Ministry of Spatial Planning and Environment presented activities at national level relating to development of the National Plan of Emergency Interventions, Integrated Coastal Management, Strategy of

Sustainable Development of Montenegro, and activities related to climate changes and the establishment of the Regional Forum for Climate Changes.

- Central European Initiative (CEI)

Within Montenegrin presidency of CEI (January 1st – December 31st 2010), the Ministry of Spatial Planning and Environment organized the “Conference on climate changes and a regional forum on climate changes”, 9 – 11 May 2010 in Budva.

The Conference was attended by 14 of 18 delegations from CEI member countries-. In addition to CEI member states, it was also attended by international organizations: UNDP, WB, REC, UNIDO, UNESCO, UNEP, EBRD and the EU Delegation to MNE. The Regional Forum on Climate Changes was held within the Conference where regional projects of Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia were presented.

## **Netherlands**

**Year: 2005**

(d) Concerning the promotion of Aarhus principles in international forums, the issues of transparency, access to information and public participation are covered by the co-ordination mechanism for the Netherlands instructions in international environmental agreements. The draft guidelines on the promotion of the Aarhus Convention in other international forums are considered

**Year: 2008**

11. Concerning the promotion of the Convention's principles in international forums, the issues of transparency, access to information and public participation for the Netherlands are covered by the coordination mechanism's instructions for international environmental agreements. The draft guidelines on the promotion of the Convention in other international forums are considered with the aim of strengthening the input and instructions in this field.

**Year: 2011**

(e) Concerning the promotion of Aarhus principles in international forums, the issues of transparency, access to information and public participation are covered by the co-ordination mechanism for the Netherlands instructions in international environmental agreements. The draft guidelines on the promotion of the Aarhus Convention in other international forums are considered with the aim of strengthening the input and instructions in this field.

5. Provide further information on the practical application of the general provisions of the Convention.

The Netherlands facilitated a workshop on Public Participation in International Fora in relation to the CoP Biosafety and its Cartagena Protocol in 2008.



Year: **2005**

In connection with Norway's international environmental efforts, the MoE has established a consultative body that meets about four times a year and includes representatives of civil society (trade unions, NGOs, research institutions, etc), the business sector and other ministries. This is a forum for providing inputs on global and international environmental issues and spreading information from international conferences and negotiations;

(d) Norway promotes a high degree of transparency and participation by civil society in international environmental bodies. For example, NGOs have been given financial support to enable them to take part in various international meetings. Norway also advocates giving NGOs real opportunities to be involved in preparatory processes and to play an active part in the meetings they take part in;

Year: **2008**

17. In connection with Norway's international environmental efforts, the MoE has established a consultative body that meets about four times a year and includes representatives of civil society (e.g. trade unions, NGOs, research institutions), the business sector and other ministries. This is a forum for providing inputs on global and international environmental issues and spreading information from international conferences and negotiations.

18. Norway promotes a high degree of transparency and participation by civil society in international environmental bodies. For example, NGOs have been given financial support to enable them to take part in various international meetings. Norway also advocates giving NGOs real opportunities to be involved in preparatory processes and to play an active part in the meetings they take part in.

19. Staff at the Ministry of the Environment who work with international agreements have been made aware of the Almaty Guidelines that have been drawn up under the Convention, and they are also available on the Ministry's intranet. The documents have also been sent to the Ministry of Foreign Affairs.

Year: **2011**

In connection with Norway's European Union-related and international environmental efforts, the Ministry of the Environment has established an EEA consultative body on environmental issues that meets approximately four times a year and includes representatives of civil society (trade unions, NGOs, research institutions, etc), the business sector and other ministries. The purpose is to increase knowledge on European Union environmental issues, and raise awareness within environmental organizations on the impact of European Union environmental policy on Norwegian environmental politics. The consultative body is also a forum for providing inputs on global and international environmental issues and spreading information from international conferences and negotiations;

(d) Norway promotes a high degree of transparency and participation by civil society in international environmental bodies. For example, NGOs have been given financial support to enable them to take part in various international meetings. Norway also advocates giving NGOs real opportunities to be involved in preparatory processes and to play an active part in the meetings they take part in. Civil society has also been granted permanent representation with the Norwegian delegation to the UN negotiations on climate change.

Staff at the Ministry of the Environment who work with international agreements have been made aware of the Almaty Guidelines that have been drawn up under the Aarhus Convention, and they are also available on the Ministry's intranet. The documents have also been sent to the Ministry of Foreign Affairs.

## Poland

Year: 2005

(d) Poland supports initiatives at the international level which promote the Convention's principles in other regions (United Nations Environment Programme (UNEP) and the Commission on Sustainable Development (CSD)).

NGO representatives have been part of governmental delegations in international processes such as the 2000 Conference of the Parties to the United Nations Convention on Climate Change, the 2002 Earth Summit in Johannesburg and sessions of the Polish-German Environment Protection Council;

Year: 2008

18. Poland supports initiatives at the international level which promote the Convention's principles in other regions (e.g. the United Nations Environment Programme (UNEP) and the Commission on Sustainable Development (CSD)).

19. NGO representatives have been part of governmental delegations in international processes such as the 2000 Conference of the Parties to the United Nations Convention on Climate Change, the World Summit on Sustainable Development (Johannesburg, 2002) and sessions of the Polish-German Environment Protection Council;

Year: 2011

24. Poland supports initiatives and processes at the international level concerning the environmental protection e.g. in the Commission on Sustainable Development (CSD), in the United Nations Environment Programme (UNEP) or in the discussion and works concerning International Environmental Governance, United Nations Economic Commission for Europe (UNECE) and Organisation for Economic Cooperation and Development (OECD).

25. NGO representatives have been part of the Polish governmental delegation at COP 14 in Poznan in 2008. Polish nongovernmental organizations and the private sector will be part of polish delegation to the Ministerial Conference "Environment for Europe", to be held in Astana in September of 2011

26. In the context of the provisions of this article it is worth complementing the material with the information relating to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, which was ratified by Poland in 1999 (Journal of Laws of 3 December 1999), which points to the need to conduct public consultations in the exposed country, i the case of projects that may have transboundary impact.

## Portugal

Year: 2005

No information provided on the implementation of article 3, para. 7

Year: 2008

No information provided on the implementation of article 3, para. 7

Year: 2011

No information provided on the implementation of article 3, para. 7

 Republic of Moldova

Year: 2005

(d) The Republic of Moldova is actively cooperating with the international organizations in the environmental field. So far, it has ratified 19 environmental conventions and acceded in 2004 to the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

For a long time, the Republic of Moldova has been cooperating with the World Bank, the Global Environment Facility (GEF), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), TACIS, the European Commission, etc. There is a regular exchange of information with the European countries concerning the actual and forecast state of the environment, hazardous hydrometeorological phenomena, and cases of high levels of environmental pollution.

The Ministry of the Environment and Natural Resources is paying special attention to improving cooperation with the governments of Belgium, China, Czech Republic, Denmark, France, Germany, Netherlands, Poland, Romania, the United Kingdom and the countries of the Commonwealth of Independent States (CIS) within the framework of the Intergovernmental Environment Council, whose decisions cover almost all areas of nature conservation;

Year: 2008

31. For capacity-building purposes and to interest journalists in writing about environmental matters, the Ministry has organized a national competition, the results of which are announced each year on World Environment Day. The best work (articles, interviews, television and radio broadcasts) receives awards and cash prizes. It has become the practice to include journalists in the delegations that represent the Republic of Moldova in various international environmental forums.

41. Apart from the representation of the NGOs on various domestic committees, the Environment Ministry ensures that they are represented on the delegations attending various international environmental meetings. Thus, at the Second Meeting of the Parties to the Aarhus Convention, the Moldovan delegation included seven representatives of NGOs, among them three from the trans-Dniester region not under government control, and at the October 2007 Belgrade Meeting Moldova was also represented by representatives of a number of NGOs and the press.

Year: 2011

.... The web page of the Ministry ([www.mediu.gov.md](http://www.mediu.gov.md)) was actualized, and the information on day-by-day planned activity of the central environmental protection body, national environmental legislation, international environmental treaties to which Republic of Moldova is part, and other useful information was placed there.

*Are there any relevant capacity-building activities aimed at journalists and, if so, which institutions or organizations implement them?*

In order to increase the capacity and interest of journalists in reflecting environmental issues, the Ministry has organized a contest. The results of this contest were announced on the World Environment Day. The best works (articles, interviews, radio and TV broadcasts) were awarded with prizes, including monetary ones. There is a common practice when journalists are included in official delegations on various environmental forums.

Special trainings on environmental themes are organized by Environmental Movement of Moldova, and Eco-Tiras, while Eco-Tiras held trainings for journalists from the left bank of Dniester River.

*Is there a practice of including NGO members in delegations representing the State in international environmental negotiations or in any national-level discussion groups forming the official position for such negotiations?*

Indeed such practice exists in the Republic of Moldova, but it is very limited: for participation on the Belgrade Conference 2007 representatives of one NGO were included in the official state delegation. NGO representatives were included in delegations for the International HCH and Pesticides Forums and the meetings, organized by the EAP Task Force Secretariat, OECD.

## Romania

Year: 2005

(d) The Romanian Governmental delegations participating in intergovernmental meetings respect the Aarhus Convention principles at international level.

Year: 2008

26. Romania organized the Fourth Meeting of the Parties to the Espoo Convention in 19-21 of May 2008. Several NGOs have participated to this meeting: NGO EcoForum Austria, NGO from Azerbaijan, NGO from Kyrgyzstan ,NGO DEF Romania, Alburnus Maior NGO Romania, NGO:WWF Romania, NGO EcoForum Ukraine, NGO EcoGlobe Armenia, NGO EEA Romania, NGO IEM Bulgaria NGO REC Moldova, NGO REC CEE Hungary, REC Russia, NGO CAREC Kazakhstan.

27. At this event, there was no limitation for the participation of NGO as, in accordance with rule 7 of the rules of procedure.

Year: 2011

No information provided on the implementation of article 3, para. 7.

## Serbia

Year: 2005

Not party at date of reporting cycle.

Year: 2008

Not party at date of reporting cycle.

Year: 2011

- Representatives of associations participated in the activities of the Ministry of Environment and Spatial Planning:
- Contributing to the preparations for and holding of the Sixth Ministerial Conference - Environment for Europe, Belgrade, October 2007
- While the Republic of Serbia, namely, Dr Oliver Dulic, Minister of Environment and Spatial Planning, chairs the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Program (GC/GMEF UNEP), "Environmental Ambassadors" were members of the official state delegation from 2009 to 2011
- "Environmental Ambassadors" participated in the 18th session of the United Nations Commission on Sustainable Development (CSD) in New York (USA) in May 2010
- Representatives of associations ("School for Survival", "EkoNec", "EkoForum", "Young Researchers of Serbia") participated as full members of the Ministry of Environment and Spatial Planning working group in the process of

drafting the First Framework Action Plan for Environmental Education for Sustainable Development in the context of the implementation of the United Nations Economic Commission for Europe (UNECE) Strategy for Education for Sustainable Development.

- The Institute for Nature Conservation of Serbia promotes the principles of the convention as part of international cooperation that it has developed with international organizations and institutions and in the course of implementation of international projects that it takes part in (for example “Environmental Development of Rural Areas in Bosnia and Herzegovina” and a segment of activities focusing entirely on the public – distributing four issues of the institute’s electronic bulletin to all stakeholders, maintaining regular contact with the representatives of the media and keeping them informed about all the stages of the project, holding public debates and meetings. Its activities also included the official launch of the “Centre for Sustainable Development Guvnište”, carrying out the “Protection of Biodiversity of the Sava River Basin Floodplains” project, implementing communication strategy, etc.)

The Secretariat for Environmental Protection of the City of Belgrade and OSCE Mission to Serbia organized a seminar on May 10th, 2010 promoting the principles of the Aarhus Convention in Serbia. The seminar was held with the aim of encouraging the participation of the public in solving issues related to the environment, which in turn, strengthens the policy of environmental protection. Another goal was to provide additional explanations as to the importance of the convention and the obligations of Serbia after its signing, the contribution of the convention to the society, the significance of the PRTR protocol as well as the ways of its implementation.

## Slovakia

Year: 2005

Not party at date of reporting cycle.

Year: 2008

NGOs participate in environmental awareness raising via various activities. To support their activities they can get financial resources from the MoE (a Green Project granting programme – the Decree of the MoE 6/2005 of 16 November 2005), from the Ministry of Education (Enviropunkt) and from the Environmental Fund (support of environmental education). Via a signed Memorandum of Understanding (MoU) between the Slovak Republic and the European Commission, NGOs can participate in international projects within the EU.

Public participation in international environmental decision-making processes is applied in accordance with provisions of Act 211/2000 on free access to information and Act 24/2006 on EIA as well as amendments to some other Acts.

There is no special practice of including NGO members in delegations and such an inclusion is being carried out on ad-hoc basis.

In accordance with Decision 466/2002/EC of 1 March 2002, the MoE has worked out a MoU between the European Community and the Slovak Republic concerning the participation of the Slovak Republic in the Community Action Programme supporting NGOs in particular working in the area of the environment. This Memorandum was adopted by the Government on 21 August 2002 (Resolution of the Government 944/2002).

Internal consultations are carried out at the level of a sectoral coordination group of the MoE, which represents an advisory and coordinating body of the Minister of the Environment in the area of decision-making processes concerning the EU. Positions of the Slovak Republic worked out for negotiations within particular formations of the EU Council of EC Committees are discussed and presented at sessions of this group. The officers of MoE departments responsible for the Convention agenda cooperate closely in the framework of internal consultations in implementing the Council Directive 96/61/EC concerning IPPC, the Regulation of the European Parliament and of the Council (EC) 166/2006/EC concerning the establishment of a European Pollutant Release and Transfer Register (E-PRTR), Regulation (EC) 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents, Directive 2003/4/EC of the European Parliament and of the Council on public access to

environmental information, Directive 2003/35/EC of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment, and Council Decision 2005/370/EC on the conclusion, on behalf of the European Community, of the Convention.

**Year: 2011**

The participation of public in the environmental decision-making process is applied in accordance with the provisions and in terms of the Act No. 211/2000 Coll. on free access to information and Act No. 24/2006 Coll. on environmental impact assessment and on amendment of some acts. In practice, the Slovak Republic applies the Aarhus Convention principles, e.g. within OECD, by participation of NGOs in international negotiations with OECD experts regarding the preparation of the first and second reviews of the Slovak Republic environmental performance (Environmental Performance Review). The representative of the Nuclear Regulatory Authority of the Slovak Republic (ÚJD SR) is a member of the "Steering Committee" whose creation was initiated by EC (DG TREN) and the French association of local information commissions ANCLI in cooperation with the ENEF Group and the French Ministry of Ecology to coordinate activities to the practical implementation of the Aarhus Convention. Within the activities mentioned there are workshops held on the Aarhus Convention practical implementation and on the Aarhus Convention implementation principles in the area of nuclear energy use in the individual EU countries at the EU level attended by the representatives of state organizations, parties involved, and NGOs; round tables are supposed to be held at the national level in the individual EU countries.

In terms of the Decision No. 466/2002/EC of 1 March 2002 MoE elaborated a Memorandum of Understanding between the European Community and the Slovak Republic on the Slovak Republic participation in the Community action program supporting the non-governmental organizations acting mainly in the area of environmental care. The respective Memorandum was approved by the Slovak Republic Government on 21 August 2002 (the SR Government Resolution No. 944/ 2002).

The MoE organizational units staff responsible for the Aarhus Convention agenda closely cooperate within internal consultations when implementing the Council Directive No. 96/61/EC on integrated pollution prevention and control, the European Parliament and Council Regulation (EC) No. 166/2006/EC on establishment of a European Pollutant Release and Transfer Register, the European Parliament and Council Regulation (EC) No. 1049/2001 on public access to the European Parliament, Council, and Commission documents, the European Parliament and Council Directive No. 2003/4/EC on public access to environmental information, the European Parliament and Council Directive No. 2003/35/EC providing for public participation in respect of the drawing up of certain plans and programmes relating to environment, and the Council Decision No. 2005/370/EC on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters.

 **Slovenia**

**Year: 2005**

(d) Slovenia, as member of the European Union (EU), fully complies with the rules and procedures adopted at Community level on the promotion of the application of the Convention's principles in matters relating to the environment;

**Year: 2008**

10. Slovenia, as a Member State of the EU, fully complies with the rules and procedures adopted at the Community level on the promotion of the application of the Convention's principles in matters relating to the environment;

**Year: 2011**

(d) Slovenia, as member of the European Union (EU), fully complies with the rules and procedures adopted at Community level on the promotion of the application of the Convention's principles in matters relating to the environment;

 **Spain**

**Year: 2005**

Not Party at time of reporting cycle.

**Year: 2008**

21. Article 19.2 f) of Law 27/2006 charges the CAMA with proposing the measures it deems appropriate to improve compliance of international agreements on the environment and sustainable development, evaluating the effectiveness of the regulations and programmes in force and proposing, where applicable, the necessary amendments.

**Year: 2011**

20. Article 19.2 f) of Law 27/2006 charges the CAMA with proposing the measures it deems appropriate to improve compliance of international agreements on the environment and sustainable development, evaluating the effectiveness of the regulations and programmes in force and proposing, where applicable, the necessary amendments.

 **Sweden**

**Year: 2005**

Not party at time of reporting cycle.

**Year: 2008**

18. The provisions of the Convention on also working to promote the application of principles of the Convention in other international processes are well in line with Swedish endeavours to bring about greater transparency in the European Union (EU) and in international contexts. Sweden has participated actively in work on the guidelines for public participation in international forums. Earlier on, Sweden also decided to take part in the Partnership for Principle 10 at the World Summit in Johannesburg in 2002. As part of its Eastern Europe Programme, the Swedish Environmental Protection Agency has also held courses in environmental law that have dealt with the principles of the Convention.

**Year: 2011**

(d) With respect to paragraph 7, measures taken to promote the principles of the Convention internationally; including:  
(i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, and the Almaty Guidelines, indicating whether the measures to coordinate are ongoing;

A seminar has been organised to inform officials in the Government Offices working within the framework of relevant international forums about Article 3, paragraph 7 and the Almaty Guidelines.

(ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which the access to information was provided;

Information on international forums is available via the Government website ([www.regeringen.se](http://www.regeringen.se)).

(iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g. inviting NGO members to participate in the Party's delegations in international environmental negotiations or involving NGOs in forming the Party's official position for such negotiations) including the stages at which the access to information was provided;

There are various forms of consultation with respect to ongoing work in international forums. Consultations at national level are regularly held ahead of meetings of the parties and negotiations in international environmental conventions and other forums, for example. These usually take the form of meetings between representatives of the Government and of stakeholders such as NGOs, sectoral organisations, researchers and relevant agencies.

- (iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;
- (v) Measures taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums;

The provisions of the Convention on also working to promote the application of principles of the Convention in other international processes are well in line with Swedish endeavours to bring about greater transparency in the European Union (EU) and in international contexts. Sweden has participated actively in work on the guidelines for public participation in international forums. Earlier on, Sweden also decided to take part in the Partnership for Principle 10 at the World Summit in Johannesburg in 2002. As part of its Eastern Europe Programme, the Swedish Environmental Protection Agency has also held courses in environmental law that have dealt with the principles of the Convention. Furthermore, Sweden has actively supported the process within the United Nations Environment Programme (UNEP) that led to the adoption of the Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters at the meeting of the organisation's Governing Council in February 2010. Although the guidelines are intended to support the development of national legislation in the area at country level, as is clear from their title, the process that led to their adoption was an international one. In combination with the wider dissemination of the Aarhus Convention's principles at national level implied by the guidelines, this increases the prospects of these principles shaping work in international forums and organisations in the future.

## Tajikistan

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

No information provided on the implementation of article 3, para. 7.

 **The former Yugoslav Republic of Macedonia**

**Year: 2005**

No information provided on the implementation of article 3, para. 7.

**Year: 2008**

No information provided on the implementation of article 3, para. 7.

**Year: 2011**

No information provided on the implementation of article 3, para. 7.

 **Turkmenistan**

**Year: 2005**

(d) With respect to paragraph 7. Participation in the development of regional action plans and international seminars, etc., preparation of manuals and guidebooks on EIA in a transboundary context;

**Year: 2008**

21. On 16 November 2005 an international training course was launched in Turkmenistan on placing an economic value on the natural resources of the Caspian region. Over the course of five days environmental specialists from Azerbaijan, the Islamic Republic of Iran, Kazakhstan and Turkmenistan and representatives of environmental associations discussed how to identify the economic value of the natural resources of the Caspian Sea, the impact on the coastal zone of industrial activities, the management of the natural resources and protection of the environment of the Caspian region, and access to information on the state of the environment in the Caspian.

22. On 25 November 2005, a national scientific and practical conference was opened in Ashgabat, at which discussions were held over two days of progress in implementing the national environmental action plan and the provisions of the Aarhus Convention. The conference was organized by the Government of Turkmenistan with the assistance of the Organization for Security and Cooperation in Europe (OSCE) centre in Ashgabat. It was attended by leading experts, specialists from a number of different ministries and departments, representatives of major international organizations such as the United Nations Development Programme (UNDP), the World Bank, the Asian Bank, the Turkish International Cooperation and Development Agency (TIKA), and also representatives of Turkmen civil-society associations.

31. In 2005, the civil-society organizations of Turkmenistan held a forum for the purpose of establishing a network in Turkmenistan and Central Asia as part of the International NGO Network on Desertification (RIOD) of the United Nations Convention to Combat Desertification. The Nature Conservation Society of Turkmenistan was selected to represent Turkmenistan in the RIOD network.

32. The second national forum of civil-society representatives was held in January 2006, in Ashgabat, under the theme "Society, environment and sustainable development". A national public council and a young people's environmental network were both established at this forum.

33. Turkmenistan is very active in international cooperation efforts to tackle global, regional and inter-State environmental problems. Working together with public authorities, representatives of the Turkmen public have been debating an environmental strategy for Eastern Europe, the Caucasus and Central Asia; they prepared proposals put

forward by Turkmen civil-society organizations for the Kyiv ministerial meeting in 2003 and the Belgrade ministerial conference in 2007; and they participated in the high-level meeting of education and environment ministries held by the United Nations Economic Commission for Europe (ECE) in Vilnius. Turkmenistan was one of the founders of the Inter-State Commission on the Sustainable Development of Central Asia, the Regional Environmental Centre for Central Asia and the International Fund for the Aral Sea, which bring together all the countries of Central Asia, alongside such international partners as UNEP, UNDP and the World Wide Fund for Nature (WWF).

34. As noted above, on 22 and 23 November 2006 a regional meeting was held in Ashgabat on further international cooperation in the sustainable development and environmental security of the Central Asian region. The meeting was attended by heads of environmental agencies, non-governmental organizations of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, and representatives of UNEP and UNDP.

35. The meeting was convened on the initiative of the Ministry of Environmental Protection of Turkmenistan, which is currently chairing the International Commission on Sustainable Development of the International Fund for the Aral Sea, and of UNEP and UNDP. The meeting concluded with the signing of a key environmental text, unparalleled in international diplomacy: the subregional Ashgabat Framework Convention on the Environment for Sustainable Development in Central Asia. The Ashgabat Convention provides a legal structure for the further strengthening of inter-State cooperation in the area of the environment and for the implementation of the Central Asian regional environmental action plan.

36. On 25 November 2006 the Asia-Pacific Subregional Environment Policy Dialogue held its fourth meeting in Ashgabat. This forum, which brings together countries in Central, North-East, South and South-East Asia and in the South Pacific, was organized by UNEP through its Regional Office for Asia and the Pacific, and the Ministry of Environmental Protection of Turkmenistan.

37. A key outcome of the dialogue was improved regional cooperation, the strengthening of the environmental community and the designation of joint action to be taken on emerging and urgent issues in the immediate and longer-term future. In a media interview organized upon the conclusion of the forum, Mr. Akim Steiner, UNEP Executive Director, drew attention to the significant contribution made by Turkmenistan in regional cooperation in the field of environmental safety, and to its initiatives, contacts and negotiations with other Central Asian countries undertaken to safeguard the environment. In his statement, the Executive Director commended Turkmenistan on its adherence to a policy of fruitful cooperation that enhanced its international credibility in the environmental community. He noted in addition that Turkmenistan was a country of enormous natural wealth which was aspiring to use that wealth to achieve not only its own welfare and sustainable development, but also peace, stability and prosperity throughout the region.

#### **Year: 2011**

27. Various means are used to provide the public with information on the state of the environment and environmental protection and increase environmental awareness, including the media and specially targeted initiatives, forums, seminars, training sessions, meetings and so on. The international scientific and practical journal Problems of Desert Reclamation is published in Turkmenistan; scientific and popular scientific books, brochures, pamphlets, textbooks and manuals on environmental protection are regularly published; other environmental information is disseminated; and the TV programme Turkmenistan's Nature is broadcast. These publications and programmes include material about Turkmenistan's fulfilment of its international environmental obligations.

33. Civil-society associations may cooperate with international NGOs, maintain international contacts and links and conclude corresponding agreements with the involvement of the Ministry of Foreign Affairs (article 21).

45. The application of the Convention's principles in international decision-making processes on environmental matters is enshrined in a host of environmental laws. In particular, practically every law has an article on international cooperation or international agreements which Turkmenistan has signed. For example, the Environmental Protection Act has a special article (article 42) on "International agreements in the sphere of environmental protection", the Flora Act has a similar article (article 29) and so on. Turkmenistan hence actively participates in international cooperation on environmental matters, including in the framework of international organizations.

46. The NGO Forum of Turkmenistan provides an example of international cooperation. RIOD working groups on the UN Convention to Combat Desertification in Turkmenistan and Central Asia have been set up at the Forum. In addition, at the second national forum representatives of the NGO Society, the Environment and Sustainable Development founded the National Public Council and the Youth Environment Network, which are successfully implementing the provisions of the Aarhus Convention in Turkmenistan.

## Ukraine

Year: 2005

(d) Pursuant to Presidential Decree No. 1072/2000 of 14 September 2000 on the programme for integrating Ukraine into the European Union, the Ministry of Environmental Protection has been adapting Ukraine's environmental legislation to the European Union's legislation. Almost every bilateral agreement and international technical assistance project provides for public awareness campaigns and public participation in the implementation of the agreement or project.

With respect to the promotion of the principles of the Aarhus Convention internationally, Ukraine:

- (1) Takes part in thematic international meetings;
- (2) Participates in the drafting of international documents and reports on the implementation of the Convention;
- (3) Amends its domestic legislation;
- (4) Sends its specialists for further training and participation in working groups to draft plans for the further application of the Convention;
- (5) Participates in international projects and conferences.

In accordance with the bilateral agreements initiated by Ukraine and the TACIS Programme, in March 2003, the Ukrainian Danish project "Assistance to Ukraine on implementation of the Aarhus Convention", with financial support from Danish Cooperation for Environment in Eastern Europe (DANCEE), was completed by the Ministry of Environmental Protection. Moreover, on 17 December 2004, the project on environmental education, information and public awareness for the newly independent States (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine), which was financed by the European Union under the TACIS Programme, was completed. The Ministry's participation in these projects enabled it to:

- (1) Draft regulations on public participation in decision making in environmental matters;
- (2) Hold public hearings on two draft regulations, including regulations on the procedure for providing environmental information;
- (3) Open the Aarhus Information and Training Centre in the Ministry's central administration and its State Environmental Institute;
- (4) Introduce manuals on the preparation and holding of training courses for civil servants and the public concerning the basic principles of the Aarhus Convention;
- (5) Disseminate throughout its system a handbook for civil servants on implementation of the provisions of the Aarhus Convention in Eastern Europe and the Caucasus, with the inclusion of positive examples.

Ukraine's participation in the United Nations Environment Programme (UNEP) and the Global Environmental Facility (GEF) global project on the development of a national biosafety framework for Ukraine also contributes to the application of the Aarhus Convention in Ukraine.

The promotion of the principles of the Aarhus Convention at the international level has been facilitated by:

- (1) The holding of the Fifth Ministerial Conference "Environment for Europe" in Kiev from 21 to 23 May 2003 and, at the same time, the Fourth All Ukrainian Conference of the Environmentally Interested Public;
- (2) The holding of the First International Conference on Regional Environmental Problems on 18 and 19 November 2004 at the Yury Kondratyuk Poltava National Technical University with the participation of Poland, China and other countries;
- (3) Participation of representatives of the Poltava Region Environmental Council "Kremenchug Christian Foundation" in the international forum "Children's Health", which was held in Budapest;

- (4) Implementation of an international project to reduce water pollution in the village of Taktaulovo in Poltava oblast, by representatives of the organization “Mama 86” together with German and Dutch voluntary environmental organizations;
- (5) Involvement of voluntary organizations in working groups.

**Year: 2008**

- 31. In May 2003, an Aarhus Information and Training Centre (Aarhus Centre) was set up on MEP premises.
- 32. The work of the Aarhus Centre includes keeping the public informed about environmental protection and international environmental legislation issues, further training, and involvement of the public in decision-making and in the implementation of environmental policy at national and international levels.
- 58. The Ministry of Foreign Affairs is always endeavouring to broaden the participation of representatives of the Ukrainian public in international environmental decision-making processes, in accordance with the principles of the Aarhus Convention.
- 59. The environmental NGOs have played an active part in environmental decision-making at the international level, for example, in the 5th and 6th “Environment for Europe” Conferences of all European Environment Ministers, the international conference on introducing the Aarhus Convention into the work of the Ministry of Environmental Protection and raising public awareness concerning the protection of the Black and Azov Seas (2004), Forum of the Danube River Basin NGOs – We will preserve the Danube Romanian-Ukrainian biosphere nature reserve (2004), international scientific and practical seminars on the monitoring of the Ukrainian and Romanian parts of the Danube river delta and questions concerning the monitoring and clean-up of oil spills (2005), the international conference on the preservation and sustainable development of the Danube river delta (2006), the 5th International Scientific and Practical Conference on the Environmental and Economic Problems of the Dniester, and the international expeditions Dniester Delta, Danube Day, and 31 October – Black Sea Day.
- 60. At the initiative of the MEP’s designated main contact point for the Aarhus Convention, together with the Aarhus Centre and the Office for Cooperation with the International Organizations and Questions of European Integration, proposals have been submitted concerning the extension of the main principles of the Aarhus Convention – access to information and participation in decision-making - to international environmental conventions and agreements.

**Year: 2011**

- 50. The work of the Aarhus Centre includes keeping the public informed about environmental issues and international environmental legislation, involving highly qualified experts in the processes of teaching, raising awareness and continual professional development, and involving the public in decision-making and in the implementation of environmental policy at national and international levels.
- 91. It is usual to include NGO members in delegations representing the State in international environmental negotiations.
- 92. The Ministry of Foreign Affairs perpetually endeavours to broaden the participation of representatives of the Ukrainian public in international environmental decision-making processes, in accordance with the principles of the Aarhus Convention: it is common practice for Ukrainian delegations at international conferences to include representatives of NGOs that actively work on the given topic.
- 93. The fundamental principles of the Aarhus Convention - public access to information and participation in the decision-making process – form an element of MEPU officials’ work to implement other international conventions and agreements in Ukraine (the Convention on Biodiversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention to Combat Desertification, Vienna Convention for the Protection of the Ozone Layer, UN Convention on Climate Change, etc).

94. MEPU officials that directly deal with the Aarhus Convention actively cooperate with officials responsible for the implementation in Ukraine of other international conventions ratified by Ukraine.

#### FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE GENERAL PROVISIONS OF ARTICLE 3

Year: **2005**

The Ministry of Environmental Protection, as the national coordination centre for the application of the Aarhus Convention in Ukraine, has studied the measures taken to implement the Aarhus Convention in Ukraine and is planning in the near future to step up its activities in the following areas:

*Domestic legislation:*

.... (6) Prepare and discuss with the public the recommendations on a procedure for public participation in drafting reports on Ukraine's implementation of international conventions;

#### United Kingdom of Great Britain and Northern Ireland

Year: **2005**

Not party at date of reporting cycle.

Year: **2008**

24. The Foreign and Commonwealth Office leads the commitment of the UK to the Partnership for Principle 10 initiative, which supports principle 10 of the Rio Declaration on Environment and Development, and therefore the principles of the Convention. The UK offers full support to the initiative, whose partners include Governments, international organizations such as the World Bank and NGOs from across the world, who join together to promote awareness of the principles, share best practice and mobilize resources to do this.

25. As a member of the European Community, the UK supports the appropriate application of the Convention to Community legislation and bodies. It has also supported, and continues to support, the development of the participatory principles of the Convention and of Principle 10 of the 1992 Rio Declaration in international forums, such as the World Summit on Sustainable Development in 2002, the Environment for Europe process, as well as in specific environment agreements, such as the recent Cartagena Protocol on Biosafety to the Convention on Biological Diversity.

26. UK experts have participated in an ad-hoc group set up within the subsidiary body of Convention, the Task Force on Public Participation in International Forums. ([www.unece.org/env/pp/ppif.htm](http://www.unece.org/env/pp/ppif.htm)) The Task Force's aim is to consider the scope, format and content of guidelines, which will promote the principles of the Convention in international environmental decision-making processes, thus directly supporting article 3, paragraph 7, of the Convention. The group is taking into account the need to avoid duplication of efforts and to ensure the broadest possible ownership of such guidelines, as well as the experience already gained by Parties and Signatories in implementing article 3, paragraph 7 on an individual basis.

27. Examples of the active promotion by the UK at the international level of the practical application of the Convention's underlying principles include:

- a. A UK-funded workshop and publication of a *Handbook of Good Practices in Public Participation at Local Level* ([www.unece.org/env/pp/newcastle.handbook.htm](http://www.unece.org/env/pp/newcastle.handbook.htm));
- b. A partly UK-funded *Handbook on Access to Justice* ([www.unece.org/env/pp/a.to.j/handbook.final.pdf](http://www.unece.org/env/pp/a.to.j/handbook.final.pdf));
- c. Membership of the Partnership for Principle 10 ([www.pp10.org](http://www.pp10.org)), under which the UK Foreign and Commonwealth Office has donated approximately £1 million for the period 2007-2008 for various projects throughout the world which aim to improve access to information, public participation and access to justice in environmental matters;
- d. The UK Environment for Europe Fund ([www.defra.gov.uk/environment/internat/enveurofund/index.htm](http://www.defra.gov.uk/environment/internat/enveurofund/index.htm)) which aims to promote environmental protection and sustainable development in Central Europe and Eastern Europe, Caucasus and Central Asia (EECCA subregion), and to support activities of environmental organizations in these countries;
- e. Under the auspices of the Convention, Defra have sponsored a collaborative project between the United Nations Environment Programme (UNEP) and the UK Environment Agency, to utilize the Agency's experience and expertise in GIS<sup>2</sup> based electronic information services to help build capacity in the EECCA region, for efficient and effective provision of environmental information;
- f. The contribution of funding by the UK Department for International Development to an independent study and the development of a practical guide on public participation and the Cartagena Protocol on Biosafety ([www.ids.ac.uk/UserFiles/File/knots\\_team/NBFReport\\_Main.pdf](http://www.ids.ac.uk/UserFiles/File/knots_team/NBFReport_Main.pdf));
- g. The UK department for Communities and Local Government part funds [www.communityplanning.net](http://www.communityplanning.net). This website, originally funded by the Department for International Development, provides detailed information on how ordinary people can effectively influence the planning and management of their environment.

**Year: 2011**

22. As a member of the European Union, the UK supports the appropriate application of the Convention to European Union legislation and bodies. It has also supported, and continues to support, the development of the participatory principles of the Convention and of Principle 10 of the 1992 Rio Declaration in international forums, such as the World Summit on Sustainable Development in 2002, the Environment for Europe process, as well as in specific environment agreements, such as the Cartagena Protocol on Biosafety to the Convention on Biological Diversity.

23. Examples of the active promotion by the UK at the international level of the practical application of the Convention's underlying principles include:

- (a) A UK-funded workshop and publication of a Handbook of Good Practices in Public Participation at Local Level ([www.unece.org/env/pp/newcastle.handbook.htm](http://www.unece.org/env/pp/newcastle.handbook.htm));
- (b) A partly UK-funded Handbook on Access to Justice ([www.unece.org/env/pp/a.to.j/handbook.final.pdf](http://www.unece.org/env/pp/a.to.j/handbook.final.pdf));
- (c) Membership of the Partnership for Principle 10 ([www.pp10.org](http://www.pp10.org)), under which the UK Foreign and Commonwealth Office donated approximately £1 million for the period 2007-2008 for various projects throughout the world which aim to improve access to information, public participation and access to justice in environmental matters;
- (d) The UK Environment for Europe Fund (2003-2008) (<http://webarchive.nationalarchives.gov.uk/20081023131051/http://www.defra.gov.uk/environment/internat/enveurofund/index.htm>) which aimed to promote environmental protection and sustainable development in Central Europe and Eastern Europe, Caucasus and Central Asia (EECCA subregion), and to support activities of environmental organisations in these countries;
- (e) Sponsorship by Defra of a collaborative project between the United Nations Environment Programme (UNEP) and the UK Environment Agency, to utilise the Agency's experience and expertise in GIS based electronic information services to help build capacity in the EECCA region for efficient and effective provision of environmental information;
- (f) The contribution of funding by the UK Department for International Development (DfID) to an independent study and the development of a practical guide on public participation and the Cartagena Protocol on Biosafety ([www.unep.ch/biosafety/old\\_site/development/devdocuments/PublicParticipationIDS.pdf](http://www.unep.ch/biosafety/old_site/development/devdocuments/PublicParticipationIDS.pdf) or [bch.cbd.int/database/record-v4.shtml?documentid=41530](http://bch.cbd.int/database/record-v4.shtml?documentid=41530) );
- (g) DCLG part funded [www.communityplanning.net](http://www.communityplanning.net). This website, originally funded by DfID, provides detailed information and case studies on how ordinary people can effectively influence the planning and management of their environment;
- (h) In June 2010, the United Kingdom became a signatory of the Charter of the Regional Environment Centre for

Central and Eastern Europe, an international organisation which supports the exchange of environmental information, encourages public participation in environmental decision-making and promotes cooperation between government, NGOs and other stakeholders. Defra has previously donated to REC initiatives, and the Foreign and Commonwealth Office has funded various regional initiatives through Embassies in REC beneficiary countries. REC already works with UK partners via the British Embassy in Budapest and The Prince of Wales' Corporate Leaders Group (<http://www.rec.org/about.php?section=mission>);

(i) NGOs and stakeholder groups contributed to the development of UK positions for negotiations on the EU Illegal Timber (Due Diligence) Regulation, culminating in regular meetings between key stakeholders and the Secretary of State for Environment, Food and Rural Affairs to discuss the prohibition element of the Regulation. This was complemented by more irregular meetings with a range of stakeholders representing small and medium-sized enterprises (SMEs) and specialist trade groups

(j) Defra officials convene an expert group for NGOs with an interest in the International Whaling Commission (IWC). The meetings are used to shape the UK's official position and two NGO representatives are nominated by the group to join the UK delegation for the IWC's annual meeting.

(k) In advance of the Conference of the Parties to the Convention on Biological Diversity, several meetings were held to allow interested parties to input their views into UK positions for the COP10 in Nagoya, notably on the Access and Benefit Sharing Protocol.

(l) DECC conducts regular meetings with stakeholder organisations in order to take their views ahead of international meetings at all levels of the department; from Secretary of State and Ministerial level to official level contacts. DECC holds meetings on topics including fast start finance, long term climate finance, MRV, REDD and forestry, governance and architecture, carbon markets, adaptation, technology and IPR at appropriate junctures and according to international milestones. In response to the concerns of NGOs and the recommendations of the PPIF taskforce, there is a contact point in the UK delegation to the UNFCCC negotiations with whom stakeholders can raise any concerns about public participation in the meeting.