Guidance Document

Online tool for national implementation reports of the Aarhus Convention



2017



Aarhus Convention

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

PART I. Browsing through the National Implementation Reports' (NIR) webpage

PART II. Uploading a National Implementation Report



Aarhus Convention

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PART I. Browsing through the National Implementation Reports' (NIR) webpage

PART II.
Uploading a National Implementation Report

Introduction

Pursuant to Article 10, paragraph 2, of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and Decision I/8 adopted by the Meeting of the Parties to the Convention, requiring the continuous review of the implementation of the Convention on the basis of regular reporting by the Parties, the Parties to the Aarhus Convention produce and make publicly available National Implementation Reports. The revised format for the Aarhus Convention implementation report was endorsed through decision IV/4 adopted by the Meeting of the Parties to the Aarhus Convention at its fourth session (Chisinau, 29 June – 1 July 2011).

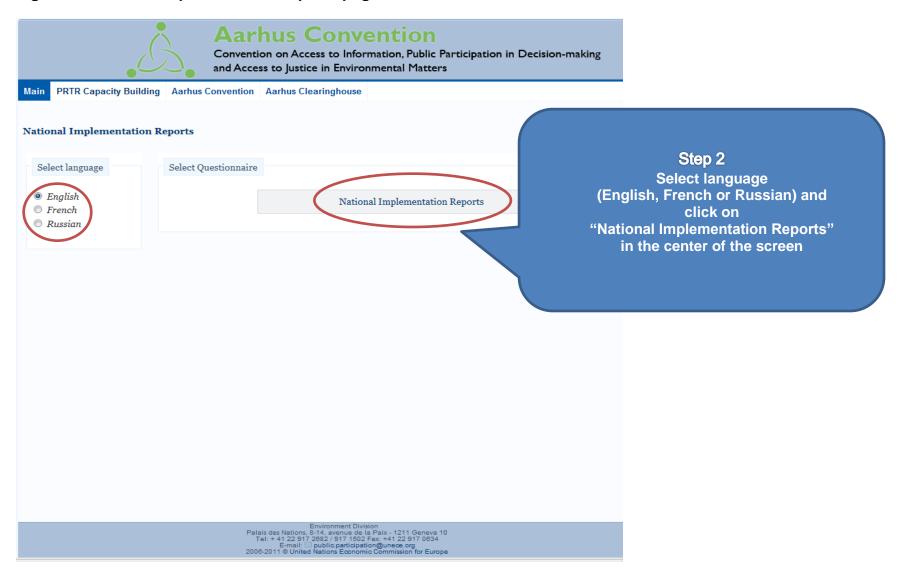
The Aarhus Convention secretariat has developed an online tool to facilitate the Parties in preparing and uploading their reports. Parties are strongly encouraged to upload their National Implementation Reports in all official ECE languages (ENG/FRE/RUS).

Figure 1 - Aarhus Clearinghouse webpage



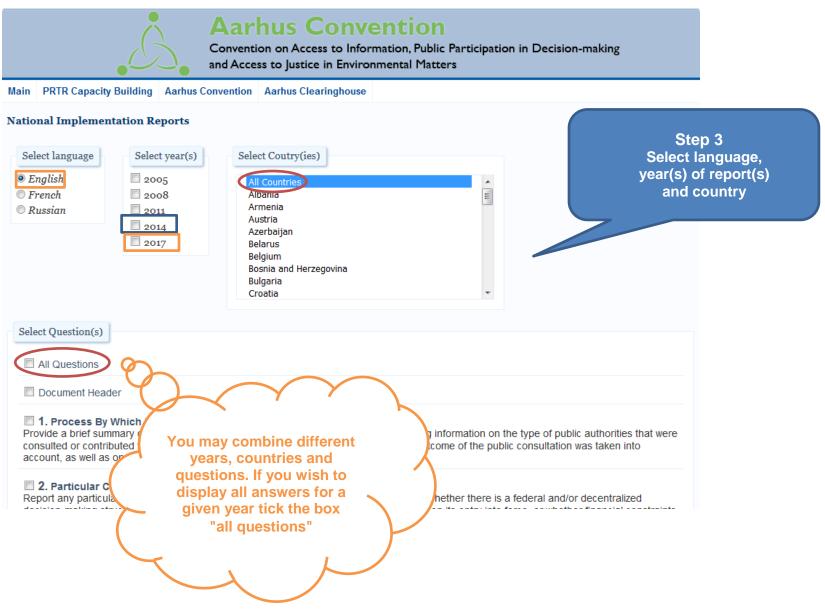
Alternatively, go directly to http://apps.unece.org/ehlm/pp/NIR/index.asp
The screen in Figure 2 will be displayed:

Figure 2 - National implementation reports page



The following screen will be displayed (Figure 3):

Figure 3 - Selecting search criteria



The following examples will illustrate the different options available:

Example 1

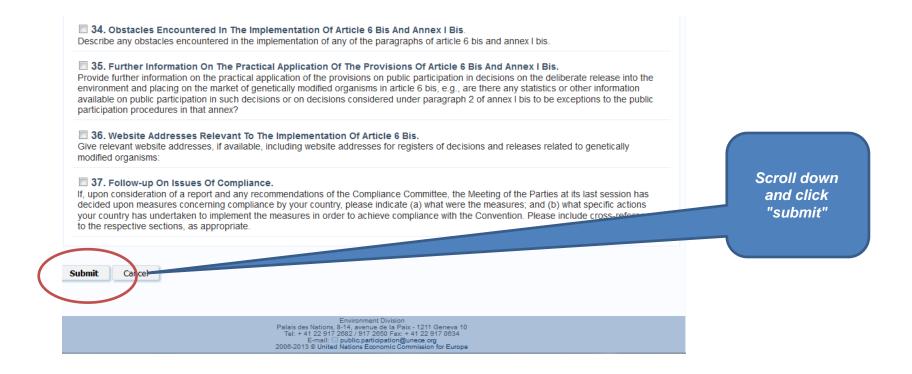
To display answers to several questions of a single country for a specific reporting year.

Figure 4 - Example 1



Example 1

Single year, single country, multiple questions/answers Language=English, NIR Year=2008, Country=Albania, Answers to questions=1, 3



The results will be displayed as in the following screen (Figure 5 - Example 1 Results):

Figure 5 - Example 1 Results

National Implementation Reports

Albania

1 Process By Which The Report Has Been Prepared

Provide a brief summary of the process by which this report has been prepared, including information on the type of public authorities that were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account, as well as on the material that was used as a basis for preparing the report.

Year: 2008

- 1. This report was prepared by the Ministry of Environment, Forestry and Water Management (MoE).
- 2. This report was discussed with other ministries, including the Ministry of Health and the Ministry of Agriculture, Transport and Tourism. It was also made available on the MOE website and sent for comments to non-governmental organizations (NGOs).

3 Legislative, Regulatory And Other Measures Implementing The General Provisions In Article 3, Paragraphs 2, 3, 4, 7 And 8

List legislative, regulatory and other measures that implement the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8, of the Convention. Explain how these paragraphs have been implemented. In particular, describe: (a) With respect to paragraph 2, measures taken to ensure that officials and authorities assist and provide the required guidance; (b) With respect to paragraph 3, measures taken to promote education and environmental awareness; (c) With respect to paragraph 4, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection; (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, of the Convention and the Almaty Guidelines, indicating whether the coordination measures are ongoing; (ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which access to information was provided; (iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g., inviting non-governmental organization (NGO) members to participate in the Party's delegation in international environmental negotiations, or involving NGOs in forming the Party's official position for such negotiations), including the stages at which access to information was provided; (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; (e) With respect to paragraph 8, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or

Year: 2008

Article 3, paragraph 2

Interventions to the legal framework

- 4. The principles of the Convention are widely mirrored and included in the Albanian Legislation more specifically in:
- . The Constitution of the Republic;
- The Law for Environmental protection No. 8934 of 5 September 2002, (arts. 3, 10, 54, 55, 56, ch. X, arts. 77, 78, 79, 80)
- . The Law for Environmental Impact Assessment No. 8990 of 23 January 2003, (arts. 17, 19, 20, 23, 26)
- In all specific environmental laws approved during the time frame 2003-2007;
- Code of Administrative Procedures
- Law for the Ombudsman (Arts. 14, 15, 16, 17)
- . Law for Civil Emergencies No 8756 of 26 March 2001, (art. 8 (ë))

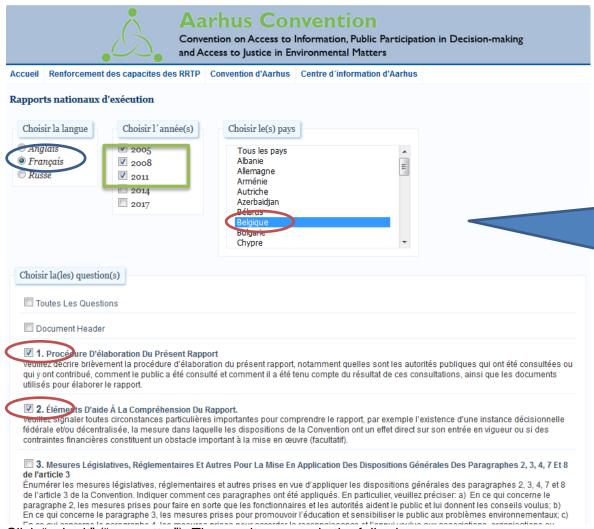
Article 3, paragraph 3

- 5. Positive steps have been taken in environmental education in Albania in the past two years:
- (a) At the elementary school level:
- The Regional Environment Centre in Albania (REC) in cooperation with MoE and the Ministry of Education and Science has begun to apply the Green Pack in the elementary school:
- . UNICEF, in cooperate with MOE and the Ministry of Education, has begun a project "child to child" in primary schools.
- (b) At the university level, a graduate diploma and master's degree have been introduced at the Agro-Environment Department of Tirana Agricultural University. A master's course in science and technology of the environment has also been introduced.

Example 2

If you wish to compare various reports submitted by a single country go to the main page, repeat steps 1 and 2 and once on the search page tick the boxes corresponding to the years you wish to be displayed.

Figure 6 - Example 2



Example 2

Multiple years, single country, multiple questions/answers Language=French, NIR Year=2005, 2008, 2011 Country=Belgium, Answers to questions=1, 2

Click "submit" ("soumettre"). The results appear in the following screen:

Figure 7 - Results Example 2



Aarhus Convention

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Accueil Renforcement des capacites des RRTP Aarhus Convention Centre d'information d'Aarhus Revenir à la page précédente

Rapports Nationaux D'Exécution

■ Belgique

1 PROCÉDURE D'ÉLABORATION DU PRESENT RAPPORT

L'Année: 2005

Plusieurs autorités sont responsables de l'exécution de la Convention, à savoir l'Autorité fédérale et les trois entités fédérales (Région wallonne, Région de Bruxelles-Capitale et Région flamande). Chaque autorité a donc répondu au niveau national aux questions relevant de sa propre compétence. Par suite, le rapport national officiel de la Belgique est composé en fait de quatre rapports différents. Afin de respecter la limite de 8 500 mots fixés par l'ONU, le présent document a été établi comme synthèse des quatre rapports. La Belgique ne le considère donc pas comme son rapport officiel, mais comme le reflet des points principaux des rapports officiels. Pour faciliter la compréhension du rapport national, des hyperliens avec les réponses complètes ont été inclus pour chaque question.

Le rapport national a été coordonné par le réseau Aarhus, qui dépend du Comité pour la politique internationale de l'environnement, lequel rassemble les autorités politiques et administratives compétentes sur les questions d'environnement. Le réseau Aarhus est chargé de préparer et suivre les négociations internationales relatives à la Convention. Il a coordonné les préparatifs des consultations nationales afin d'assurer une harmonisation à l'échelle du pays. Il a décidé de tenir deux types de consultations, à savoir une consultation nationale coordonnée des quatre grandes fédérations belges de protection de l'environnement (qui couvre donc l'ensemble des rapports belges) et une consultation du public par chaque autorité pour son propre rapport.

Les fédérations d'ONG ont présenté des observations communes sur le rapport fédéral et des observations individuelles sur les rapports régionaux. Comme ces observations n'ont pas de lien direct avec le processus de présentation des rapports, mais sont davantage axées sur des questions générales (par exemple, les améliorations qui peuvent être apportées à l'accès à la justice, compte tenu de la jurisprudence restrictive), on peut y accéder par l'hyperlien fédéral pour le rapport fédéral et par les hyperliens régionaux pour les rapports régionaux.

S'agissant du public, chaque autorité a organisé une consultation en ligne au cours du mois de novembre 2004. Très peu d'observations ont été reçues, mais chaque autorité a répondu aux membres du public, soit individuellement, soit de manière générale sur le site Web.

L'Année: 2011

La Convention sur l'accès à l'information, la participation au processus décisionnel et l'accès à la justice en matière d'environnement est une convention « mixte » au niveau belge, c'est-à-dire que sa mise en peuvre dépend de plusieurs autorités. In concreto, il s'agit de l'autorité fédérale et de trois entités fédérées (Région wallonne, Région de Bruxelles-Capitale et Communauté flamande). Chaque autorité a donc répondu en interne au présent rapport pour ce qui relève de ses compétences. C'est ainsi que le rapport national de la Belgique est constitué de quatre rapports distincts.

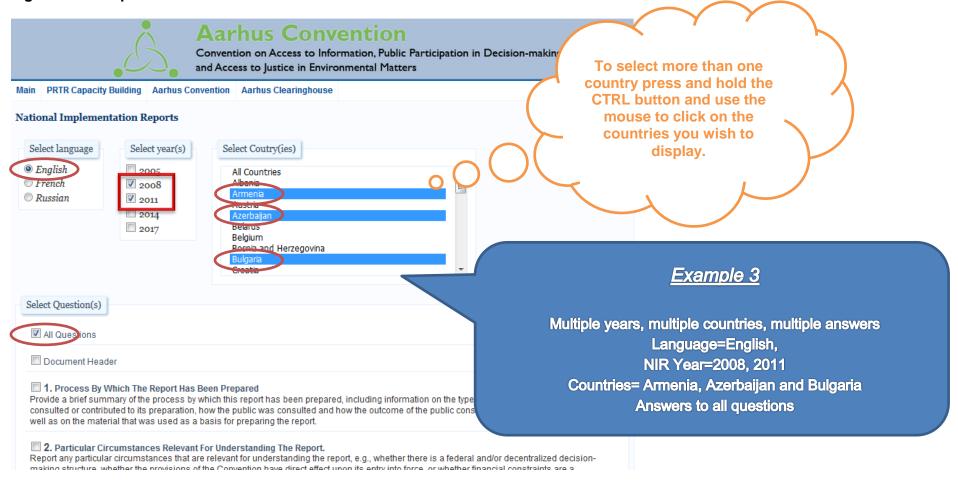
Etant donné que certaines compétences restent nationales et donc, sont gérées par l'autorité fédérale, les rapports régionaux peuvent renvoyer sur certains points au rapport fédéral (particulièrement en ce qui concerne l'aspect juridictionnel de l'accès à la justice). A l'inverse, certaines compétences sont exclusivement régionales. Dans œ cas, le rapport fédéral le mentionne expressément.

La coordination du rapport national s'est faite dans le cadre du réseau Aarhus qui appartient au Comité pour la Politique internationale de l'Environnement (C.C.P.I.E), lequel est un comité qui rassemble les autorités politiques et administratives compétentes au niveau belge en matière d'environnement. Ce réseau « Aarhus » est chargé de la préparation et du suivi des négociations internationales liées à la

Example 3:

If you wish to select more than one country: repeat steps 1 and 2. Once on the search page select language and one or more years.

Figure 8 - Example 3



Click "submit" and the results will be displayed as follows (Figure 9):

Figure 9 - Results Example 3



Aarhus Convention

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Main PRTR Capacity Building | Aarhus Convention | Aarhus Clearinghouse | Back

National Implementation Reports

Albania

2 PARTICULAR CIRCUMSTANCES RELEVANT FOR UNDERSTANDING THE REPORT

Report any particular circumstances that are relevant for understanding the report, e.g. whether there is a federal and/or decentralized decisionmaking structure, whether the provisions of the Convention have a direct effect upon its entry into force, or whether financial constraints are a significant obstacle to implementation (optional).

3. This is the second report for Albania, and the institution responsible for implementation of the Convention is the Ministry of Environment (MoE), including its structures in the Prefectures (Regional Environmental Agencies). Lack of funds from the State budget makes the implementation of the Convention difficult, especially on issues that directly affect the general public and/or the interested part of civil society

Armenia

Year: 2008

- 6. Armenia is still, although to a lesser extent, facing financial difficulties related to the implementation of the Convention; there is a lack of computers and photocopy machines; not enough has been done to educate officials on the Convention's provisions; progress in incorporating the provisions into national legislation is slow; there is a lack of specialists in this field; and there are other obstacles to implementation. All these obstacles are particularly acute at the regional level.
- 7. According to the Constitution, executive power is exercised by the Government, which is responsible for implementation of State policies on science, education, culture, health, social security and environmental protection (art. 89). International agreements concluded on behalf of Armenia are applied only after ratification. Ratified international agreements are a composite part of the judicial system of Armenia. If such agreements establish rules different from those envisaged by the country's laws, the rules of the international agreements shall prevail. The Constitution has supreme juridical force and its rules are directly applicable (article 6 of the Constitution). As stated in article 10 of the Constitution, "The State shall ensure the protection and regeneration of the environment and the sound use of natural resources".

Year: 2011

- 1. Armenia is a unitary state. Under article 62 of the Constitution, "Legislative power in the Republic of Armenia shall be exercised by the National Assembly," The Armenian Government holds executive power. Under article 89 of the Constitution, "The Government shall implement state policy in the fields of science, education, culture, health care, social welfare and environmental protection."
- 2. The Armenian legal system has three levels. Under paragraph 1 of article 91 of the Constitution, "Justice in the Republic of Armenia shall be administered solely by the courts in accordance with the Constitution and laws." Article 92 of the Constitution states that the courts operating in the Republic of Armenia are the first instance court of general jurisdiction, the Court of Appeal and the Court of Cassation, which ensures uniformity in the application of the law. It is forbidden to establish emergency tribunals. One special administrative court and one special administrative appeal court are currently operational in Armenia. Under article 93 of the Constitution, "Constitutional justice in the Republic of Armenia shall be administered by the Constitutional Court." Under article 6 of the Constitution, "The Constitution of the Republic has shall have supreme legal force and the norms thereof shall apply directly... International treaties shall come into force only after being ratified or approved. International treaties are a constituent part of the legal system of the Republic of Armenia. If a ratified international treaty stipulates norms other than those stipulated in



Aarhus Convention

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

PART I.

Browsing through the National Implementation Reports' (NIR) webpage

PART II. Uploading a National Implementation Report

Uploading a National Implementation Report

Step 1

In case you do not have a username and password, please send an email to public.participation@unece.org to request a username and password to the National Implementation Report web application.

Please include your full name, professional title, name of organization, address, and contact details (email, phone and skype).

Step 2

When you receive your username and password go to http://aarhusclearinghouse.unece.org and click on "National Reports"

Before uploading your report please bear in mind the following:

ALWAYS <u>remove text formatting</u> before pasting any information.

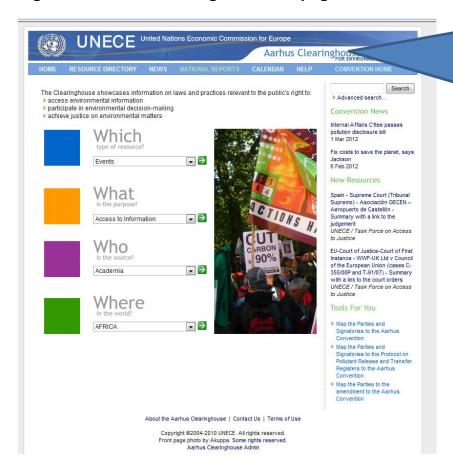
This page cannot accept track changes. Any pre-existing formatting, needs to be removed.

Copy **clean text ONLY** into this application

Step 3
Upload your report



Figure 1 - Aarhus Clearinghouse webpage



Step 1

Go to http://aarhusclearinghouse.unece.org and click on "National Reports" or go to http://apps.unece.org/ehlm/pp/NIR/index.asp

Figure 2 - National implementation reports page

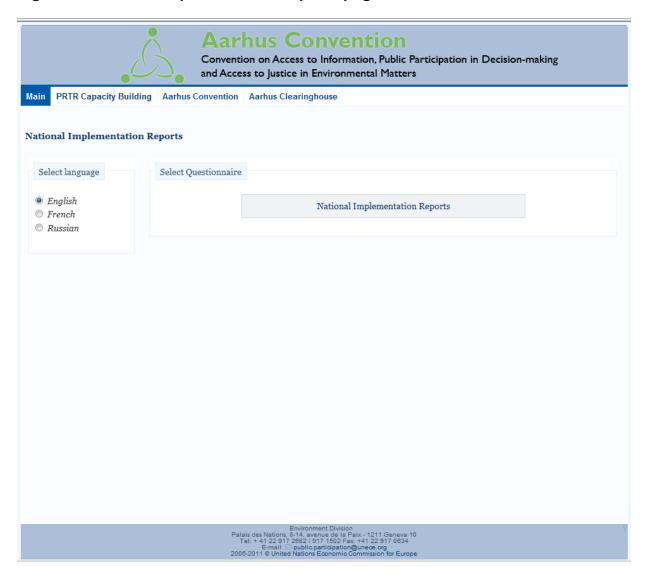


Figure 3 – Log-in to the National Implementation Report application

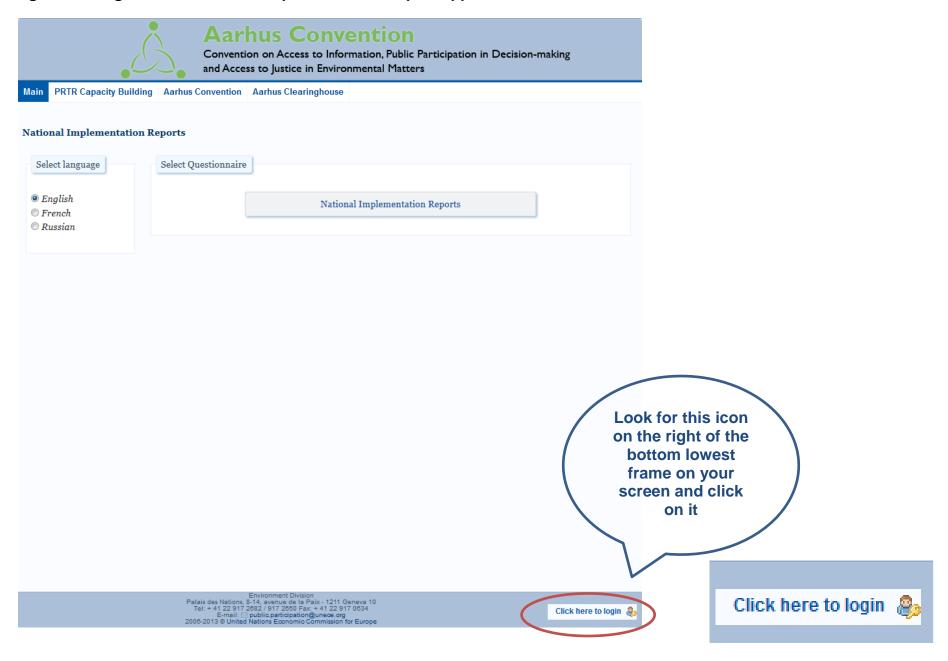
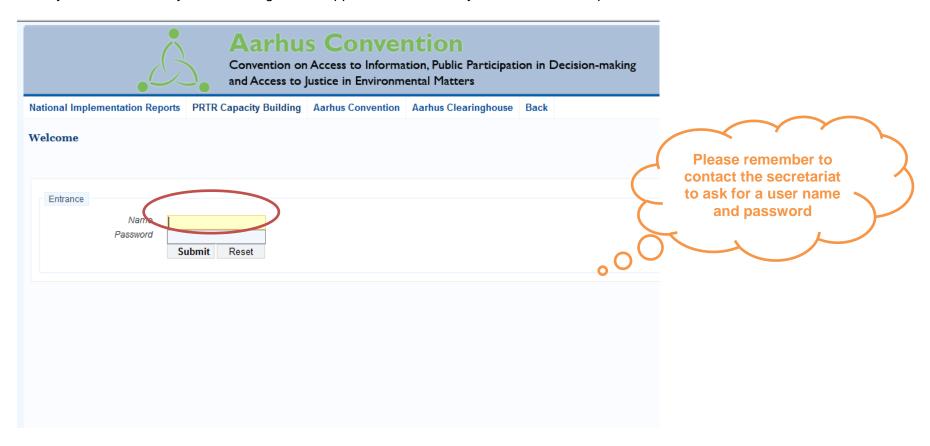


Figure 4 - Log in to the National Implementation Reports (NIRs) application back-end

Once you click on the key, the following screen appears that asks for your username and password:



Enter your *Username* and *Password* and click the 'Log in' button - the screen in Figure 5 will then be displayed.

Figure 5 - Selecting NIR

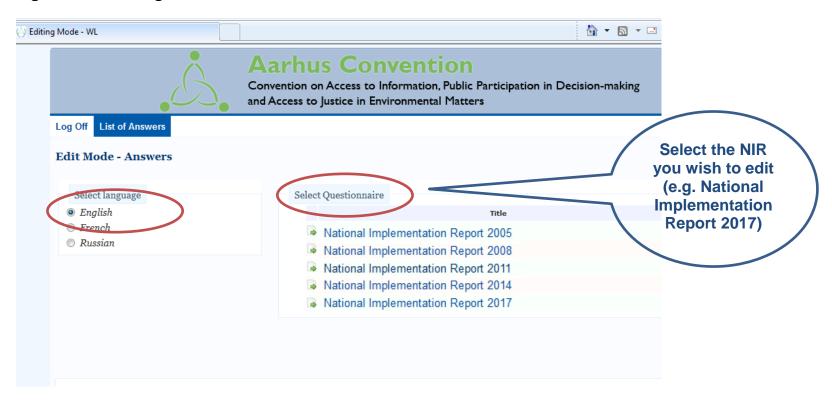


Figure 6 - Editing NIRs

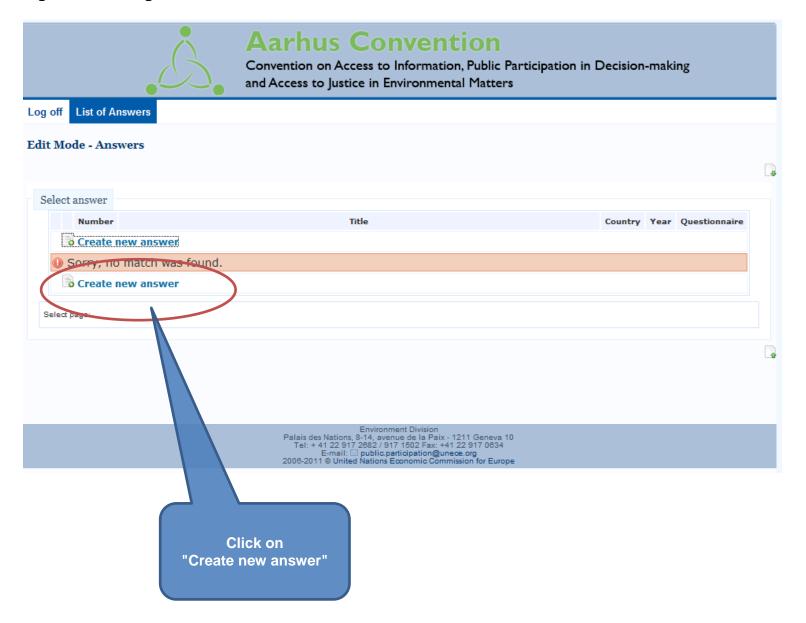


Figure 7 - Select correct reporting year

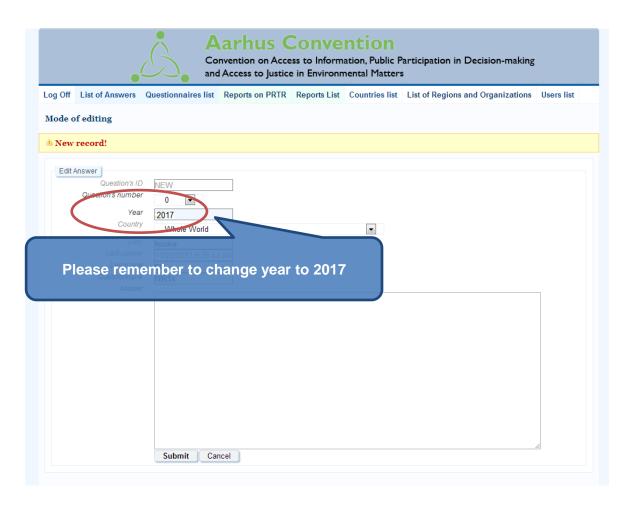
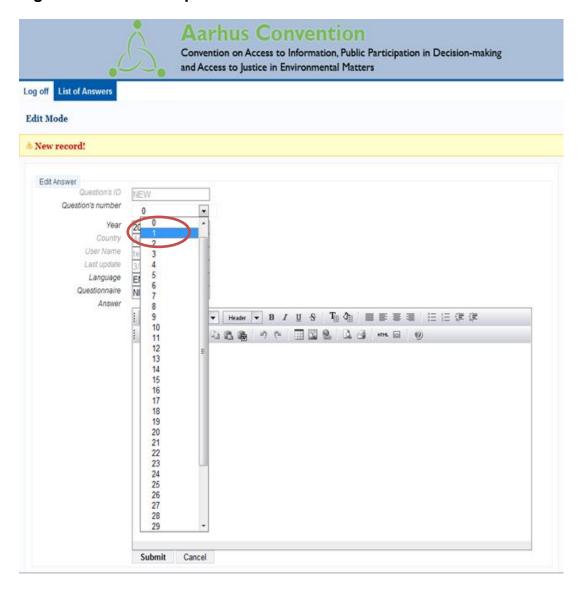
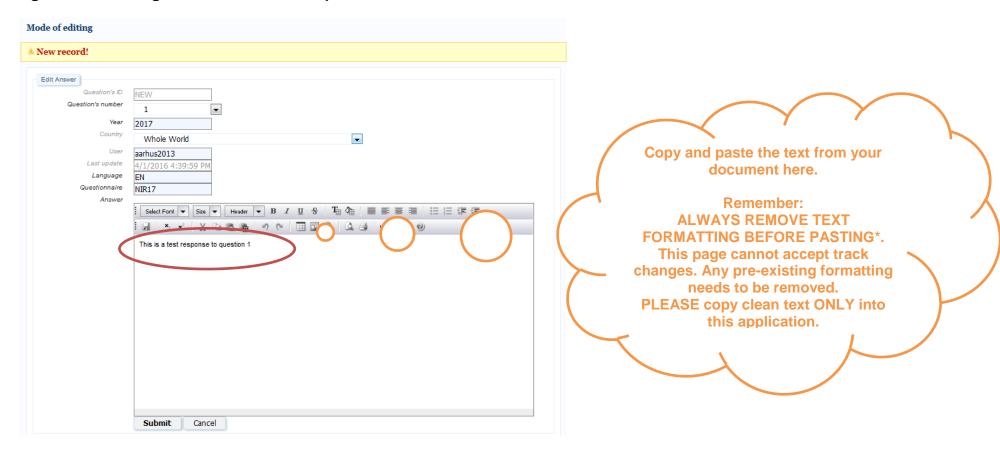


Figure 8 - Select the question



Select the question number you wish to upload (Bear in mind that the question numbers correspond to the 2017 reporting format)

Figure 9 – Entering the answer text to a question



*In Word you can clear any formatting of your text by selecting all text (press: "Ctrl" + "A") and hitting the "Clear Formatting" button in the "Home":



Type the text you wish to upload and click submit. The following screen will appear:

Figure 10 – Review your answer

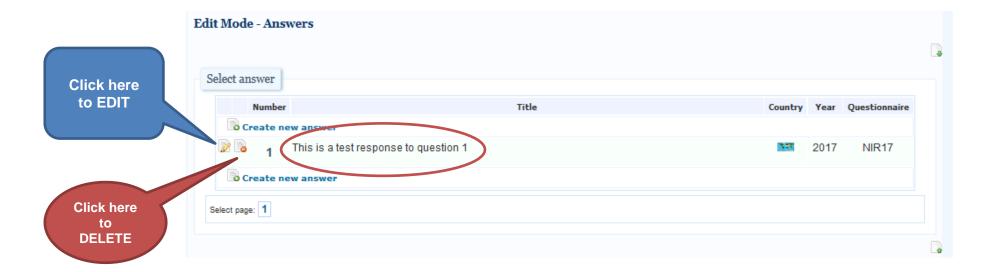
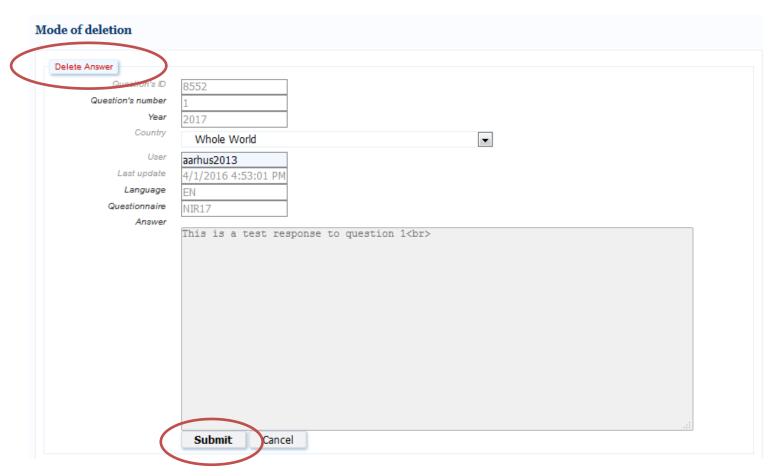
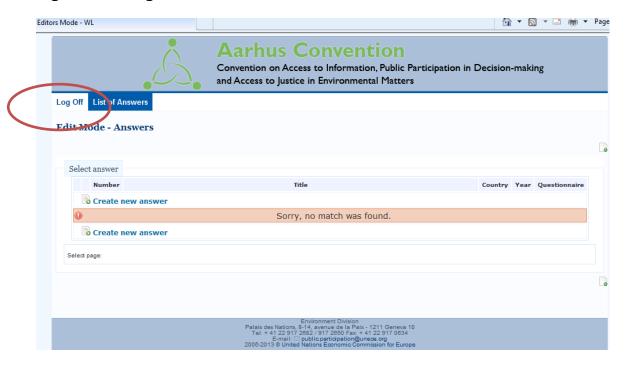


Figure 11 – How to delete an answer



Click "submit" and you will see the following screen:

Figure 12 – Log off



When you are finished with your session, always remember to LOG OFF

For further information, please contact the secretariat at: aarhus.survey@unece.org