

16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS



Empowering People to Protect the Planet:

The Environmental Dimension of SDG 16

22 MARCH 2019, 11:35-13:00

Room 18, International Conference Centre Geneva (CICG)

Interpretation in English and Russian



OBJECTIVES

The objectives of this round table are to share experience on how to enable people to protect the planet through providing them with effective access to information and to justice, and ensuring their participation in decision-making on a wide range of issues that affect their health and the environment. Such experiences will address legislative, policy and technical measures, institutional arrangements and awareness raising activities.



GUIDING QUESTIONS

In the roundtable, countries of the UNECE region will share diverse experiences in promoting the achievement of the environmental dimension of Sustainable Development Goal 16 (SDG 16) through e.g. use of information and communication technologies (ICT) for public access to environmental information and of Pollutant Release and Transfer Registers (PRTRs) for fact-based decision-making; supporting effective, safe and inclusive public participation in decision-making; the rule of law and access to justice for protecting the environment. The discussion will be centred around the following questions:

- *How can modern ICTs support effective public access to environmental information and public participation in environmental matters?*
- *How are countries accommodating an increased demand for transparency in environmental matters taking into consideration at the same time a growing concern of security issues?*
- *How can PRTRs support fact-based decision-making on a wide range of matters related to sustainable development?*
- *How are countries ensuring effective and inclusive people's participation in decision-making that affects their health and the environment?*
- *How do countries promote public access to justice, especially for the most vulnerable, in environmental matters?*
- *How is access to information and public participation in environmental matters helping to strengthen the rule of law and create accountable and transparent institutions?*



BACKGROUND

Tackling environmental challenges in the context of social and economic development is at the very heart of efforts to attain the SDGs. Climate change, the loss of biodiversity and air and water pollution are among the global environmental problems that affect everyone's health and wellbeing. Public rights to timely access to information and to participate in decision-making in environmental matters are essential for the effective response to these challenges. Access to justice is a guardian for securing these rights. Such public rights are enshrined in targets 16.3 and 16.7, which apply to all SDGs.

The UNECE region has made good progress in promoting the environmental dimension of SDG 16. The vast majority of countries has established legislative and institutional frameworks and uses ICTs to promote access to information and justice and the engagement of the public in decision-making related to environmental matters. At the same time, many challenges still exist.

With respect to **access to environmental information** (target 16.10), there is an increased collection, dissemination and open online access to such information and, also use of "citizen science". At the same time, with the expansion of social media and advancements of ICTs, there is a demand for real-time, accurate, geo-referenced and ready to reuse environmental data and information to be provided through web- and mobile- applications. Other challenges include the need to modernize legal frameworks; address such matters as classification and incompleteness of information; and to establish effective online environmental information systems by integrating PRTRs, environmental monitoring and other relevant systems (e.g. on energy, water and health), and by applying ICTs.

Effective **public participation in decision-making** (target 16.7) is critical as it concerns a wide range of policies, projects, strategies, plans and legal acts related to sustainable development. Furthermore, environment has no borders. Effective public participation is therefore important in international and in transboundary contexts. Considerable efforts were made by many countries to provide meaningful and early public participation through the revision of legislation and implementation of different practical mechanisms, such as establishing online platforms for public participation. However, in a number of countries framework laws are not yet accompanied by regulations with detailed procedures, which impedes the law's enforcement. Also, time frames for public participation procedures; consideration of the public's comments; and provision of training to public officials responsible for such procedures are among challenges. In addition, there is a growing demand to improve public awareness of and expertise in complex subjects related to the environment and public health as to enable informed decisions.

Safeguarding fundamental freedoms and enabling a safe space for all members of the public (target 16.10) to engage in decision-making without being threatened is critical for preventing potential conflicts. Many countries in the region took steps to promote this target. At the same time, in some countries, there has been a rise in harassment, repression and even murder of environmental defenders. Among major challenges encountered are fear of reporting such incidents; impunity; the difficulties associated with trying to uncover the perpetrators; and the establishment of effective mechanisms to protect environmental defenders.

As for **access to justice** (target 16.3), effective judicial and administrative review procedures and their accessibility by members of the public, especially those vulnerable, are crucial for protecting the right of

every person to live in an environment adequate to their health and well-being and for remedying any shortcomings in decision-making. Countries have worked to improve the standing of non-governmental organizations (NGOs) in environmental cases and attempted to reduce court fees. Efforts need to be made to promote practical measures to enable effective access to justice for all; improve timeliness and proper enforcement of final decisions; further reduce financial barriers; promote access to legal aid for members of the public; and monitor the effectiveness of the procedures.



SDG LINKAGES

Owing to their cross-cutting nature, effective access to information and to justice, and effective and inclusive public participation in decision-making in environmental matters, play a critical role in the achievement of virtually all of SDGs, in particular, on health protection and wellbeing (**Goal 3**), and such as ending poverty (**Goal 1**); water and sanitation management (**Goal 6**); clean energy (**Goal 7**); green economy (**Goals 8, 9 and 12**); the reduction of inequalities (Goal 10); sustainable consumption and production (**Goal 12**); climate action (**Goal 13**); tourism (**Goals 8, 12, 14 and 15**); and urban planning (**Goals 11 and 13**).



PARTICIPANTS

This round table will be of interest to policymakers and practitioners representing governments, civil society organizations, youth, academia, business and other stakeholders involved in different sectors, such as water management, energy, agriculture, climate change as well as in environment protection and health matters.



MODERATOR, RAPPORTEUR AND CASE STUDY PRESENTERS

The round table discussion will be moderated by Ambassador Vuk Žugić, Co-ordinator of Economic and Environmental Activities of the Organization for Security and Co-operation in Europe (OSCE). The rapporteur for SDG 16 will be Ms. Nino Sarishvili, Executive Secretary of the SDGs National Council of Georgia.

Distinguished speakers for this roundtable include (by order of intervention):

- Ms. Olha KREVSKA, Head of European Integration Office, Ministry of Ecology and Natural Resources, **Ukraine**, on the [use of modern technology to promote access to information and public participation](#)
- Ms. Sabina IVANOVIC, Head of the Department for EIA, Ministry of Environmental Protection, **Serbia**, on the [promotion of public participation in decision-making in a transboundary context](#)
- Mr. Beibut SHERMUKHAMETOV, Judge, Supreme Court of Kazakhstan on [implementation of practical measures to promote access to justice in environmental matters](#)

- Ms. Anna MARTINEZ-ZEMPLÉN, Office of the Ombudsman for Future generations, Office of the Commissioner for Fundamental Rights, **Hungary**, [on the role of national human rights institutions to promote informed decisions related to the environment and public health](#)
- Mr. Yves LADOR, **NGO Earth Justice**, on [safe and enabling space for public participation](#)

Each presentation will be followed by Q&A (a presentation and the related Q&A will each last for up to 5 min). At the end of the event there will be opportunity for a general discussion.



ORGANIZERS

This round table is organized by the Secretariat of the UNECE Aarhus Convention, in cooperation with the United Nations Environment Programme (UNEP), International Telecommunication Union (ITU) and the World Health Organization Regional Office for Europe.



FURTHER INFORMATION

The UNECE region enjoys the support of the two legally binding instruments: **Aarhus Convention and its Protocol on PRTRs**, which are widely accepted as leading examples of implementation of Principle 10 of the Rio Declaration. These treaties and the 2030 Agenda share a common objective to safeguard the health and well-being of present and future generations (SDG 3). They play a central role in promoting peaceful and inclusive societies, and good governance by providing solid frameworks, principles and procedures for effective access to information and justice and for the engagement of the public in decision-making (SDG 16). Support to countries is provided through policy and legal recommendations, guidance material and advisory services. The treaties also offer platforms for sharing knowledge and expertise as to build countries' capacities for the attainment of the Goals. Dialogue is fostered among authorities, technical experts, NGOs and other stakeholders through intergovernmental meetings and expert workshops. The treaties' activities also lead to solid political commitment to promote transparency, public participation and justice in the context of the Goals. Further, they have inspired the development of similar instruments in other regions, such as the Escazú Regional Agreement for Latin America and the Caribbean and rights-based approach for environmental impact assessment under the auspices of the Association of Southeast Asian Nations.

- Budva Declaration on Environmental Democracy for Our Sustainable Future (ECE/MP.PP/2017/16/Add.1-ECE/MP.PRTR/2017/2/Add.1) adopted at the joint high-level segment of the Meetings of the Parties to the Aarhus Convention and its Protocol (Budva, Montenegro, 14 September 2017): https://www.unece.org/env/pp/aarhusprtr/mop6mopp3_hls.html
- Your Right to Build a Sustainable Future: Aarhus Convention, its Protocol on PRTRs and the Sustainable Development Goals (ECE/MP.PP/2017/18-ECE/MP.PRTR/2017/4): https://www.unece.org/env/pp/aarhusprtr/mop6mopp3_hls.html

- Outcomes of the Global Round Table on PRTRs (Geneva, 7-8 November 2018):
https://www.unece.org/prtr_grt2018.html
- UN Environment Principle 10: Bali Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters:
<https://bit.ly/2uZkz4M>
- Report of the Special Rapporteur on the situation of human rights defenders (A/71/281):
http://ap.ohchr.org/documents/dpage_e.aspx?si=A/71/281
- Outcomes of the 2019 Judicial Colloquium (Geneva, 27 – 28 February 2019):
<http://www.unece.org/index.php?id=50741>