

## **Right to information and environmental democracy –Speech**

### **Minister Hogan: Joint High Level Segment of Meeting of the Parties to the Aarhus Convention, Maastricht July 2<sup>nd</sup> 2014**

#### **Maastricht Declaration**

**Wednesday, 2 July,**

Mr. Chair, Excellencies, Distinguished Delegates, Ladies and Gentlemen:

I am delighted to have the opportunity to address this, the High Level Segment of the Fifth Meeting of the Parties to the Aarhus Convention. After a long road of careful and involved transposition, Ireland ratified the Convention on June 20<sup>th</sup> 2012. This is accordingly the first opportunity to attend a MOP as a ratified Member Party.

It is also my very great pleasure to speak to you today from the beautiful city of Maastricht. A city whose name is enshrined in the minds of every EU citizen for it was here, in 1992, that the Maastricht Treaty was signed. A very important democratic Treaty, which granted EU citizenship to every person who was a citizen of a member state.

Democracy is a form of government in which all eligible citizens participate equally—either directly or indirectly through elected representatives—in the proposal, development, and creation of laws.

In my role as a TD (the term used for a member of the Irish parliament) I am keenly aware of that definition. As elected representatives, Members of Parliament are custodians of the “public interest.”

However, one of the biggest challenges for elected representatives is to identify the “public interest” and thereafter identify appropriate and effective strategies and solutions to address it.

As the Minister for the Environment, the responsibility for ensuring citizens’ rights to environmental democracy is pivotal. ‘Environmental democracy’ which has become the buzz word in political spheres in recent years reflects an ever increasing recognition that environmental issues must be addressed by all those affected by their outcome, not just by governments and industrial sectors.

It encapsulates the principle of equal rights for all those in the environment debate - including the public, community groups, advocates, industrial leaders, workers, governments, academics and health care professionals.

Democracy starts with information. For anyone who wants to participate in environmental decision-making, don’t they first need to know that a decision is imminent? Don’t they need to know how that decision will be made and how they can get involved, and to have the appropriate information available to them to properly inform their participation?

The Freedom of Information Act was established in Ireland in 1998 and in conjunction with the AIE Regulations, these instruments provide a foundation of access to information to the public. Informed with basic facts about the quality of their environment, citizens can become active partners in identifying and resolving issues at both local and national levels.

I firmly believe that such participation in environmental decision-making is just as important as participation in education, health care, finance and government. But the burning question is whether Environmental issues really attract the same interest from

ordinary citizens? Are they as motivated by these issues as they are by education, health care, finance and government issues and if not, why not?

To facilitate public participation and engagement, governments, CSOs, and international organizations have created multiple awareness campaigns to ensure that citizens know how to access environmental information and what to do with that information as regards participation in public hearings and consultations. Access to justice mechanisms have been highlighted and made more accessible than ever before. But are citizens more interested in engaging or is it the same select individuals with specific rather than systemic complaints and otherwise NGO's carrying the burden of engagement?

Awareness-raising can only take us so far in the process, we need to ensure that where a citizen chooses to engage, that such engagement is easily facilitated and properly taken into account. I would consider that vital. The use of high quality, well designed public consultations at the appropriate times, affords an excellent opportunity for citizen input and appropriate analysis by public authorities thereafter is essential to ensure well-rounded and informed decisions.

In a world where people have less and less time and so many demands for their attention, we, as elected representatives, have a responsibility to ensure that an interest in environmental decision making is piqued and maintained?

The Aarhus Convention principles promote a future society which is both environmentally sustainable and economically prosperous. I think that a great body of work remains to be done in demonstrating to the ordinary citizen how environmental sustainability and economic prosperity are intrinsically linked.

Europe is emerging from a dreadful time of economic instability, uncertainty and worry and looking to a more stable and predictable future. Gone, I hope, are the days of waste

and excess. We need to harness this momentum and arm citizens to get involved to shape the future they want for themselves and the generations that will follow. We need to demonstrate the Aarhus Convention and its implementing measures as a toolkit for the ordinary person to make a difference.

It has been argued that there is a poor recognition among the public of the existence of the Aarhus Convention and its pillars, but I would argue that that does not equate to a lack of knowledge about rights. The Irish citizen for example, might not know that certain rights are enshrined specifically in the Aarhus Convention, but they are aware that they have participatory rights in a vast range of environmental decision making. They have an awareness of how to seek information, and how to get involved. The level of public engagement in the development of Ireland's First Implementation Report on the Aarhus Convention report illustrated the growing interest in this area in Ireland

Informed with basic facts about the quality of their environment, citizens can choose to become active participants in identifying and resolving issues at both local and national levels. People are becoming increasingly aware that they have the right to participate in the decisions that affect their environment.

Environmental democracy needs full participation; it needs a society that is engaged and interested, a public who know where the decisions are being made and how they can input into those decisions.

We can use the education system to start this process; we need to promote an interest in their environment amongst young people but more than this, we need to develop an engaged society, people who care about decisions, and who are interested in examining the information provided and inputting into the decision-making process. We have

reached a point where the laws are in place and the information and opportunities for participation are available to the public, but all too often, the engagement is from the same old faces (no offence to our environmental NGOs!) or a very local interest in “if it’s going in my back yard, I want to complain” nimbyism as it’s often referred to.

A good Irish example of the promotion of Environmental Democracy is the recent establishment of the Public Participation Networks (PPNs). For the first time in the history of the Irish State, a framework for public participation, which has been provided for under the Local Government Reform Act 2014, will provide the basis for statutory engagement with the community. This new framework will set out how citizens and communities will be encouraged and supported to participate in the decision-making processes of the local authority, underpinned by regulations and guidelines from the Department.

The primary responsibility and accountability for decision-making within the local authority remains with the elected council. As part of a revitalisation of local government, the approaches to engage the public in local authority policy formulation and service design must go beyond the range of communication, consultation and community participation mechanisms used in the past.

Approaches to stimulate greater public participation should complement rather than diminish, compete with, or substitute for local representative democracy.

The participation of members of local communities, whether as individuals or as members of local sectoral, community or other groups in public life and their right to influence the decisions that affect their lives and communities are at the centre of democracy. Open and inclusive policy-making enhances transparency and accountability, and builds civic capacity.

I would like to hear the thoughts of my fellow panellists and the delegates in attendance today on how we can create an enhanced society of involved individuals working together in an open transparent and accountable setting.

Thank you