



**Economic and Social  
Council**

Distr.  
GENERAL

CEP/1998/11/Add.1  
18 September 1998

ORIGINAL : ENGLISH

---

ECONOMIC COMMISSION FOR EUROPE

COMMITTEE ON ENVIRONMENTAL POLICY

(Fifth session, 28 September - 2 October 1998)  
(Item 6 of the provisional agenda)

**LONG-TERM WORK PROGRAMME (1998-2001)**

Prepared by the secretariat after consultation with the Bureau

Addendum

**ELEMENTS FOR A WORK PLAN FOR THE CONVENTION ON  
ACCESS TO INFORMATION,  
PUBLIC PARTICIPATION IN DECISION-MAKING AND  
ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS**

Introduction

1. The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was signed at the fourth Ministerial Conference "Environment for Europe" in Aarhus (Denmark) on 25 June 1998. Compared to other conventions negotiated under the Committee's auspices, it is innovative in several respects. In particular, the Convention has an important non-transboundary component. Moreover, once in effect it will undoubtedly have a large direct impact on the lives of ordinary people throughout the region; but above all its application will require a change in mentality. These two aspects will largely influence the strategy that should be followed to promote the Convention in the months and years ahead.

2. The fact that the Convention has an important national dimension means that it can be applied in full or in part at the national level even before it enters into force region-wide, that is to say when 16 Parties have ratified it. On the other hand, as with most framework conventions, its impact will depend on how it is put into practice. Moreover, as the application of the Convention requires profound changes in the legal set-up but above all in attitudes and mentalities, training and information campaigns will be needed to bring these changes about.

3. The Committee's work programme includes the development and follow-up to regional environmental conventions. The Committee should therefore have overall responsibility for the activities that are carried out between the time of the Convention's signature and its entry into force. However, it should be borne in mind that this Convention has a very wide scope, which often exceeds the competences of organizations specialized in the environment. Consequently, the Committee should not hesitate to invite both governmental and non-governmental organizations as well as other organizations of the United Nations system to take part in the activities to implement the Convention. Their expertise could prove very useful. A prominent role could also be played by the Regional Environmental Center (REC).

4. The proposals set out in chapter III below are very ambitious and can be carried out only if resources are available to fund them. Within the ECE secretariat, one Professional staff member will be assigned to the Convention. However, extrabudgetary resources will also have to be made available to carry out specific proposals. Governments could also contribute in kind, for instance by hosting specific activities or acting as lead countries. Activities that are to be carried out on a national basis should be funded with national resources. NGO resources could also be useful. As several organizations are expected to take a very active part in the activities to promote or implement the Convention, they should themselves try to raise sufficient funds to ensure the success of these activities.

#### **I. APPLICATION**

5. The application process, which can already start, will require different efforts on the part of the Signatories. Indeed, some countries already have legislation in place to enable the public to participate in environmental decision-making, to have access to information and to justice. Others still have a long way to go. It would therefore be opportune first of all to assess the efforts that have already been made and those that should still be made, country by country, based on the text of the Convention. This would make it possible not only to better grasp the scope of each of the Convention's provisions, but also to assess the progress that each country

has made to apply them. Above all, it would enable all the Signatories to benefit from the experience gained in each area by the countries where the necessary legal infrastructure is already in place.

## **II. TRAINING AND INFORMATION**

6. It is likely that the Convention's innovative aspects regarding public participation, especially those related to direct democracy, will shock or at the very least surprise many social, economic and political decision makers. They will be asked to promote transparency and share their power, which until now may have been virtually absolute. This will require special training and information efforts.

7. In the first stage, different target groups should be distinguished, for instance: the public at large, teachers and their pupils and students, the media, the environmental NGOs, the private sector, government representatives, parliaments, local authorities, and the governments that have not yet signed the Convention.

### **Parliamentarians**

8. The target group of parliamentarians is essential in this information and training strategy. Indeed, it will be their task to put pressure on their governments to move the Convention's ratification process forward, and to adopt the new legislation needed to apply it. Consequently, it is of the utmost importance to develop specific information material for this target group. It is also important to use existing channels such as the Interparliamentary Union and the Council of Europe. But it is even more important to actually meet these parliamentarians. For instance, at the request of a government or of parliamentarians, workshops could be organized on the spot with the participation of experts. Although this approach may seem time-consuming, since it will have to be preceded by a detailed analysis of the situation in that particular country, it is an essential element of training decision makers in a form of transparency and power sharing that is unusual in some countries, as well as being a normal part of the ratification process.

### **Teachers, pupils and students**

9. Granting new rights to citizens is clearly a step forward, but doing so without also giving them any training or information beforehand could lead to excesses and become counter-productive. It is therefore necessary to introduce environmental education in the school curriculum, just like civic education already exists. This large-scale effort must be carried out at the national level and be adapted to each education system. To facilitate the task of the teachers, it would be desirable that a reflection should take

place at the international level. Close cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) to this end would be crucial.

#### **The media**

10. The media are the essential relay points between the Convention and the other target groups, i.e. the public, the parliamentarians, etc. The media come in at two levels: (i) to make the Convention better known, and (ii) to use its provisions. But there again, it is necessary to undertake training and raise awareness, especially in the countries in transition. Just as efforts to train journalists in economic issues in that part of the world are expected to be intensified, so too should efforts be made on environmental issues.

#### **Government representatives**

11. The government representatives who have negotiated this Convention know it inside out. This is not necessarily the case of the officials at the missions in Geneva. On the other hand, the experts who were sent specially from their capitals will sometimes need logistical and legal support to put the Convention into practice. This type of support could be provided either by a group of specially trained experts, or by their counterparts in other member States that are more advanced in this area.

#### **Local authorities**

12. It is undoubtedly the local authorities that will feel the impact of the Convention most directly. It is consequently vital that they should receive the training and information that they need. At first sight such an endeavour seems difficult even at the national level, let alone at the international level. Therefore, all possible channels should be used, such as town twinning associations, the Congress of Local and Regional Authorities of Europe, and any other network that could reach these local authorities.

#### **Non-governmental organizations**

13. NGOs played a key role in the drafting of the Convention, but they, together with others, also have the arduous task to explain to the public what this new Convention actually means. Their executives should therefore be trained so that they, in turn, can train others.

### **The private sector**

14. Parts of the private sector might see the Convention as a particular challenge. Without the full and active participation of this sector, the Convention could easily become a dead letter. A particular training effort for the private sector is therefore warranted.

### **The public at large**

15. The public as a whole must be informed of its rights. This information will certainly be conveyed through the traditional channels mentioned above (e.g. teachers, elected representatives, the media, NGOs). Pending the Convention's entry into force these efforts are sufficient. However, in a second stage, national and local authorities should launch large-scale information campaigns. It is in everyone's interest that each one should know his rights but also his duties.

## **III. CONCRETE PROPOSALS**

### **A. Short-term activities (1-2 years)**

16. In the short term, the aim is to maintain the momentum gathered during the Convention's negotiations and the Aarhus Conference. There is also a need to encourage the ratification of this Convention. Four target groups should be mobilized to this end: government representatives, NGOs, the media and parliamentarians.

(a) To perfect the information for these four target groups, it is imperative to **prepare information material and an information strategy** based on different types of support. To this end, a workshop could be held for representatives of the above-mentioned groups with marketing specialists to formulate this strategy and draw up the necessary information material. Some marketing companies may be willing to waive their fees in view of the public interest served by such an endeavour;

(b) The discussions on the setting-up of the legal infrastructure and the difficulties encountered are key elements of the process's dynamic. They should take place during the **meetings of the Signatories**. The first such meeting, open to all ECE member countries, is tentatively scheduled to take place in spring 1999. A preparatory meeting will take place at the end of 1998 or in early 1999;

(c) It is also important at this preliminary stage that discussions should start on the **elaboration of specific points of the Convention**. These political discussions should keep everyone's interest alive so that the process continues to move forward;

(d) An **advisory board** could also be set up under the Meeting of the Signatories to assist countries in the ratification and practical application of the Convention. It would be made up of high-level experts with extensive experience in international environmental law and administration;

(e) **Model legislation** should also be drafted to help the Signatories draw up national laws in view of the Convention and set up the necessary administrative structures and procedures to apply it;

(f) Having the Convention available in one's own language is an obvious prerequisite for ratification. Helping Signatories with the **translation of the Convention** into their national languages will clear the first hurdle to ratification and facilitate the dissemination of information;

(g) It is indispensable to **meet parliamentarians** on the spot, with the help of the Interparliamentary Union, once information material is available in their national languages. They are not used to such an approach, but it may help to make the Convention more easily accepted;

(h) Two approaches can be envisaged for the **media**. The first consists in encouraging television channels to **broadcast programmes about the Convention**. With the help of the governments, this should be feasible. Everything depends on the message that is conveyed and the angle from which it is presented. Although the Convention is no longer news, it should nevertheless be feasible to have articles printed in the press, especially if they are written by well-known personalities. The second approach consists in **training journalists and raising their awareness** through workshops, particularly in countries in transition;

(i) In the short term, it is also necessary to set up a **Website** for the Convention. Any entity that is in any way involved in the Convention or its activities should find a voice in it. It should also be possible to set up an **Internet discussion group**;

(j) **Training seminars/workshops** should be envisaged for **NGOs**, to get the message through. Again, it is vital that information/training material exists for this purpose. These seminars should be given by those who were themselves involved in the negotiations;

(k) For the **private sector**, it would be appropriate in a first step to hold discussions or workshops with the **representatives of the major associations** to discuss the implications of the Convention's application for this sector.

**B. Medium-term activities (3-4 years)**

17. In the medium term, it is necessary to reach all the target groups, that is to say, the public at large, local authorities, teachers, pupils and students, etc. To this end, it would be appropriate to convene a seminar with qualified participants who could **draw up a coherent large-scale strategy**. A campaign should be launched shortly before the Convention's entry into force.

18. It will also be necessary in the medium term to set up some working groups to advise and assist governments in the region to put in place the **technical components of the Convention**. For instance, although the Convention refers to environmental databases, there are governments that do not have the necessary expertise to set up such databases, or even to gather the data. This is why it will be necessary at some stage to set up a network of institutions that could share their experience in these technical matters.

---