

**QUESTIONNAIRE TO ASSESS IMPLEMENTATION
OF THE RECOMMENDATIONS OF THE MEETING OF THE PARTIES
ON ELECTRONIC INFORMATION TOOLS (DECISION II/3)**

Please fill in and return this questionnaire to the Aarhus Convention secretariat by
20 November 2006

Secretariat: Fax: +41 22 917 0634, E-mail: michael.stanley-jones@unece.org

Submitted by: **NATIONAL FOCAL NODE CHM OF SPAIN**
Title: **MINISTRY OF ENVIRONMENT**
Organization: **GOVERNMENT**
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NOTE: this questionnaire is about the web site of the Ministry of Environment. There are other Central, Regional and Local Administrations that have their own web portals with environmental information. Many of these portals are accessible through www.mma.es Central and Regional Administrations web sites are in the attached annex I.

1. In your country, which categories of environmental information (according to para 9 © of the *Recommendations* annexed to decision II/3) are publicly accessible through the Internet:

a) Reports on the state of the environment are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link: www.mma.es, (environmental and statistical information)

iii. Are reports on the state of the environment legally required to be available?

Yes **X** No ___

iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information?

Yes ___ No ___

v. Comments :

b) Texts of legislation, regulations, rules and other legally binding instruments on or relating to the environment are:

i. Generally available **X** Partly available ___ Not available ___

a) Please provide internet link www.mma.es (legislation) (specific thematic areas)

iii. Are texts of legislation, regulations, rules and other legally binding instruments on or relating to the environment legally required to be available? Yes **X** No ___

iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information?

Yes ___ No ___

v. Comments **This type of environmental information is required to be available through Internet progressively**

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c) Texts of policies, plans and programmes on or relating to the environment, and environmental agreements are:

- i. Generally available **X** Partly available ___ Not available ___
 - ii. Please provide internet link www.mma.es **(located on the different thematic sections)**
 - iii. Are texts of policies, plans and programmes on or relating to the environment legally required to be available? **YesX** No ___
 - iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information? Yes ___ No ___
 - v. Comments **This type of environmental information is required to be available trough Internet progressively**
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d) Environmental impact assessment and strategic environmental assessment documentation, where it is held in electronic form, is:

- i. Generally available ___ Partly available **X** Not available ___
 - ii. Please provide internet link www.mma.es **(environmental assessment)**
 - iii. Are environmental impact assessment and strategic environmental assessment documentation legally required to be available? **Yes X** No ___
 - iv. If not generally available, do you have plans to progressively improve access to this information? **Yes X** No ___
 - v. Comments **This type of environmental information is becoming available trough Internet progressively**
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e) Reference to where environmental impact assessment and strategic environmental assessment documentation can be accessed is:

- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link www.boe.es, www.mma.es **The beginning of the assessment procedure is announced on the official bulletin (BOE), that is disseminated trough Internet. The announcement include information about where the information can be accessed or consulted.**

f) Data on environmentally significant releases and transfers of pollutants, within the scope of the Protocol on Pollutant Release and Transfer Registers (PRTR), are:

- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link www.eper-es.es ; www.mma.es **(quality and pollution)**
- iii. Are PRTR data legally required to be available? **Yes X** No ___
- iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

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v. Comments

g) Information on mechanisms related to access to justice within the meaning of the Convention is:

i. Generally available ___ Partly available ___ Not available **X**

b) Please provide internet link _____

c) Is information on mechanisms related to access to justice legally required to be available? Yes ___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? Yes **X** No ___

v. Comments

d) In your country, among documentation forming an integral part of any licensing or permitting process subject to the provisions of article 6, and where held in electronic form, which categories of environmental information are publicly accessible through the Internet:

a) Applications for licences or permits are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link, if applicable www.mma.es (**environmental assessment**) (**quality and pollution**)

iii. Are applications for licenses or permits legally required to be available? Yes ___ **No X**

iv. If not generally available, do you have plans to progressively improve access to this information? **Yes X** No ___

v. Comments.

b) Draft licences or permits and their attached conditions are:

i. Generally available ___ Partly available - Not available **X**

ii. Please provide internet link, if applicable _____

iii. Are draft licenses or permits legally required to be available? Yes ___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? **Yes X** No ___

v. v. Comments:

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c) Final licences or permits and their attached conditions are:

i. Generally available ___ Partly available **X** Not available ___

ii. Please provide internet link, if applicable

http://www.mma.es/portal/secciones/evaluacion_ambiental/eval_impacto_proyectos/ (DIAs)

www.eper-es.es (IPPCs) www.mma.es (section quality and pollution, permits on GMOs)

iii. Are final licenses or permits legally required to be available? Yes **X** No ___

iv. If not generally available, do you have plans to meet requirements for progressive improvements for this information? Yes **X** No ___

v. Comments:

d) Comments of third parties on draft permits and conditions are:

i. Generally available ___ Partly available ___ Not available **X**

ii. Please provide internet link, if applicable _____

iii. Are comments of third parties legally required to be available? Yes ___ No **X**

iv. If not generally available, do you have plans to meet requirements for progressive improvements for this information? Yes ___ No ___

v. Comments

e) Where it is not available in electronic form, a reference to where documentation forming an integral part of any licensing or permitting process subject to the provisions of article 6 can be accessed is:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link, if applicable www.boe.es, www.mma.es

iii. Is such a reference legally required to be available? Yes___ No___

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

v. Comments **The beginning of the assessment procedure is announced on the official bulletin (BOE), that is disseminated through Internet. The announcement include information about where and what information can be accessed or consulted.**

e) In your country, which categories of environmental information (according to the paragraph 9 (d) of the *Recommendations* annexed to decision II/3) are publicly accessible through the Internet:

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a) Environmental monitoring data held by or on behalf of public authorities, including spatial attributes are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link, if applicable **cdr.eionet.europa.eu/es**

iii. Is such information legally required to be available? **Yes X** No ___

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

v. Comments

b) Product information that enables consumers to make informed environmental choices is:

i. Generally available ___ **Partly available X** Not available –

ii. Please provide internet link, if applicable www.mma.es (quality and pollution) (EMAs)

iii. Are such data legally required to be available? Yes ___ **No X**

iv. If not generally available, do you have plans to progressively improve access to this information? **Yes X** No ___

v. Comments **information about eco-labelling is going to be disseminated by Internet too**

f) Good practice information and guidelines on better environmental management are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link, if applicable www.mma.es (quality and pollution (EMAs PYMES) (BREFs and VATs doc www.eper-es.es)

iii. _____

iii. Is such information legally required to be available? Yes ___ No ___

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

v. Comments

g) Appropriate metadata or background information so that the methods, processes and standards of data collection are transparent to future data users is:

i. Generally available **X** Partly available ___ Not available ___

Please provide internet link, if applicable <http://dd.eionet.europa.eu/>;
<http://rod.eionet.europa.eu/>

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iii. Is such information legally required to be available? Yes___ No___

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

h) Comments

Eionet has a data dictionary available at: <http://dd.eionet.europa.eu/> which describes the methods needed to build the indicators and to collecting data. Through Eionet is also available the ROD (Reporting Obligations Database – <http://rod.eionet.europa.eu/>) which describes what data is needed for each country and what is the law or agreement which requires it

i) Meta-information including catalogues of data sources and details of the scope of information held by public authorities and mechanisms for the provision of access to environmental information is:

i. Generally available ___ Partly available ___ Not available ___

ii. Please provide internet link, if applicable _____

iii. Is such meta-information legally required to be available? Yes___ No___

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

v. Comments

j) In your country, what proportion of members of the public has electronic access:

k) In their place of residence?

More than 80% ___ 60-79% ___ 40-59% ___ **20-39% _X_** Less than 20% ___

l) In their place of work (employment, school etc.)?

More than 80% ___ **60-79% _X_** 40-59% ___ 20-39% ___ Less than 20% ___

m) In a publicly accessible facility (internet café, public library, kiosk etc)?

More than 80% _X_ 60-79% ___ 40-59% ___ 20-39% ___ Less than 20% ___

NOTE: There are more detailed statistics such as preferred place to connect to the Internet, or that 16,9 % of the Spanish citizens has contacted once with a public authority via Internet. You can access them all in <http://observatorio.red.es> The web site could be in English but the statistics are in Spanish

n) In your country, has the scope of environmental information that is electronically accessible since 2005:

Generally increased **X** Partly increased ___ Remained the same ___ Declined ___

| | |
|--------------------------|--|
| X | |
| Private sector X | |
| Others (Please identify) | |

9. If your Ministry or agency has assessed user needs for environmental information, please briefly describe how successful it has been.

The Ministry of Environment has taken into account some of the assessed user needs when designing its own new web: accessibility for disabled people, a better search facility, translation the main menu into English, French and Spanish regional languages, sizing of the downloads o match the usual download speeds at home. The web is new so and for the time being there is no information about the success of these measures.

10. In your country, how is progress on improving electronic access to environmental information being communicated to the public?

The "060 net" is a multichannel network that has been established at national level (www.060.es). The new "060.es" offers information from all the Ministries and has an inventory of all the possible transaction (administrative procedures) that a user can do with the government, so that the user has a single point of contact for his/her needs. The 060 is available via Internet (www.060.es), via phone (dialling 060), or via offices in all cities.

This initiative has been publicly communicated to the general public trough mass media and others (press, meetings, symposium, etc). Administrations have made their own campaigns informing the public about concrete themes using different methods and offering information about where the environmental information is placed electronically and the link. Information is disseminated too trough environmental magazines , CDs, and publications.

- q) What concrete steps have been undertaken to ensure that information is available electronically? Please include reference to national web portals or other sites of interest.

Accessibility standards have been followed, like WAI norms (W3C/WAI) assuring level 2 (AA). The web portal of the Ministry of the Environment is in renewing process and is being validated by an external entity.

<http://nfp-es.eionet.europa.eu:8980/Public/irc/eionet-circle/Home/main>
www.mma.es cdr.eionet.europa.eu/es www.060.es

- r) Is public access to environmental information through the Internet or other electronic means provided as a matter of practice or is there a legally enforceable right to such access? If possible, please include reference to relevant national policies or provisions of national law referring to this right.

Before 2005 dissemination of environmental information by electronic means was not required by law and was provided as a matter of practice. Since 2005 it is required mainly by EU Directive 2003/4/CE, national "Aarhus" Law 27/2006 and PRTR EU Regulation.

13. Has your country formulated and implemented national "e-government" strategies for the use of electronic tools to facilitate administrative processes and services, to make public administration more transparent and efficient in providing available environmental information and dealing with requests for such information from the public? Please include relevant title(s), name(s), contact information of responsible officer(s) and timeframe for implementation.

The Ministry of the Public Administrations (MAP) is being involved with the Information Society and "e-government" Strategies and develops initiatives dealing with the electronic administration. There has been many plans for IT capacity building in the Spanish Administration.

The actual plan called "Avanza" is available in <http://www.planavanza.es/>

Other plans (now finished) before this one are "España.es", and the "Plan de choque para la administración electrónica" Also are of application here the different versions of the eeurope initiative.

Significant projects in this scope are the electronic DNI (ID Card) which includes a digital certificate and enables people to identify themselves to government and enterprises to access digital services. This program is available on www.dnielectronico.es. It is deployed on almost 1% of the population but it is being deployed as the old ID cards expire

A Council named "Consejo superior de Informática y para el impulso de la Administración electrónica" (Superior Council for IT and Electronic Administration) and its "Secretariat of the Council of Electronic Administration" has been set up. This Council works with all Ministries at Central level. (www.csi.map.es)

14. In which types of environmental decision-making process (in the sense of articles 6, 7 and 8 of the Convention) may public participation take place electronically? What are the main steps in the process? If possible, please give concrete examples.

The national portal (www.mma.es) (environmental assessment) offers information of decisions about specific activities in the sense of art 6 of the Aarhus Convention where the Environmental Impact assessment is required and offers the possibility for the public to comment. For the time being the comments from the public are still anonymous. Much work is ongoing to improve the electronic procedure. This site offers too the possibility to comment on plans and programmes in the sense of

art 7 of the Aarhus Convention. Finally, draft laws are sometimes disseminate by Internet offering the possibility for the public to comment.

The complete public participation procedure is not completely developed electronically, but there are plans to progressively improve it

15. Have comprehensive environment-related programmes, including specific training programmes linking the use of information technology applications to the promotion of good environmental governance, been developed and implemented in your country?

a) Yes ☐ No ☐

b) Is the training programme:

i. Ongoing ☐ Periodic ☐ One-time ☐

s) Financed through international assistance ☐

State-financed (National or local government) ☐

Privately-financed (philanthropy, NGO, private sector) ☐

Other (please describe) ☐

c) Please provide the date(s) of initiation and target audience of environment-related training programmes:

t) Please describe any measures taken to promote the involvement of different stakeholders representing both providers and users of information, including civil society and private sector

institutions, in the development and use of electronic tools to provide environmental information to the public?

u) What are the most important challenges and obstacles in your country to the use of electronic tools to implement the *Recommendations* contained in decision II/3?

You can use the enclosed list of possible challenges on page 10 as reference.

One of the most important challenges is the administration itself: a Change of the mentality of the officials has to occur: they have to change the traditional way of working, and make "traditional" procedures more simple in order to make them compatible with the new technologies. Another challenge is that building the electronic version of the procedures needs many human and economic resources

18. Does your country have an Aarhus Clearinghouse National Node web portal? If yes, please identify the website address (url):

19. Does your country have a designated Aarhus Clearinghouse National Node Administrator or contact point responsible for collecting, managing and updating the information contained in the national node? **Yes X** No ☐

Responsible for content management:

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Technical contact:

Name: Jorge Moreno del Val National node for technical issues of the CH

Telephone: +34 91 597 6464 (J Moreno) _____

Email: jmval@mma.es

20. Date of launch of national node of the Clearinghouse: (Month/Year) _____

21. How often does your national node administration update the National Clearinghouse web portal? Monthly ____ Quarterly ____ Annually ____ Never ____

v) Approximately how many resource entries in the Aarhus Clearinghouse for Environmental Democracy (<http://aarhusclearinghouse.unece.org>) reflect national content?

More than 10 ____ 5 to 10 ____ Less than 5 ____ None ____

w) What method of communicating resource entries to the Aarhus Clearinghouse for Environmental Democracy does your organization or agency prefer to use? Does it submit information:

By email to aarhus.clearinghouse@unece.org ____

By email to staff of the Aarhus secretariat ____

By email to national experts serving on Task Force ____

By email to Clearinghouse National Node Administrator ____

Using Clearinghouse's online form accessible to registered content managers ____

Other (please specify) _____

x) Please describe any measures undertaken to promote the involvement of different stakeholders representing both providers and users of information, including civil society and private sector institutions, in the national node of the Clearinghouse.

25. Please provide any additional comments below.

Thank you for completing this questionnaire!

Aarhus Convention Secretariat

| Information Tools | Relevant provisions of the Aarhus Convention | Challenges & obstacles to ICT Implementation |
|--|---|--|
| <p>ELECTRONIC</p> <ul style="list-style-type: none"> • Internet • E-mail • Electronic Community Notice Boards/ Billboards • CD-Rom • Electronic data accessible through bar-code scanning • Electronic data accessible through touch-tone dialing • SMS – Short Messaging System • Public electronic information kiosks • Telephone Hotlines/Fax TV Teletext • Other (to be specified) <p>NON-ELECTRONIC</p> <ul style="list-style-type: none"> • Brochures • Exhibitions • Green community reps • Info-shops (walk in) • Libraries • Newspapers • Open days • Posters • TV, Cinema, Radio • Other (to be specified) | <p>ARTICLE 4, PARA. 1</p> <p>Response to requests for environmental information in the form requested</p> <p>ARTICLE 5, PARA. 3</p> <p>a) Reports on the state of the environment b) Texts of legislation on or relating to the environment c) Policies, plans and programmes on or relating to the environment, and environmental agreements d) Other information, to the extent that the availability of such information in this form would facilitate the application of national law implementing the Convention.</p> <p>ARTICLE 6</p> <p>Public participation in decisions on specific activities which may have a significant effect on the environment</p> <p>ARTICLE 7</p> <p>Public participation concerning plans, programmes and policies relating to the environment</p> <p>ARTICLE 8</p> <p>Public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments</p> | <p>INSTITUTIONAL</p> <ul style="list-style-type: none"> • Limited scope or extent of environmental data collected in your country • Limited standardization of data sets • Poor cooperation with other agencies collecting environmental data • Limited interest in utilizing ICT among: <ul style="list-style-type: none"> -Data providers (you) -Data users (pls. Quantify) • Other priorities (pls. Detail) • Lack of time to explore/implement <p>ECONOMIC</p> <ul style="list-style-type: none"> • Limited market availability of equipment • Lack of IT service providers • Lack of technical support • High cost of online access • High cost of equipment • Poor state of telecommunication networks <p>CULTURAL</p> <ul style="list-style-type: none"> • Limited expertise/know-how <p>LEGAL</p> <ul style="list-style-type: none"> • Unclear rules, legislation on environment and informational responsibility <p>OTHER (to be specified)</p> |

ANNEX 1

1) Central Administration

1.1) Bodies of the Ministry of the Environment

- www.inm.es (Instituto Nacional de Meteorología)
- www.chduero.es (Confederación Hidrográfica del Duero)
- www.chebro.es; www.saiebro.es; www.opf.chebro.es (Confederación Hidrográfica del Ebro)
- www.Guadalquivir.es (Confederación Hidrográfica del Guadalquivir)
- www.chguadiana.es (Confederación Hidrográfica del Guadiana)
- www.chjucar.es (Confederación Hidrográfica del Júcar)
- www.chnorte.es (Confederación Hidrográfica del Norte)
- www.chtajo.es (Confederación Hidrográfica del Tajo)

1.2) Other Ministries

- www.mapa.es (Ministry of Agriculture, Fish and Food)
- www.mde.es/medioambiente (Ministry of Defense)
- www.igme.es (Ministry of Education and Science, IGME Institute)
- www.aena.es; www.fomento.es (Ministry of Transport and Infrastructure)
- www.guardiacivil.org (Ministry of Internal Affairs)
- www.mityc.es; www.enresa.es; www.idae.es; www.cne.es; www.inreca.es (Ministry of Energy, Tourism and Commerce)
- www.justicia.es; www.mju.es/toxicologia/analisis/vtmas.html (Ministry of Justice)
- www.msc.es/ciudadanos/saludAmbLaboral/home.htm (Ministry of Health and Consumption)

2) Regional Administration:

- www.juntadeandalucia.es/medioambiente (Comunidad Autónoma de Andalucía)
- www.aragon.es (Comunidad Autónoma de Aragón)
- www.pia.caib.es (Comunidad Autónoma de las Illes Balears)
- www.gobiernocanarias.org/cmayer (Comunidad Autónoma de Canarias)
- www.medioambientecantabria.com (Comunidad Autónoma de Cantabria)
- www.jccm.es/medioambiente; www.subproductosclm.com; www.lineaambienta.com; (Comunidad Autónoma de Castilla-La Mancha)
- www.jcyl.es/medioambiente; www.jcyl.es/cida; www.jcyl.es/normativa-cma (Comunidad Autónoma de Castilla y León)
- <http://mediambient.gencat.net> (Comunidad Autónoma de Cataluña)
- <http://aym.juntaex.es> (Comunidad Autónoma de Extremadura)
- www.medioambiente.xunta.es (Comunidad autónoma de Galicia)
- www.larioja.org/ma (Comunidad Autónoma de La Rioja)
- www.madrid.org (Comunidad de Madrid)
- www.camelilla.es (Ciudad Autónoma de Melilla)
- www.ceuta.es (Ciudad Autónoma de Ceuta)
- www.carm.es (Comunidad Autónoma de la Región de Murcia)
- www.navarra.es; www.crana.org (Comunidad Foral de Navarra)
- www.ingurumena.net; www.ingurumena.ejgv.euskadi.net (Comunidad Autónoma del País Vasco)
- www.cth.gva.es (Comunidad Valenciana)