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ECONOMIC COMMISSION FOR EUROPE

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

REPORT OF THE SECOND MEETING OF THE PARTIES

Addendum

DECISION II/3

**ON ELECTRONIC INFORMATION TOOLS AND
THE CLEARING-HOUSE MECHANISM**

adopted at the second meeting of the Parties
held in Almaty, Kazakhstan, on 25-27 May 2005

The Meeting,

Noting the requirement in article 5, paragraph 2, of the Convention for each Party to ensure that, within the framework of national legislation, the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible,

Noting also the requirement in article 5, paragraph 3, of the Convention for each Party to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks,

Emphasizing the increasing use of electronic tools such as web services, databases and information and communication technologies (ICT), without neglecting the importance of

traditional means of communication to satisfy the information needs of citizens living in different conditions and regions,

Noting the outcome of the first phase of the World Summit on the Information Society, in particular the Declaration of Principles, which recognizes the potential importance of ICT applications in the protection of the environment and the management of natural resources, and the Plan of Action, which encourages governments to provide adequate access through various communication resources, notably the Internet, to public official information and, in cooperation with other stakeholders, to use and promote ICT as an instrument for environmental protection and the sustainable use of natural resources,

Resolving to give practical effect to those conclusions of the first phase of the Summit relevant to the promotion of environmental democracy,

Recognizing that advances in ICT need to be accompanied by corresponding developments in legislative and/or institutional frameworks, so as to provide appropriate guarantees of the rights of public access to information in electronic form,

Recognizing also the importance of using electronic information tools to provide public access to information in the context of environment-related decision-making procedures, with a view to promoting public participation in such procedures,

Welcoming the work undertaken by its Task Force on Electronic Information Tools,

Welcoming also the establishment of a clearing-house mechanism and the launch of the UNECE Aarhus Clearinghouse for Environmental Democracy in support of the implementation of the Convention and principle 10 of the Rio Declaration on Environment and Development,

Recalling the four priority themes identified at the first meeting of the Task Force:

- (a) The use of ICT to facilitate public participation in environmental matters;
- (b) Establishing information centres in both virtual and physical environments;
- (c) Identifying strategies for active communication and dissemination of information;
- (d) Addressing legal, financial and technological barriers to Internet access,

1. Adopts the recommendations annexed to this decision as a non-legally binding guidance instrument, and invites Parties, Signatories and other interested States to apply them to the maximum extent possible;

2. Invites Parties, Signatories and other interested States to develop a national node of the clearing-house mechanism with legal and practical information on issues related to the Convention at national level, linked to the UNECE Aarhus Clearinghouse for Environmental Democracy, and invites other stakeholders to submit relevant information to the clearing house; and

3. Decides to extend the mandate of the Task Force on Electronic Information Tools with the following programme of work:

(a) Identification of capacity-building needs, barriers and solutions, to contribute to the implementation of capacity-building measures;

(b) Facilitation of shared approaches and standards to public access information systems in order to meet user requirements for information at different geographical and political levels;

(c) Facilitation of the sharing of examples of good practice and further documentation of case studies by monitoring the implementation of the recommendations annexed to this decision; and

(d) Maintenance and further development of the clearing-house mechanism, including development of guidance materials and a programme of training workshops in support of capacity-building for the national nodes of the clearing house while avoiding duplication of work.

Annex

**RECOMMENDATIONS ON THE MORE EFFECTIVE USE OF
ELECTRONIC INFORMATION TOOLS TO PROVIDE PUBLIC ACCESS TO
ENVIRONMENTAL INFORMATION**

The Meeting recommends to Parties, Signatories and other interested States to undertake the following measures:

I. GENERAL POLICY

1. Formulate and implement 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;
2. Support the reduction and as far as possible the removal of social, financial and technological barriers restricting public access to telecommunications networks, such as high connection costs and poor connectivity, as well as lack of basic computer literacy;
3. Promote and use electronic information tools to facilitate public input to and monitoring of environmental decision-making processes, among other things to:
 - (a) Alert the public to respective opportunities;
 - (b) Ensure that the public can provide publicly documented feedback on proposed activities, plans, programmes, policies and legally binding instruments electronically; and
 - (c) Ensure that submissions received electronically are given equal weight to comments received non-electronically;
4. Promote and contribute to international policy dialogue on the use of electronic information tools to promote public access to environmental information and public participation in environmental decision-making through the exchange of experience, documentation and sharing of best practice, the transfer of know-how and the provision of technical assistance;
5. Establish and, in the case of donor countries, provide financial and technological support for schemes for the transfer of technology and expertise so as to overcome or reduce the ‘digital divide’, e.g. through bilateral projects or partnerships;
6. Base the provision of environmental information on the assessment of user needs, monitor the form and content of the information provided in relation to user needs, and assess the impact of the information delivered, in order to raise environmental awareness and facilitate active engagement;

7. Provide information in the national language(s) and at least basic information of interest to the international community in English;

8. Document good practices related to the national and local application of the Convention in those areas outlined in paragraph 9 (c) below, and share information on these through the online gallery of case studies of the Task Force on Electronic Information Tools;

II. PRIORITY CATEGORIES OF INFORMATION

9. Ensure, where necessary through introducing appropriate legislative or regulatory measures, that, subject to the provisions of article 4, paragraphs 3 and 4, of the Convention:

(a) Public access to environmental information is provided in electronic form, so that information required to be publicly available upon request under the Convention is to be provided in electronic form where so requested and where the information exists in that form;

(b) Documentation which is required to be drawn up and/or submitted in the context of environmental decision-making processes that are subject to the provisions of article 6 is provided in electronic form;

(c) In line with identified user needs, the following types of information progressively become publicly accessible, in a timely manner, through the Internet:

- (i) Reports on the state of the environment;
- (ii) Texts of legislation, regulations, rules and other legally binding instruments on or relating to the environment;
- (iii) Texts of policies, plans and programmes on or relating to the environment, and environmental agreements;
- (iv) Environmental impact assessment and strategic environmental assessment documentation where it is held in electronic form or, where it is not available in such form, a reference to where such documentation can be accessed;
- (v) Data on environmentally significant releases and transfers of pollutants, within the scope of the Protocol on Pollutant Release and Transfer Registers;
- (vi) Documentation forming an integral part of any licensing or permitting process subject to the provisions of article 6 (e.g. applications for licences or permits, comments of third parties, draft and final licences and attached conditions) where it is held in electronic form or, where it is not available in such form, a reference to where such documentation can be accessed;
- (vii) Information on mechanisms related to access to justice within the meaning of the Convention;

(d) To the extent feasible and appropriate and in line with identified user needs, information of types such as the following progressively becomes publicly accessible, in a timely manner, through the Internet:

- (i) Environmental monitoring data held by or on behalf of public authorities, including spatial attributes;
- (ii) Product information that enables consumers to make informed environmental choices, cooperation with the private sector being essential in ensuring provision of this information;
- (iii) Good practice information and guidelines on better environmental management;
- (iv) Appropriate metadata or background information so that the methods, processes and standards of data collection are transparent to future data users; and
- (v) 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;

10. The term 'progressively' in article 5, paragraph 3, of the Convention and in paragraph 9 (c) and (d) of these recommendations should imply demonstrable progress with regard to the following parameters:

- (a) The proportion of members of the public that have electronic access;
- (b) The scope of information that is electronically accessible;
- (c) The quality of electronic access;
- (d) The level of actual use of the information;
- (e) The level of understanding of user needs;
- (f) The extent to which user needs are being met;

and that such progress should be communicated to the public.

III. INSTITUTIONAL DEVELOPMENT AND CAPACITY-BUILDING

11. Establish, in physical and/or virtual environments, environmental information centres or equivalent sources of information that will thereby stimulate and promote public access to information and public participation in environmental decision-making;

12. Promote access to electronically stored environmental information by establishing and maintaining community Internet access points;

13. Establish one-stop access point(s) for citizen-oriented environment-related e-government services, with coordinated input from the relevant public authorities and/or linkages to other similar sites;

14. Develop human capacity for the use of electronic information tools to promote the implementation of the Convention through comprehensive and forward-looking training and education strategies for public officials;
15. Undertake efforts to develop the institutional capacities of public authorities to collect, organize, store and disseminate environment-related information in an easily accessible and user-friendly manner;
16. Ensure the availability of commonly readable, user-friendly and easily transferable formats for these data and information;
17. Develop and apply comprehensive environment-related programmes, including specific training programmes linking the use of information technology applications to the promotion of good environmental governance;
18. 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 with a view to improving the accessibility, as well as the availability, of environmental information to the public;

IV. CLEARING-HOUSE MECHANISM

19. Maintain a national web site with information related to the nationwide implementation of the Convention, which will serve as the national node of the Convention's clearing-house mechanism;
20. Designate contact points responsible for collecting, managing and updating the information contained in the national node and for providing the necessary information for the central node of the Convention's clearing-house mechanism, and undertake to disseminate information to the public on the clearing-house mechanism; and
21. Develop capacity for public officials managing and updating information for the national node, and for providing the necessary information for the central node of the clearing-house mechanism.