

From: [Jan Haverkamp](#)
To: [ECE-Survey-Aarhus](#)
Cc: [Eefje de Kroon](#); [Arabella Bosscher](#); [Faiza Oulahsen](#); [Bondine Kloostra](#); [Jasper Teulings](#); [Daniel Simons](#)
Subject: Comments on the updated EIT recommendations by Greenpeace Netherlands
Date: Monday, July 13, 2020 10:28:57

Dear secretariat to the Aarhus Convention,

I would like to add the following viewpoints to the EIT recommendations:

1. Under the heading II. GENERAL POLICY I miss a paragraph on the promotion of transparency and access to information using electronic tools in international frameworks, as stipulated in art. 3(7) of the Aarhus Convention.
The reason I bring this forward is that in several cooperation platforms, e.g. the IAEA, the OECD, the World Energy Council and others, transparency still is not the rule but dependent on consensus among all parties. This means, for example, that information on radioactive emissions gathered by the IAEA on its USIE website is still not automatically available to the public. Within the IAEA framework, the signatories to the Aarhus Convention should, in my humble opinion, minimally secure that data from Aarhus signatories are published as soon as they are gathered. The IAEA furthermore hosts a large set of electronic databases on nuclear reactors, radioactive waste, etc. These are only partially accessible to the public, although information gathered - at least that from Aarhus signatory states - should be available to the public under the Aarhus Convention. Under art. 3(7) of the Convention, Aarhus signatories should actively promote this access also to these data.
2. Access to data should not be depending on the data-set being complete, but being made available as soon as they are collected in a publishable form.
Reference to the IAEA on the issue of radioactive waste management: The IAEA has recently established its SRIS database on radioactive waste.
<https://www.iaea.org/resources/databases/spent-fuel-and-radioactive-waste-information-system-sris>
This database is not accessible to the public, but will be made available when all Member States have submitted their data. This keeps the public hostage to the slowest member state. Aarhus signatories should promote access to these data - and at least to all data from Aarhus signatory countries - as soon as they have been made available to the IAEA.
3. Electronic access to information: The public should be able to request access to information in electronic form. This should not be limited to members of the public that can access e-governance structures over national e-portals, but should also be open to those that do not have such access, such as members of the public without access to digital e-governance portal, the public outside of the Party state, NGOs, etc. These should be able to contact authorities by (secure) email or social media with requests for information, and these requests should be handled in the same manner as requests received over traditional media (letters) or e-governance portals.
Reasoning:
a) Many countries nowadays have secure e-portals for tax-systems, social security, etc., which are increasingly also used for other communication with authorities. Not everyone has access to these e-portals, if only because they are a national based tool. There should be an electronic alternative for those who have no access to the official e-portal to request access to information under art. 4 of the Convention, or submit

viewpoints in public participation under art. 6 of the Convention.

b) Some countries require information submitted electronically outside the e-portal system to be confirmed by personal submission to the authority or by registered mail for reasons of identity confirmation (real signature) (this is the case in for instance the Czech Republic). This makes it very difficult to impossible for non-resident public to request information or submit viewpoints.

4. Stored and disseminated information should as much as possible be searchable, i.e. in searchable formats.

Reasoning: too often, documentation is stored and/or disseminated in image-scanned .pdf-format that is not searchable. Authorities should store and disseminate preferably original electronic documents and not scans from paper. If they only have scans from paper available, these should be made key-word searchable by conversion with text-recognition software (OCR) into a searchable format (preferably .pdf).

5. When requested, information should always be provided to the public also in (searchable - see point 4) electronic format, also when local laws require provision in physical (paper) form.

Reasoning: In countries where this legal provision exists, the public is often provided with paper versions of information and not (also) with an electronic form, even when requested. This causes delays (the mail-route can take a lot of time), it forces the recipient to hand-scan all information themselves if they want to further process it electronically (incl. using text recognition software that is not always easily available or operable or expensive to use). Of course, when it is legally required, the authority may provide information on paper, but it should - certainly where it has been requested to do so - deliver information next to that also in (searchable) electronic form.

WARNING: This may require adaptation of the Convention art 4(1,b,ii)!

This is not only important for environmental authorities, but also for authorities within the judiciary and judicial processes under art. 9 of the Convention.

In the hope these viewpoints are helpful,

With regards,

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You can't sink a rainbow