

Keynote statement by European Eco Forum on Access to Information, including electronic information tools by Christian Schaible (EEB) Tuesday, 19 October, 10:15 – 10:50 (5-7 min)

“Thank you, Madam Chair, Distinguished delegates, dear participants,

The current keynote statement by European Eco Forum focuses on experience gained mostly in a European Union context.

We support the work started by the Task Force on, among others, broadening the scope of environmental information, removing existing barriers in access to information, reviewing the application of restrictions on access to environmental information, active and effective dissemination of environmental information using wide range of electronic information tools and linking together activities of this Task Force with other international forums dealing with access to environmental information.

We also welcomed the initiative of the Task Force to update the Recommendations on electronic information tools to provide public access to environmental information adopted by the MOP in Almaty, Kazakhstan in 2005. The ‘updated recommendations on the more effective use of electronic information tools’ prepared by the Taskforce, in particular aimed to promote interoperability and data exchange between different information systems and priority items of information and its accessibility –and the work approach motto **“open by design and by default” are going in the right direction and are welcome.** Thank you Ms Tapish and the Taskforce contributors for their efforts.

20 years after the adoption of the Aarhus Convention, and 18 years for the related PRTR Protocol, context and know-how has changed as to what is possible in terms of data flow handling (quantitatively and qualitatively) and useability of the interface relating to access to Information. We need to catch up with the digital age in terms of information access and let information and communication technologies work for the various purposes in terms of access to information, in particular on the following:

- *timely and effective public participation in environmental matters*
- *improving accountability in decision makers to serve common interests first*
- *providing the platform for faster and more meaningful access to usable content, also beyond language barriers, instead of high amount of information in user-unfriendly format.*
- *support new innovations and emerging forms of data and processing – from sensors to satellite and to citizens who collect vast amounts of environmental information.*

*The EU’s Green Deal and related policies contain various forward-looking objectives, e.g. climate-neutrality, a toxic-free environment and zero pollution, all connected to the global Sustainable Development Goals (SDGs). Industry committed to achieve carbon neutral and sustainable production. So **where are then the tools that will enable all stakeholders to track progress and benchmark economic actors, including decision makers’, against those objectives?** Am not aware of publicly available environmental databases – including carbon-/ environmental footprint ones – that would enable all actors to share knowledge on this transition path globally, are you?*

Compatibility between the pillars - particularly the public participation pillar and the information pillar cannot be sufficiently stressed, the end-user perspective and purpose of the information provided is therefore to be better taken into account prior to designing out the tools to serve the identified needs. Access to information is not just about the quantity of data available but its quality and useability for

various purposes (e.g. benchmarking and compliance promotion, timely access to info before decisions are actually taken), this is where we expect significant progress to be made.

There are major shortcomings in the EU relating to reporting and information access on industrial activities / benchmarking and compliance promotion, including those activities mentioned in Annex I of the Aarhus Convention / PRTR Protocol some are as follows:

- Not possible to rate / benchmark ambition level in regulatory limits / permit conditions
- Hard to impossible to compare industry performance on specific aspects linked to environmental performance, data outdated, out of context
- Environmental footprint linked to products not available (the 'product passports' to improve access to products info)
- Information on radioactive waste still missing
- For some parties, (especially some eastern European countries) we appeal to increase the scope of environmental information, some countries are missing very basic env information, for example, air pollution in cities.
- reliability issues of information provided by authorities in some countries have been reported
- some public authorities also charge high fees for providing environmental information upon request.

There is a **general lack of transparency and accountability in the decision-making steps**, some to highlight are the following , and will be elaborated further by my colleague from ClientEarth:

1. European Commission expert groups, despite important roles as legislative consultancy bodies – “the devil is in the details” and details matter since these lay down the substantive requirements! and the

2. European Council meetings

Both hold deliberations in closed setting. There is no open access to the deliberations and generalized absence of accountability to the public due to lack of Key Performance Indicators as to outcome expectations on those decision-making bodies. Decisions should be compatible with the high level of protection and SDG goals set and information should enable a tracking of progress towards delivery of those goals/objectives. An important element of public participation in decision making is the possibility to know what governments positions actually are [on the environmental matter] as well as opportunity to effectively participate in the design of policy that will affect the environment / climate for several decades to come.

Confidential business information is also used as a blanket excuse for refusing access to otherwise public information. Information shared for elaboration of regulatory standards and resource consumption aspects (energy, resource inputs) have an impact on the environment and public health and therefore there is an overriding interest to access to this environmental information

Citizen science open up for the parties of the convention a new source, and we might envisage a right to produce environmental information by citizens, which if it is produced at appropriate standards and rigor, need to be accepted by the authorities. This can fill the data gaps and support monitoring efforts.

Infrastructure / practical Access points:

- Electronic Info Tools should not replace “traditional A2I” tools, need to ensure new means for information access do not disenfranchise those who do not have good internet access
- Covid context: On requests, we saw EU institutions were particularly overloaded. The experience of backsliding within the Parties consequent on Covid pandemic on access rights and practices.

We need the digital age work towards improving the timely accessibility to information but also improve the usefulness of the information to better track progress, benchmark efforts and support delivery on the new Zero Pollution and public accountability objectives, so more forward looking instead of reporting on the status quo. The IT/Artificial Intelligence should provide us for the tools to that end. Thank you, Madam Chair and wishing a good productive meeting to the delegates!"

**EcoForum statement made regarding agenda item 6(b) Future work programme 2022-2025:
ECE/PM.PRTR/2021/13 (Christian Schaible)**

Propose to amend slightly document "Draft decision IV/3 on the work programme for 2022–2025 for the Protocol on Pollutant Release and Transfer Registers" ECE/PM.PRTR/2021/13. Propose an amendment to point 5 (addition in **bold highlight**):

*"Requests the Bureau and the Working Group to keep under review the activities of the work programme for the period 2022–2025, and to report and make appropriate recommendations to the Meeting of the Parties at its fifth ordinary session; **taking into account the Report on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2019/6) and its addendum, notably its findings relating to possible areas for development, concluding remarks and possible way forward;**"*

Rationale: A lot of efforts and progress has been made on various PRTRs, thanks to good practice sharing at the Global Roundtables, Working Group or the PRTR and the excellent work of the OECD TF on PRTR . Many recommendations point to the conclusion that improvements can be made right away at implementation level (e.g. in particular in Europe) so no need for the parties to await the protocol review to not getting active to that end.

Parties could right away implement the improvement proposals relating to the possible areas for development (III) + its Annex. A 'quick wins paper' was also prepared by the Bureau in 2015 "Draft systematic issues concerning the implementation of the PRTR and recommendations on how to address them", the OECD has also identified the shortlist of common pollutants and harmonisation of industry sector codes. The 2022-2025 Work Programme should be adapted in light of those identified priorities.