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Centres

Rio⁺20

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The Aarhus Centres
a brief introduction

From Rio to Rio – milestones in public participation

June 1992 Rio Earth Summit: United Nations Conference on Environment and Development in Rio de Janeiro, Brazil (Principle 10 of the Rio Declaration on Environment and Development)

June 1992 Principle 10 of the Rio Declaration taken up by the Environment for Europe process within the United Nations Economic Commission for Europe (UNECE) region

October 1995 UNECE Guidelines on Access to Environmental Information and Public Participation in Decision-making adopted at the Third Environment for Europe Ministerial Conference in Sofia, Bulgaria (Sofia Guidelines)

June 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) adopted at the Fourth Environment for Europe Ministerial Conference in Aarhus, Denmark

October 2001 Aarhus Convention entered into force

October 2002 First session of the Meeting of the Parties to the Aarhus Convention in Lucca, Italy

May 2003 Protocol to the Aarhus Convention on Pollutant Release and Transfer Registers (PRTR Protocol) adopted at the Extraordinary Meeting of the Parties in Kiev, Ukraine

May 2005 Amendment on public participation in decisions on deliberate release into the environment and placing on the market of genetically modified organisms adopted at the Second session of the Meeting of the Parties to the Aarhus Convention in Almaty, Kazakhstan

June 2008 Third session of the Meeting of the Parties to the Aarhus Convention in Riga, Latvia

October 2009 the PRTR Protocol to the Aarhus Convention entered into force

June/July 2011 Fourth session of the Meeting of the Parties to the Aarhus Convention in Chisinau, Republic of Moldova

20-22 June 2012 Rio+20:
United Nations Conference on Sustainable
Development in Rio de Janeiro, Brazil.



The Aarhus Centres: a brief introduction

Twenty years ago, at the United Nations Earth Summit in Rio de Janeiro, governments of the world agreed on the importance of civil society involvement for safeguarding the environmental future of our planet. Principle 10 of the Rio Declaration affirms that “environmental issues are best handled with participation of all concerned citizens.”

The UNECE Aarhus Convention, adopted in 1998, provides a unified legal framework for this principle. The Convention is founded on the belief that guaranteeing the right to involvement in environmental matters can strengthen democracy and environmental protection – strengthen democracy by allowing members of the public access to information and participation in decision-making – strengthen environmental protection by allowing them to act upon their rights. The Convention thus links good governance, environmental protection and human rights. To support the implementation of the Convention, the OSCE has founded a network of Aarhus Centres in the OSCE area, which provide members of the public with practical resources to exercise their environmental rights under the Aarhus Convention.

Respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE’s comprehensive concept of security along with environmental protection and socio-economic development due to their growing impact on the prosperity, stability and security of States. The OSCE, which works for security through co-operation, links the human and the environmental dimensions of security. It is this approach that motivated the initiation and support of the Aarhus Centres. In confronting environment and security

risks by strengthening co-operation among its participating States, the OSCE saw the necessity to support civil society involvement for this co-operation to be effective.

The OSCE-supported Aarhus Centres provide a space in the public domain where the collective responsibility for the environment and the rights that follow from it can be put into practice. The Aarhus Centres strengthen environmental governance by providing a venue where members of the public can meet to discuss environmental concerns. They assist them with participating in environmental decision-making. They facilitate access to justice on environmental matters, sensitizing the public and governments to their shared responsibility for their natural surroundings.

Linking environment and security to sustainable development, the Aarhus Centres can make a valuable contribution to Rio+20. This booklet provides a brief introduction to the Aarhus Centres. It shows how they unlock the potential of the Aarhus Convention and presents practical examples of projects as cases in point.



By the 1970s, international declarations and resolutions began to link environmental concerns explicitly to human rights.

At the 1992 “Earth Summit”, governments adopted the landmark **Principle**

Rio Declaration

To put Principle 10 into practice, in 1995 the member States of the United Nations Economic Commission for Europe (UNECE) adopted the Sofia Guidelines. This document further elaborates the importance of public information, public participation and access to justice in environmental issues.

On 25 June 1998, the UNECE member States adopted the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). Named after the city in Denmark where the final talks were held, it entered into force on 30 October 2001 after 16 Signatories had ratified it.

In 2003, the Parties to the Aarhus Convention adopted a Protocol on Pollutant Release and Transfer Registers (PRTRs), which entered into force on 8 October 2009.

The Aarhus Convention offers a legal framework that guarantees a powerful set of people’s rights with respect to the environment in the UNECE region and beyond.



“environmental issues are best handled with participation of all concerned citizens”.

The Aarhus Convention

The Aarhus Convention is founded on the belief that the involvement of members of the public can strengthen democracy and environmental protection.

Kofi Annan described it as “the most ambitious venture in the area of environmental democracy so far undertaken under the auspices of the United Nations”. (Preface to The Aarhus Convention, an Implementation Guide, 2000)

The Convention sets out procedural environmental rights that the governments of the Parties to the Convention are expected to provide to the members of the public. Members of the public may be individuals or legal persons such as NGOs, irrespective of their citizenship, nationality and domicile (or registered seat in the case of a legal person). The rights guaranteed by the Convention are based on three broad principles or pillars: access to information, public participation in decision-making and access to justice in environmental matters.

Under the Aarhus Convention, Parties submit regular reports assessing their progress in implementing the Convention

to the Aarhus Convention Secretariat. These are considered by the highest governing body of the Convention, the Meeting of the Parties.

The Compliance Committee, consisting of nine independent experts holding their meetings usually in Geneva, was introduced in 2002. Parties or members of the public may contact this body directly in connection with alleged cases of non-compliance by a Party with the Convention. The Compliance Committee considers the arguments submitted and may issue recommendations that are subsequently discussed and endorsed by the Meeting of the Parties.

The appeal of the Aarhus Convention

Its rights-based approach

The Aarhus Convention recognizes every person’s right to a healthy environment. It seeks to ensure that every individual lives in an environment adequate for his or her health and well-being. This applies not only to those of us living today, but to future generations as well.

Its shared responsibility

The Aarhus Convention affirms the duty of state authorities and members of the public alike to protect the environment. The rights guaranteed by the Convention are only meaningful if they are exercised. Raising public awareness of the Convention is therefore crucial for its effective implementation.

Its inbuilt compliance mechanism

It is a unique feature of the Aarhus Convention that not only Parties but also members of the public, including NGOs, are able to submit communications directly to the Compliance Committee alleging a Party’s non-compliance with the Convention.

Its continuous evolution

The Aarhus Convention sets minimum standards for people’s rights in the field of environmental decision-making. There has been a continuous process of amending and reinforcing the Convention, with intense involvement of environmental interest groups and NGOs. Especially in countries with economies in transition, this instrument is a major incentive framework for the development of environmental democracy and civil society in general.

The inclusive character of the Convention in formulating environmental rights, its assurance of non-discrimination against those who wish to exercise those rights and the recognition of the obligation of the public authorities to safeguard and reinforce those rights guarantee the continuous evolution of the Aarhus Convention.



3 Pillars

Access to Information

The Aarhus Convention affirms the right of individuals or legal persons such as NGOs, within the framework of national legislation, to request and receive from public authorities information in any material form on the state of the environment; on factors or activities affecting or likely to affect the environment; and on the state of human health and safety, conditions of human life, cultural sites and built structures, inasmuch as they are or may be affected by the state of the environment.

The person making the request does not have to be a citizen or resident of the state in question and does not need to express an interest or a reason why the information is requested. NGOs can request information regardless of where they are legally registered. Information, whether in written or oral form, must be given within the time limits defined in the Convention.

The Convention lists some exemptions. For instance, the authorities can refuse to disclose information where the disclosure would adversely affect national defence or confidentiality of personal data. But these exemptions are to be interpreted in a restrictive way and may only be applied when the public interest served by disclosure has been taken into account.

All public authorities have the active responsibility to collect and update environmental information and make that information publicly accessible. Each Party should produce a national report on the state of the environment at regular intervals, at least once every four years. Such reports should be publicly available.

In the event of imminent threat to human health or the environment, due to natural or human cause, authorities must immediately distribute all information in their possession that could help the public affected to take preventive measures or reduce harm.

The Protocol on Pollutant Release and Transfer Registers (PRTRs) constitutes an operational arm of the first pillar. It puts obligations on Parties to establish a publicly accessible and user-friendly PRTR, and on companies to publicly disclose information on their output of pollutants.

Public Participation in Decision-making

The Aarhus Convention sets minimum standards for public participation in decision-making when authorities prepare plans or issue decisions permitting specific activities that may significantly affect the environment.

For instance, it provides for the early release and circulation of all relevant information before decisions permitting activities are made, so as to allow for early and effective public participation when all options are open; and for the submission of comments by members of the public. It also obliges governments and public authorities to take due account of the outcome of the public participation and to provide reasoning for the rejection or admission of comments received.

The Convention lists in its annex I the types of activities for which decisions to approve projects should always be subject to public participation. They include any activity that might have a significant impact on the environment, such as the licensing of a nuclear power station, smelter, chemical plant, waste-treatment plant or road construction project. In addition, Parties may decide to apply the public participation procedures of the Convention in a broader spectrum of activities than the ones listed in annex I.

Parties are also required to make appropriate practical provisions for the public to participate in the preparation of plans and programmes and encouraged to promote public participation at an appropriate stage, while options are still open, in the preparation of legal instruments and policies relating to the environment.

Access to Justice in Environmental Matters

Under the Convention, any person, including individuals, NGOs, government officials and companies, should have access to review procedures when: (a) their rights with respect to access to information have been violated; (b) their rights with respect to public participation have been violated; or (c) acts and omissions by private persons or public authorities contravene national law relating to the environment.

For example, anyone who requests information and does not receive an adequate response should be able to bring a case before a court of law or an independent and impartial body established by law. Any member of the public with a sufficient interest or legal standing should be able to seek a review regarding the right to participate in environmental decision-making if he or she was barred from participating earlier. Finally, governments are called upon to provide to members of the public access to administrative or judicial procedures to challenge breaches of national law relating to the environment.

Access to justice must not be prohibitively expensive. States are obliged to provide an inexpensive, accessible, fair and effective recourse to a court of law or administrative proceeding.

Information is power – if you can get it

Several young women in a small town fall ill to a rare disease that proves fatal. Rumours are circulating that their deaths might be connected with discharges from a timber processing plant in the catchment area that supplies the town's drinking water.

The residents form an interest group to look into the situation. As a first step, they ask the local authorities for copies of the data on discharges from the timber processing plant, which the company is required to monitor on a daily basis under the terms of its operating licence, and for copies of the publicly funded drinking water monitoring data. They also ask the health board for epidemiological data on the incidence of that type of disease in the province, to determine whether or not the situation in their town is unusual.

The local authorities fail to respond for three months, despite several reminders. They finally reply that the information about the plant's discharges is confidential. The residents' group may come and inspect the drinking water data at the municipal offices during opening hours but may not take copies of the information, even for a fee. The health board refuses to provide the information requested on the grounds that it could jeopardize the right to personal privacy, even though the residents insist that they are interested only in statistics, not in data on any individual.

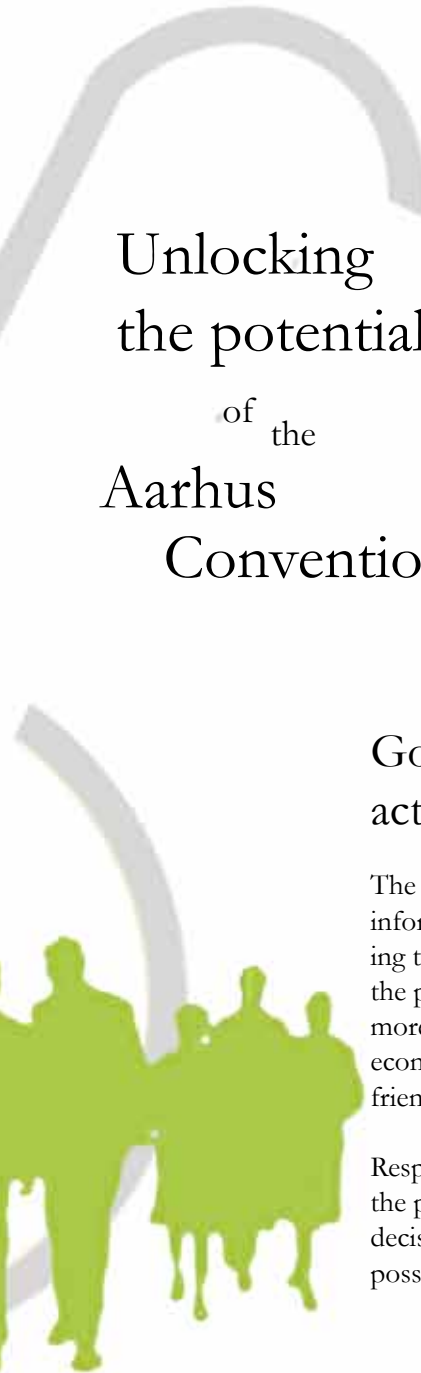
*It was to address situations like this
that Aarhus Centres were established*

Making the public voice heard – a success story

A small village featured a hazardous waste site containing 62,000 corroded barrels of chlorine. The owner proposed building a modern incinerator at the same location. The local residents approved, but farmers in neighbouring municipalities opposed the plan, stating that their business would suffer when customers realized their produce was grown near a hazardous waste incinerator.

The local authorities notified the public about the plan as soon as the request for a permit was filed. It issued a one-page summary of the plan and sent it together with a copy of the environmental impact assessment to the neighbouring communities. Town clerks posted notifications on municipal notice boards. Public hearings were held, at which questions were raised by a large coalition of NGOs, community groups, economic and tourism interests and political parties. The owner of the proposed plant provided detailed replies and a non-technical summary about environmental effects and public health and social consequences. Based on the negative response to the plan from the neighbouring towns, administrative bodies denied the permit. Negotiations have started with an already-existing incinerator to burn the waste instead.

*Aarhus Centres are places where people and government officials can meet to
voice their environmental concerns and reach mutually beneficial solutions.*



Unlocking the potential of the Aarhus Convention

Invoking the law – in the public interest

A resident filed a request for access to data about noise and air pollution from a metal-waste reprocessing plant. The public authorities at first refused to provide the data on the grounds that the person filing the request had no right to participate in government decisions relating to the enterprise and lacked legal standing in any of the ongoing legal cases related to the plant's emissions. The individual responded by filing a lawsuit in the local city court. He based his claim on a legislative provision allowing any person acting in the public interest to seek a court order for information on such environmental issues. Under the law, any refusal to provide such information must be legally argued in court.

At the heart of the case was the argument that information should be accessible not only to those directly involved in a specific legal proceeding, but to anyone promoting the public interest. While the final court decision was still pending, the public authority voluntarily released part of the air-emission data. The rest of the requested information was given at a later date.

Aarhus Centres are resource centres where people can inform themselves about existing legislation relevant to their environmental rights and obtain legal counselling.

Going green – acting on our collective responsibility

The previous scenarios show examples of members of the public demanding access to information, participation in decision-making and access to justice because they are promoting the public interest. That is to say, these rights stem from the responsibility to act for the public good. Environmental responsibility in the twenty-first century is becoming ever more important for financial and social security. This has motivated the concept of a green economy, in which governments and civil society work together to build an environmentally friendly, sustainable economy

Responsibility for our environment, a responsibility carried by individuals, state actors and the private sector alike, precedes and motivates the right to participate in environmental decisions. Mastering the challenges of developing a green economy necessitates the broadest possible inclusiveness.

The Aarhus Centres provide a space in the public domain where our collective responsibility and the rights that follow from it can be put into practice

AARHUS Centres

Since 2002, the OSCE has been supporting the establishment of Aarhus Centres and Public Environmental Information Centres in the OSCE area through its Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) and its field operations.

It has done so in close co-operation with the UNECE Aarhus Convention Secretariat, and in most cases with the support of the Environment and Security (ENVSEC) Initiative, an inter-agency partnership (OSCE, UNDP, UNEP, UNECE, REC and NATO as an associate partner) dedicated to reducing environment and security risks. As of March 2012, there are 37 OSCE-supported Aarhus Centres in 10 countries in the OSCE region.

Providing a bridge between governments and civil society, the Aarhus Centres complement existing official information sources while being closer and more easily accessible to the public.

The Aarhus Centres provide the resources for putting the three pillars of the Aarhus Convention into practice. They facilitate access to information and provide a venue where people can meet to discuss environmental concerns. They can assist members of the public with participating in environmental decision-making and gaining access to justice.

The Centres are flexible in their approach, taking into account local needs and capacities, their geographic location and specific situation and political climate of the country in which they are located. Often, they are also actively engaged in regional networking.

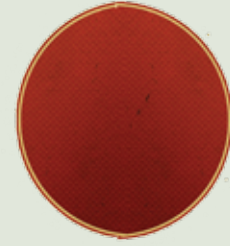
The range of activities and services which an Aarhus Centre carries out is as wide as the spectrum of environmental concerns that may arise. These might include the impact of mining or the oil and gas industries, threats and risks posed by hazardous waste, problems related to the management of forest resources, the need to conserve biodiversity or concerns related to compliance with environmental legislation.

How to access information, how to assess a risk, how to start a dialogue with the authorities and initiate informed public action: these are the challenges that motivate the activities of the Aarhus Centres, which all serve one goal: to empower people to address their concerns and take ownership of the responsibility for their environment. Projects may include studying environmental impact assessments, gathering information for public hearings, making use of media or preparing for legal action in relation to environmental matters.

Since the OSCE first began supporting the establishment of Aarhus Centres, their number has been steadily growing. They are an embodiment of the close co-operation between governments and civil society that is one of the OSCE's major trademarks. The Aarhus Centres are a tangible expression of the core values of the OSCE.

The Aarhus Centres are a consolidation of environmental and political will, and the voluntary association of governments with them is truly momentous. As a rare gem among modern environmental and political institutions, their goal is to improve and protect, to find and identify agents of change, to safeguard their well-being and seed their efforts, by fostering their ambitions.

The Aarhus Centres spread information about environmental concerns and environmental rights.



Case in point

Getting the message out

To illustrate the link between a polluted environment and human health and wellbeing, the Aarhus Centre Georgia prepared TV advertisements that were broadcasted throughout the country from April to June 2011. The advertisements provided information not only about people's rights under the Aarhus Convention, but also stressed the importance of putting these rights into practice. Soon after the first advertisements were aired, the Centre began receiving phone calls from different regions of Georgia with requests for advice on how to apply environmental rights in various circumstances.

Raising awareness of uranium hazards


The Khujand Aarhus Centre in northern Tajikistan conducted an extensive campaign to raise the awareness of the inhabitants of the town of Taboshar about the health risks associated with the nearby abandoned uranium mining site, a legacy from the aggressive mining pursued in the region after the Second World War. The site poses a serious health risk for the 14,000 residents, with radiation levels far above the norms considered safe.

An educational film shown on Sughd provincial TV provided information about the danger posed by the uranium storage site and recommendations by experts on how to mitigate them.

A pocket brochure in Tajik, Russian and Uzbek and a set of posters on radiation

security were distributed among local inhabitants and educational and medical institutions of the city.

Roundtables keep the public up to date on developments in radiation security in the area. At meetings held in 2010 and 2011, reports by representatives of the company responsible for uranium storage at the site and high-level officials from the provincial governmental departments of environmental protection and emergency situations provoked lively exchanges of opinions. Until scientists develop effective methods to render the uranium tailings site safe, the risks remain, and raising public awareness will remain high on the Aarhus Centre's agenda.



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iscussing water supply problems

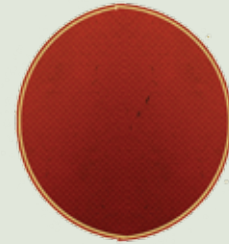
In Armenia, Aarhus Centres held public discussions on drinking water and water quality, a long-standing problem in many municipalities.

In the town of Dilidjan in northern Armenia, residents were concerned about poor water quality compromised by 40 to 70-year-old decayed pipes as well as by increased water tariffs. As there was no clearly defined competence for the drainage network, water removal was also a problem. The Dilidjan Aarhus Centre organized a public discussion with community leaders, representatives of the water and sewage company, regional council members and residents to identify the causes for the problems and find ways to solve them. Similar concerns were the topic of a discussion organized by the Aarhus Centre in Goris, in the southern Syunik province.

In the north-eastern mining town of Alaverdi, water supply has been scarce since the 1960s because of the poor condition of water pipes and

reservoirs. The Alaverdi Aarhus Centre held a public discussion attended by the representatives from the water supply company, local authorities, community council members, NGOs, media and residents. Another problem discussed was the high pressure of water supply in apartment blocks and other buildings. The representative from the water supply company explained that water is provided to the residents under high pressure because of the specific geographic conditions, a problem that could be resolved only by purchasing special equipment. The Aarhus Centre has prepared letters to be sent to the water and sewage company recommending possible solutions.

Aarhus Centres are a place where stakeholders can meet to share their concerns and explore solutions to environmental problems.



Case in point

Managing urban waste

The management of urban waste is a challenge facing many communities. Inappropriate disposal through burning or dumping in public places represents a major risk to public health and is detrimental to the environment. Often, local authorities lack the basic equipment and know-how needed to deal effectively with problems such as urban waste.

The Shkumbin River in Albania has for many years served as a convenient place for communities, businesses and even hospitals to dispose of all kinds of waste. The result is a waterway largely devoid of life, heavily polluted, and full of plastic and other undesirable products. The resulting pollution can be seen throughout the river's length and along the Adriatic coast.

To alleviate tensions between upstream and downstream residents and fishermen over the waste problem in the Shkumbin River, the Aarhus Information Centre in Vlora, in co-operation with the OSCE Presence in Albania, organized a regional workshop for local authorities of municipalities bordering

the river in October 2011. Representatives of national ministries and civil society also attended. The Aarhus Information Centre informed participants on current legislation, the Albanian National Action Plan for Waste Management and other central government initiatives. There was a frank exchange on the topic, resulting in an agreement in principle on a number of simple practical measures, some with no monetary implications. These included: limiting the number of deposit sites to keep waste from being scattered; burying waste sites with soil to protect against odours, flies and wind; stopping the practice of burning which is a major cause of complaint among residents in the area; and putting an end to the dumping of rubbish into the waterway. Media channels provided widespread coverage of the event.

A platform for dialogue

Aarhus Centres can empower citizens to act upon environmental problems.

Making choices to sustain pasture land

In the mountain village of Khinalig in north-western Azerbaijan, the local community members face the challenge of ensuring the land quality of summer pastures while maintaining economic wellbeing. The Aarhus Centre in Baku hosted a public debate to discuss possible solutions.

The participants discussed the results of a study that had been funded by the small grants programme Civic Action for Security and Environment (CASE), an OSCE initiative that is implemented in close association with Aarhus Centres. Under the project, an NGO that supports the development of tourism in Khinalig had conducted an assessment of the summer pasture conditions.

The assessment showed that overstocking and intensive grazing practices have contributed to soil erosion and land degradation in over half of the monitored pastures.

The findings of the assessment sparked heated debates among the participants, which included experienced experts, community members, representatives of NGOs, the Ministry of Ecology and Natural Resources and the Ministry of Agriculture, the World Wildlife Fund, the German Agency for International Development (GIZ) and the OSCE Office in Baku. While some argued that intense animal breeding was necessary to ensure food security, others called for immediate action to reduce the environmental impact of overgrazing.

The civil society organizations submitted a position paper summarizing the recommendations they had made during the meeting to the relevant government agencies.



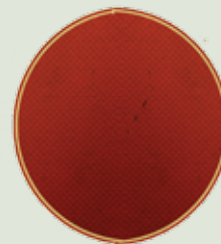
Public hearings about mercury waste

Chauvai village in the Batken province in south-western Kyrgyzstan is the site of a metallurgic plant that has been abandoned since 1997. At the site of the plant, there is a waste dump with an area of four hectares that is 15 metres deep in certain places. It is near the shores of the river that are washed out during floods. The total volume of cinder dumps is about 2 million tonnes, and the volume of slime is 60,000 tonnes. The concentration of mercury is from 100 to 1000 times the maximum permissible concentration for soil and that of antimony over 1000 times the maximum permissible concentration. People of Chauvai village use the river water for drinking and irrigation. There are no warning signs posted at the site.

In September 2009, the head of the village council of Chauvai approached the Osh Aarhus Centre with the request for assistance in addressing ecological

problems related to mercury wastes. The Aarhus Centre provided training on public access to information and public participation in decision-making process. After the training, a number of participants formed an interest group. Together with the Aarhus Centre, they organized a public hearing on 13 October 2009. There were 35 participants.

Local residents spoke about the dangers posed by the open pits and diseases from which people were suffering. They reported that there are no fish in the river and that children lose their teeth and sometimes become blind before coming of age. The participants in the meeting resolved that the Chauvai village assembly should review the issue of mercury waste and submit a resolution to the Kadamjai regional state administration. They resolved that the State Agency on Environmental Protection and Forestry (SAEF) should be informed of the problem and requested to take appropriate measures. Finally they resolved that warning signs should be set up in dangerous zones.



Case in point

In December 2010, the Aarhus Centre conducted monitoring of the mercury waste sites in Chauvai and informed the SAEF of its findings. In March 2011, in order to attract the attention of decision makers and other stakeholders to the problem, the Centre funded the shooting and broadcasting of a TV film on mercury waste production in Chauvai village.

In June 2011, a team of experts from the SAEF visited the village. They took water samples to determine the level of mercury pollution and results of the tests were sent to Chauvai village administration. As a result of this visit, a draft resolution was prepared for transferring the responsibility for the abandoned sites in Chauvai and also in the neighboring village of Kyzyl-Jar to the Ministry for Emergencies. Despite the efforts of the Aarhus Centre and the Chauvai village council, the problem of mercury waste is still pending.

EIA

Environmental impact assessment

Environmental Impact Assessment (EIA) is an important tool for informed decision-making on the development of projects. Required by law in many countries, an EIA provides detailed information on any potential significant impact of a given activity on its natural and social environment. It commits developers to justifying their decisions accordingly.

In Georgia, the EIA process is the only available mechanism for public participation in environmental decision-making. Public hearings

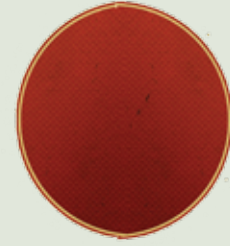
provide citizens with the opportunity to voice their concerns and comment on EIA reports. This is the main reason why the EIA process and its improvement have become the main focus of the work of the Aarhus Centre in Georgia.

The Aarhus Centre in Georgia analyzes the institutional and legal framework of the EIA process. It monitors whether procedures and EIA reports comply with national legislation and the provisions of the Aarhus Convention and attends EIA public hearings.

The Centre distributes the findings of its observation to stakeholders, including the Ministry of Environmental Protection, and discusses them at open roundtables. It provides the state bodies with recommendations for improving existing procedures for public participation in environmental decision making.

The Aarhus Centre posts announcements of new development projects and EIA public hearings and all preliminary and final reports on its public website. With the support of the Ministry of Environment Protection of Georgia, it has developed an online project database, for use by civil society and state institutions, containing EIA reports, conclusions of state ecological expertise and the decisions granting permits for each project in Georgia since 2008.





Case in point

Promoting dialogue with oil companies

A priority of the Zhaik-Caspian Aarhus Centre in Atyrau, Kazakhstan, is to ensure adequate public participation in environmental decision-making. The Centre organizes training, roundtables and workshops to improve access to information and enhance public involvement in environmental matters, such as environmental impact assessments (EIAs), the water management programmes of Atyrau, Mangistau and Uralsk regions and the environmental plans of local administrations and oil companies.

The Zhaik-Caspian Aarhus Centre promotes dialogue between oil companies and civil society on environmental issues. Oil companies provide the Centre with information on EIAs in printed and electronic form, and these materials are made publicly available in the Centre's library.

The Aarhus Centre helps to ensure the involvement of the public in the early stages of an EIA process, prior to the holding of public hearings. It plays an active role in subsequent steps by monitoring and informing stakeholders about the actual implementation of projects.

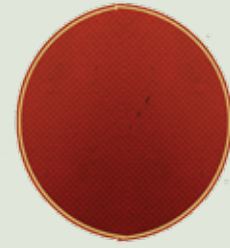
For example, the Centre facilitated the engagement of all stakeholders in the project to construct an oil spill response base in the Atyrau region. The planned construction provoked strong opposition on the part of the public. The selected construction site is in close proximity to the nature reserve "Ak Zhaik". In addition, it is also a spawning site for fish, including for the valuable sturgeon. The Centre held two roundtable discussions of the preliminary EIA and transmitted the results to the construction company. This allowed taking into account public opinion in advance of the actual EIA process that followed. The Centre assisted with that process by preparing a list of all the stakeholders in the project and moderating the public hearings. It also prepared a transcript of the public hearings that was agreed with all stakeholders.



Supporting natural monument preservation

Trchkan Waterfall is the highest and most abundant waterfall in Armenia, recognized in 2008 as a natural monument. In September 2011, information appeared on the Internet about plans to construct a hydro power plant on the river above the waterfall that would imperil its very existence.

The Gyumri Aarhus Centre hosted a public discussion on the topic. The Aarhus Centre requested that the national authorities provide access to documents referring to the planned construction, invoking the public's right to receive environmental information as guaranteed by the Aarhus Convention and national Armenian legislation. Within one week, the requested information was made accessible to the public. Furthermore, the government changed the category of the land of the waterfall from an industrial site to a protected natural area.



Case in point

Public discussions on mining concerns

An iron deposit near Hrazdan, Armenia, is located around 600 metres away from the closest residential area and 1,500 metres from the Hrazdan River. It was acquired in 2011 by a company that began preparations to exploit the deposit.

A public discussion was organized by the Aarhus Centre to discuss the proposed mining activities. Independent experts, NGOs and National Assembly Deputies expressed their concerns about plans with regard to the mine and voiced them to the local authorities. The mining company's chief of staff said that a detailed plan would be formulated for exploiting the mine, respecting all the procedures foreseen by Armenian law, including public hearings, soil condition studies, environmental impact assessment and request for permission to start construction. This was acknowledged in the concluding speech by the Minister of Nature Protection.

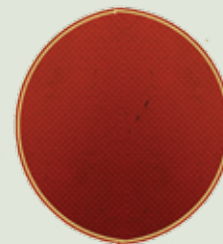
Developing legislation

Environmental legislation in many regions where Aarhus Centres are located is still in the process of development. Aarhus Centres sensitize the legal system for environmental issues, starting by informing judges and advocates about existing environmental laws and Aarhus Convention principles.



Model legislation for local self government

The Aarhus Centre in Kragujevac, Serbia, collaborated with the OSCE Mission to Serbia to develop two pieces of model legislation for local self-government, one for the implementation of the Aarhus Convention's three pillars (public access to information, public participation and public access to justice) and one for the establishment of an environmental protection council. The model decisions can be applied in several versions, depending on powers granted to towns and municipalities by the Serbian Law on Local Self-Government. This is the first time that such model legislation has been developed in Serbia. It was officially recommended to local self-governing units by the Standing Conference of Towns and Municipalities.



Case in point

Educating legal professionals

The Aarhus Centre in Georgia, in consultations with the professors of the Law Faculty of Tbilisi State University, has developed a curriculum for an extensive course on international environmental law, which was launched in 2009. The course covers the history and institutions of international environmental law, including the Aarhus Convention. It addresses topics such as the protection of wildlife, soft law as a tool for environmental protection and the role of the European Court of Human Rights in the development of environmental rights.



PRTR Protocol

Emissions of pollutants into the air, water and soil damage the fragile environment of our planet. At an extraordinary meeting in 2003, the Parties to the Aarhus Convention decided to adopt a Protocol on Pollutant Release and Transfer Registers (PRTR Protocol). PRTRs are publicly accessible registers containing information on pollution released from industrial sites and other sources. Since the PRTR Protocol stipulates that these inventories have to be publicly accessible, they are powerful instruments to force polluters to change their behaviour. So far, 27 Parties to the Aarhus Convention have signed and ratified the PRTR Protocol.

Keeping track of pollutants

Kazakhstan has been taking steps to register pollutants since 2009, when the OSCE Centre in Astana assisted with the creation of a pilot register for companies working in the eastern part of the country. In 2010, the OSCE Centre in Astana extended its assistance to the Ministry of Environmental Protection to review national legislation for compliance with the PRTR Protocol's obligations. This year, the OSCE joined forces with Kazakhstan's National Aarhus Centre in bringing Kazakhstan closer to setting up a national PRTR. Experts, including a specialist in geographic information system mapping, prepared detailed recommendations for organizing and maintaining a register and developed a national pilot PRTR. The pilot is designed as a website and is currently located on the Aarhus Centre's server.

CASE

Civic Action for Security and Environment

Civic Action for Security and Environment (CASE) is a small grants programme that benefits from and reinforces the work of Aarhus Centres by supporting concrete projects of NGOs to raise public awareness of and promote participation in environmental matters.

CASE was first launched by the OSCE in Armenia and Azerbaijan in 2009. Since 2010, CASE grants are also being awarded in Tajikistan. An initiative of the Office of the Co-ordinator of OSCE Economic and Environmental Activities, CASE is supported under the umbrella of the Environment and Security (ENVSEC) Initiative. CASE works closely with host governments to provide small grants in the range of 5,000 to 10,000 Euros to civil society groups in regions where people committed to promoting good environmental governance may be struggling to obtain financial and political support.



Rio⁺²⁰ : Setting the stage

The 1992 Earth Summit was motivated by the realization that unrestrained exploitation of natural resources leads to environmental destruction and frustrates the aim of building vibrant prosperous societies with sustainable development opportunities for present and future generations. Two of the most notable outcomes were the Rio Declaration, which outlined the principles needed to support sustainable development, and Agenda 21, a roadmap for rethinking the protection of the environment and the empowerment of people.

Twenty years after the Rio Conference, globalization and the economic crisis are creating an atmosphere where vested interests are being re-examined. The interdependence of states has reinforced the need for co-operation, and members of the international community have developed the concept of the green economy. The green economy is a framework for finding common ground in efforts to initiate a transition to environmentally friendly, sustainable economic growth.



On
the
road
to

+20

RIO

The shift to defining sustainable development in terms of the green economy in the Rio Conference 2012 is subtle on the surface, but tectonic in nature. To realize it, a new international framework is required, and the establishment of democratic, transparent, accountable, participatory systems of governance at all levels will be crucial.

Access to and management of resources must be transparent and governed by principles, institutionalized in instruments that are a result of successful implementation of the rule of law, a prerequisite for the beneficial development of the economy for society as a whole.

By embracing the goal of a global green economy, states are declaring themselves committed to greater inclusiveness. For civil society and private sector stakeholders alike, it is important to capitalize on this political will.

For the green economy to succeed, it needs to be married to an empowered civil society and an open and responsive government.

The Aarhus Centres have proven themselves to be an effective tool for empowering people to assume their environmental responsibilities and their environmental rights. As such, they represent a valuable contribution to the objectives of Rio+20.



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The Aarhus Convention
has emerged as a foremost
effective instrument linking
good governance, environmental
protection, and human rights
and seeking to promote
the key role of the public in
sustainable development.

make a difference

