

Strengthening environmental democracy in challenging conditions

[Maastricht, Netherlands, Monday 30 June 2014] On the opening day of the 5th session of the Meeting of the Parties (MoP) to the Aarhus Convention a broad coalition of environmental non-governmental organizations called on the 47 Parties to the Aarhus Convention¹ to address flaws in this global landmark on environmental democracy. In a [statement circulated to the Parties](#), the European ECO Forum² referred to the difficulties in promoting citizens' environmental rights "against a backdrop of serious affronts to democracy, the rule of law, implementation of international agreements, and sovereignty in the UNECE region".

The NGOs want to increase the scope of environmental information that is publicly available and regret that the input from the public in decisionmaking processes is often not reflected in their outcomes. Furthermore, they stress the urgency of eliminating barriers to access to justice." They salute the work of the Convention's participatory Compliance Committee in facilitating compliance of the Parties with the Convention, but they also note that some violations of the Convention keep coming back to the table.

"Some Parties to the Convention still have national laws weaker than the commitments they made in the Convention," said Mara Silina, the coordinator of the Aarhus Programme at the European Environmental Bureau (EEB). "This MoP should clarify elements of the Convention that give too much space for interpretation and non-implementation." Andriy Andrusevych, from the Ukrainian NGO Society and Environment, said: "Some of the countries still have a 'join and then ignore' approach to their international obligations. As NGOs, we are determined to see that the environmental rights provided by the Convention are enjoyed in real life". Countries that persistently violate the Aarhus Convention they ratified include Armenia, Kazakhstan, Turkmenistan and Ukraine. Another problematic case is Belarus. Despite the findings of the Aarhus Convention Compliance Committee, which found that Belarus violated the Aarhus Convention during the construction of a new nuclear power plant, it continues with the violations and decisions are still taken without public participation. However, the problems are not limited to the eastern part of the UNECE region: one of the Parties with the largest number of complaints against it is the United Kingdom, and almost two thirds of the EU's 28 Member States have been found to be in non-compliance at one point or another.

The Aarhus Convention is also relevant to negotiations going on in New York, where civil society organizations which had been participating in the so-called 'Open' Working Group that works on formulating Sustainable Development Goals were suddenly excluded. Similarly, civil society groups working on the Transatlantic Trade and Investment Partnership want to see better application of the Aarhus principles in the negotiation process. It's far from sure that this will happen. Yves Lador from Earthjustice said: "We're seeing a clash: some parts of some governments are becoming less enthusiastic about the fact that their country once signed up to the Aarhus Convention. Other countries, regions and civil society groups working on other issues look to the Aarhus Convention as an example and leading light." Will the Aarhus Convention grow, be copied in regions like Latin America and deliver more effectively? Those are the big questions that the Maastricht Meeting has to deal with.

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1 Adopted in 1998 under the auspices of the United Nations Economic Commission for Europe (UNECE), the Aarhus Convention seeks to guarantee the rights of the public to have access to information, to participate in decision-making and to have access to justice in environmental matters. The Parties come from throughout Europe, the Caucasus and Central Asia:

2 The European ECO Forum unites more than 200 civil society organisations in a coalition that works together on issues such as the Aarhus Convention.