



The Role of NGOs and Communities participation in Environmental Policy

Mara SILINA/European ECO Forum
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***Public Participation and Access to Justice in
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Some general remarks to start with

- Participation of citizens and NGOs in decision making process directly relates to the principle of good governance – governments want to look good!!!
- Throughout decades, NGOs were (and still are) involved in raising environmental concerns, developing awareness on environmental issues and promoting sustainable development
- Now NGOs also deal with environmental monitoring, promoting environmental education, training, capacity building, implementing demonstration projects, advocacy work in partnership with governments, promotion of regional and international partnership and cooperation on environment etc.
- Different NGOs work at different levels: international, national and local



General role of NGOs in environmental policy

- **Information collection and dissemination**
- **Policy development consultation**
- **Policy implementation**
- **Evaluation and monitoring**
- **Advocacy for environmental justice**

Can be also different depending from the policy area/scope etc.





NGOs in the UN system



- **Non-governmental organisations (NGOs) were first called such in Article 71 in the Charter of newly formed United Nations in 1945.**

“The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.” – Article 71 in the Chapter X: The Economic and Social Council

- **The United Nations Conference on the Human Environment (Stockholm, Sweden, June 5-16, 1972) - the UN's first major conference on international environmental issues, and marked a turning point in the development of international environmental politics**
- **NGOs did not have a substantial influence on the conference itself but they gained a legitimacy that they lacked before Stockholm**
- **Since 1972 Stockholm conference, NGOs have played an increasingly important role in the development of global environmental standards and institutions as well as implementation of policies in individual countries**



Role of NGOs in Multilateral Environmental Agreements (MEAs)

- Enhancing the knowledge base
- Advocacy and lobbying
- Membership in national delegations
- Contribution to compliance review and enforcement as well as dispute settlement procedures
- Supporting international secretariats
- Broader functions of NGOs in international environmental governance (shaping the opinions of individuals and groups (campaigns and training) etc.)

Source: Negotiating and Implementing MEAs: A Manual for NGOs, UNEP (2007)

More than 50 global and regional environmental related treaties to date - you can find all of them on: <https://www.informea.org/en>

Coalition of more than 200 Environmental Citizens' Organisations (ECOs or NGOs) from all the UNECE region created in 1993 to follow up on the UNECE "Environment for Europe" process and its outcomes. The European ECO Forum has been and is playing a crucial role in several Multilateral Environmental Agreements (MEAs) developed within this process. The Aarhus Convention and its PRTR Protocol are just two to be mentioned.

*The "Environment for Europe" process is a unique partnership of member States within the UNECE region, organizations of the United Nations system represented in the region, other intergovernmental organizations, regional environmental centres, **non-governmental organizations**, the private sector and other major groups. The "Environment for Europe" process and its Ministerial Conferences provide a high-level platform for stakeholders to discuss, decide and join efforts in addressing environmental priorities across the 56 countries of the UNECE region, and is a regional pillar of sustainable development.*



THE UNECE CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE

better known as

THE AARHUS CONVENTION



International level/UNECE – Example 1

ECOs/NGOs played a crucial role in promotion of participatory democracy leading up to the Aarhus Convention

- 1990 – Preparatory works of the Rio Summit (NGOs from different parts of the world involved)

- 1992 – Adoption of Principle 10 of the Rio Declaration

*“Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. **States shall facilitate and encourage public awareness and participation by making information widely available.** Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.”*



The Aarhus Convention and the role of NGOs

- 1993: involved in drafting “Sofia Guidelines”
- 1994: ECOs/NGOs in and outside the European ECO Forum started Campaign in UNECE territory to implement Principle 10 in the region
- 1995: Endorsement of Sofia Guidelines at the EfE Ministerial Conference. Environmental NGOs played a key role in decision to draft the Convention
- 1996 – 1998: Negotiations of the Convention’s text – NGOs intensively involved
- 1998: The Aarhus Convention adopted at the EfE Ministerial Conference in Aarhus/Denmark

Recognition of the role of NGOs by the Ministers at the Conference was a great achievement, especially within the UNECE system and provided a guarantee for our future involvement:

“Commend the international organisations and non-governmental organisations, in particular environmental organisations, for their active and constructive participation in the development of the Convention and recommend that they should be allowed to participate in the same spirit in the Meeting of the Signatories and its activities to the extent possible, based on a provisional application of the provisions of article 10, paragraphs 2 (c), 4 and 5, of the Convention;”

Annex VI of the Resolution on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters



Role the European ECO Forum/NGO played after the adoption of the Convention

Actively participated in negotiations on:

- **Protocol on PRTRs and Strategic Environmental Decision-making – both adopted in 2003 at the EfE Ministerial Conference in Kyiv/Ukraine**
- **GMO clarification/amendment – adopted at the Meeting of Parties to the Aarhus Convention in Almaty/Kazakhstan, 2005**
- **Almaty Guidelines where we were instrumental in establishing process to clarify the obligation of Parties to promote Aarhus principles in international forums – agreed at the Meeting of Parties to the Aarhus Convention in Almaty/Kazakhstan, 2005**

Pushed for:

- **Process to clarify and improve public participation requirements for plans, programmes, policies and legislation by establishing Task Force on Public Participation (achieved in Riga/Latvia, 2008)**
- **Task Force on Information achieved in Chisinau/Moldova, 2011**

Active promotion and participation in the implementation of the Convention and the ground (through our national partners) and effective use of the open Compliance Mechanism (almost 150 communications from citizens and NGOs received until now) and we will continue this work in the future.

International level/UNECE - Example 2

UNECE PROTOCOL ON POLLUTANT RELEASE AND TRANSFER REGISTERS (PRTRs) TO THE CONVENTION OF ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS

Adopted in May 2003 at the Fifth “Environment for Europe” Ministerial Conference in Kyiv/Ukraine

Entered into force on 8 October 2009

NGOs were part of the negotiations

Protocol provides legal basis for public participation



The Objective of the Protocol says (Article 1):

The objective of this Protocol is to enhance public access to information through the establishment of coherent, integrated, nationwide pollutant release and transfer registers (PRTs) in accordance with the provisions of this Protocol, which **could facilitate public participation in environmental decision-making** as well as contribute to the prevention and reduction of pollution of environment.

Article 4 – Core elements of a Pollutant Release and Transfer Register System develops it further:

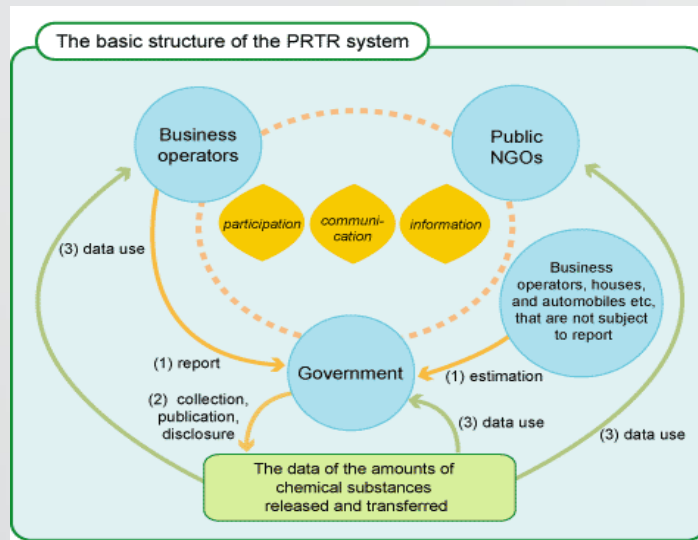
In accordance with this Protocol, each Party shall establish and maintain a publicly accessible national pollutant and transfer registers that:

..... (i) **Allows for public participation in its development and modification;**

Article 13 – Public Participation in the development of National Pollutant Release and Transfer Registers

1. Each Party shall ensure appropriate opportunities for public participation in the development of its national pollutant release and transfer register, within the framework of its national legislation.



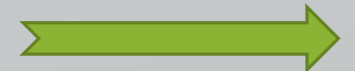


With an increasing emphasis on public participation and access to information, PRTRs are an elegant **mechanism which help to engage the public in pollution and regulation issues**. Not only do PRTRs implement the public's right-to-know about pollution in their neighbourhood or on a country-wide basis, they increase accountability of companies and create pressure to reduce the emissions.



Role of NGOs related to the PRTR Protocol

- To monitor implementation of the PRTR Protocol
 - To use the Protocol on PRTRs (collect, analyse, disseminate information contained there)
 - To contribute to the relevant policy-making and development processes (public participation)
 - To ensure compliance with and enforcement of relevant legal acts
 - To organise public awareness campaigns and create and interest of public about the PRTRs
 - To build capacity for ourselves and citizens on interpretation and use of data provided in the PRTRs
 - To facilitate exchange of information and good/bad practices and experiences
 - To provide a platform for bringing together different stakeholders, including industry representatives
 - To ensure openness and transparency of different institutions, government bodies and agencies
 - To develop pilot PRTRs (if necessary)
 - To promote the principles of the PRTRs Protocol internationally, regionally, nationally and locally
- To be a whistle-blowers if things go wrong!!!





Another role of NGOs is to make sure that the ordinary human being knows:

- **That such a system of PRTR exists**
- **How to use it and for what**
- **Understands better the what is behind the names of chemicals and their amounts in the PRTRs and**
- **What is the impact of substances in the PRTR system to environment and human health!!!**

Country Level – Example 3

DNIESTER RIVER BASIN TREATY

The Dniester River Basin treaty has been signed on November 29, 2012, in Rome, Italy, during the 6th Meeting of Parties of the UNECE Water Convention. It was a very important event, which now permits to develop transboundary Dniester River Basin cooperation between two riparian countries – Moldova and Ukraine.





Article 21 covers Public Participation in this Treaty

1. **Each Contracting Party shall**, in accordance with the national legislation of its state, **ensure** public access to information on the status of the Dniester River basin and **public participation** in decision-making related to protection and sustainable development of the Dniester basin, as well as to projects likely to have significant impact on the status of water and other natural resources and ecosystems. Such access includes informing the public and providing information on its request.
2. Public participation in decision-making related to protection and sustainable development of the Dniester River basin shall imply informing the public concerned in an adequate, timely and effective manner of the proposed activity at the earliest stage of the decision-making procedure, providing opportunities to submit comments, information, analysis or opinions on the proposed activity and ensuring due account of the outcome of public participation in the relevant decision-making process.
3. **The Contracting Parties shall facilitate public participation** in activities related to implementation of the present Treaty, including activities of the Commission.



Article 26 - Commission

[The Commission, referred to in article 6 of the present Treaty, shall be a body of the interstate cooperation of the Contracting Parties in the area of protection, sustainable use and development of the Dniester River basin.]

3. **The Commission shall consist** of representatives of Competent central executive authorities of the Contracting Parties. Representatives of regional authorities, scientific institutions and organizations, as well as **relevant non-governmental organizations may be included in the Commission.**



Role of NGOs in Dniester River basin related issues

- From 1995 NGOs from Moldova and Ukraine have been lobbying Dniester River interests to use natural resources in a sustainable way
- Awareness raising activities and joint expeditions along the river
- Articles and publications about unfavourable ecological situation created by pollution, poaching, hydropower construction etc.
- International conferences on water, health and biodiversity issues related to the Dniester River
- In 1999 first International NGO Forum “Dniester-99” initiated by BIOTICA Association and there Eco-TIRAS (International Association of Dniester River Keepers) was founded by 11 NGOs
- NGOs drafted a Moldo-Ukrainian Convention on the Use of Water and Biological Resources and Conservation of Lanscape and Biological Diversity of the Dniester River and proposed the text to the government
- NGOs of Moldova and Ukraine organised two joint sessions of parliamentary committees in Moldova and Ukraine which led to both parliaments to support elaboration and signing bilateral convention
- Special meeting with NGOs and decision-makers from Moldova, Transdnistria and Ukraine in December 2000 when the NGOs’ appeal to governments of both riparian states was adopted to enforce the process of drafting, signature and ratification

It took 16 years to get the Treaty adopted. It is there now but needs to be ratified by Ukraine





Driving force of this work is Eco-TIRAS-International Environmental Association of River Keepers is created by environmental NGOs of the Dniester River basin, shared by Moldova and Ukraine, to help and advice authorities and population to manage the river in sustainable way, using Integrated River Basin Management Approach.

Membership is composed from three about equal parts - Moldova, its Transdniester part and Ukraine. In present it unites 51 NGOs-members. Every summer Eco-TIRAS organises one Dniester youth summer school for 70 youngsters(already 10 years), every year there are 2-3 kayak expeditions for different stakeholders along river. Every 2-3 years - International Dniester River basin conference for all stakeholders. Main mission - involvement of all interested parties and communities in decision making on basin issues, impact on river basin management plants, trainings for local organizations, river environmental education etc.



Nationwide level/Ireland* – Example 4



Public Participation Networks (PPNs)

PPNs are collectives of environmental, social inclusion, community and voluntary organisations in a County / city which

- Facilitate the participation and representation of communities in a fair, equitable and transparent manner through the environmental, social inclusion, community and voluntary sectors on decision making bodies
- Strengthen the capacity of communities and of the environmental, social inclusion, community and voluntary groups to contribute positively to the community in which they reside/participate
- Provide information relevant to the environmental, social inclusion, community and voluntary sector and acts as a hub around which information is distributed and received

* This example was provided by Environmental Pillar from Ireland which is made up of 28 national environmental non-governmental organisations (NGOs) who work together to represent the views of the Irish environmental sector.



Principles and Values of PPN



Public Participation Networks (PPNs)

- ***What?*** From engagement to participation
- ***Why?*** To enable the whole community to participate in decision-making to improve the well-being of this and future generations.
- ***Who?*** All groups with a stake in the area or issues



PPN Structures

- The Public Participation Network (PPN) will be organised:
 - At County/City level
 - At Municipal District level
- Each PPN will have:
 - County/City Plenary at County/City level which deals with county/city level issues and is the ruling body for the County/City PPN
 - A Municipal District Plenary in each Municipal District which deals with issues at a municipal level issues and is the ruling body for the Municipal District PPN
 - Linkage Groups which deal with specific issues
 - A secretariat at County/City level that is a facilitation and communication mechanism, but not a decision-making body



PPNs and “Wellbeing statement”



- Each PPN is charged with developing a “Wellbeing Statement” at both Municipal District and County / city level. A wellbeing statement looks at what is required for the wellbeing of individuals and communities, now and for the generations to come.
- Wellbeing is a multifaceted entity combining social, economic, democratic and environmental factors. It requires that basic needs are met, that people have a sense of purpose, and that they feel able to achieve important goals, to participate in society and to live the lives they value and have reason to value
- This statement will act as a guiding vision statement for everything done by the group that drew up the statement e.g. choosing representatives, taking positions on issues, developing activities of any kind etc.
- Well-being statements should be reviewed by the PPNs bi-annually



Activities of a PPN

- **Participation and Representation on Decision / Policy Making Bodies**
- **Capacity Building and Training**
- **Information Sharing and Communication**

PPNs were introduced following the enactment of the Local Government Act 2014. Since then they have been established in each county / city through collaboration between Local Authorities (LAs) and local volunteer-led organisations. Both LA staff and volunteers in each county / city have put huge effort into developing the new structure over the past two years.



Thank you!

For more information, please contact

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