

### **REC 3.081 Implementation of Principle 10 by building comprehensive good governance systems**

RECALLING Recommendation 1.43 *Public Participation and Right to Know* adopted by the 1<sup>st</sup> IUCN World Conservation Congress (Montreal, 1996) that called on states to adopt and implement national legislation to secure public access to environmental information, to facilitate and encourage public participation, and to consider the need to develop a global convention on the right to information and participation;

WELCOMING the adoption of the United Nations Economic Commission for Europe (UN/ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) at the fourth Ministerial Conference in the 'Environment for Europe' process on 25 June 1998, and its entry into force on 30 October 2001;

AWARE OF global reaffirmation of Principle 10 of the 1992 *Rio Declaration on Environment and Development*<sup>1</sup> in Paragraph 128 of the World Summit on Sustainable Development *Plan of Implementation* (Johannesburg, 2002);

RECOGNIZING global initiatives, such as the *Access Initiative* and the *Partnership for Principle 10*, aimed at its implementation in law and practice;

CONCERNED WITH the lack of implementation of access to information, public participation, and access to justice rights at the national level;

EMPHASIZING THAT rights of public access to information and decision-making processes are meaningless when there is no access to justice when those rights are denied; and

FURTHER NOTING the lack of practical implementation of good governance principles by governments and international institutions in decisions that affect the environment;

The World Conservation Congress at its 3<sup>rd</sup> Session in Bangkok, Thailand, 17–25 November 2004:

1. CALLS UPON civil society organizations to assess, using tested indicators such as the *Access Initiative* methodology, the status of implementation of Principle 10 at the national and sub-national levels to determine the gaps in access to information, public participation, and access to justice;

2. ENCOURAGES national governments to join the *Partnership for Principle 10* and to make concrete, time-bound, measurable and additional commitments to close the gaps in access rights, with particular attention to improving the legal, institutional and policy arenas related to access rights to better support poverty reduction and other development strategies so that they meet the needs of the poor and build access to justice;

3. RECOMMENDS that countries build comprehensive access systems, recognizing the importance of each access pillar, to ensure addressing of environmental rights and recognition of linkages among eradication of poverty, ensuring livelihoods, health, and sustainable development, and investing in building the capacity of the government (at different levels – local, regional and national) to provide access, and to build capacity on the part of the public to use existing access procedures;

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<sup>1</sup> "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."

4. ASKS national governments to build public participation systems that integrate social and environmental concerns into economic decisions, thereby preventing the degradation of the environment, and that consider independent assessments of access conducted by civil society organizations in the preparation of National Profiles and strategies;
5. URGES international institutions to internalize good-governance practices across all offices, missions, departments, and projects in decisions that affect the environment;
6. APPEALS to State Parties to the Aarhus Convention to accept independent assessments of access conducted by civil society organizations in the preparation of National Profiles; and
7. HIGHLIGHTS the importance of ongoing expert meetings and public participation processes at international fora in developing guidelines and building up of a global consciousness towards the urgent implementation of Principle 10 of the 1992 *Rio Declaration on Environment and Development*.

The Department of State, United States, provided the following statement for the record:

*State and agency members United States abstained during the vote on this motion.*