



Quaker United Nations Office Geneva
Briefing Paper

The Aarhus Convention

Key terms:

Access Rights

The rights set out in the Aarhus Convention are procedural rights, or 'access' rights:

- *the right to access to information in environmental matters*
- *the right to participate in decision-making in environmental matters*
- *the right to justice in environmental matters*

The Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters is a unique international Convention.

There is only one international Convention that is dedicated to promoting and supporting democratic environmental governance: the Aarhus Convention. It is a Convention of the UN Economic Commission for Europe, and was adopted on 25th June 1998. As of 7 January 2004 there are 46 Parties to the Convention, and it is open for all States to join.

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The Aarhus Convention is legally binding, and it is through its ability to hold States accountable that the Aarhus Convention can help us respond to many of the environmental challenges that we face.

Environmental NGOs and civil society organisations played a central role in initiating and negotiating the Convention, and today they play a key role in implementing it. It was a unique combination of political will and the determination of grassroots

organisations to involve and inform the public that brought the Aarhus Convention into being in the late 1990s. The Convention has its own Compliance Committee. The Committee is used to promote government accountability, transparency and responsiveness on environmental matters. Members of the public are entitled to make communications to the Compliance Committee concerning any violation of the Convention by one of its members. Importantly for our work at QUNO, the Convention provides a useful and rare link between environmental and human rights. It does this by conceptualising the human rights of access to justice, access to participation and access to information in the light of environmental law.

Effective enjoyment of these rights is essential for transparent and accountable environmental governance, and for outcomes of decision making that reflect the needs of the people. As such, these rights provide a promising and essential step towards participatory environmental policy and decision making.

However, despite the Aarhus Convention's significant potential, questions concerning its implementation have sometimes been raised at the grassroots level – such as whether it

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tangibly influences state behaviour, or whether citizens are adequately informed of the full range of access rights they may claim.

Informing people about the rights that the Aarhus Convention sets out is the work of many organisations, and something we can all support by raising awareness about the Convention with relevant stakeholders and within our communities. Further action points are available at the end of this briefing.

QUNO and the Aarhus Convention

In many environmental matters there is a potential for injustice and conflict within and between social groups. The Aarhus Convention provides a strong basis for implementing participatory and equitable natural resource management, which QUNO believes can contribute to building peaceful and sustainable communities. QUNO uses the Aarhus Convention in our work on natural resources, conflict and cooperation, where we work on the links between natural resource management and peacebuilding, focussing on the prevention of conflict.

This work comes from an understanding that poorly planned, exclusive environmental decision making can create, or exacerbate, destructive conflict if it contributes to a breakdown of communication among groups, damages social relations or exacerbates tensions that can lead to violence. In light of climate change, developing equitable and peaceful approaches to natural resource management is increasingly urgent.

The enjoyment of the access rights set out by the Aarhus Convention can help prevent destructive conflict by

ensuring that all those affected by environmental decision making have access to information, judicial institutions and participation in the decision making process. Successfully implemented access rights can help give all stakeholders, including marginalised and vulnerable groups, a voice in environmental decision making, helping to build sustainable and peaceful environments for everyone.

At the same time, peacebuilding approaches that seek to address power imbalances such as the facilitation of dialogue, empowerment of vulnerable groups and capacity building can help to make the access rights effective.

By bringing a peacebuilding and conflict prevention approach to the Aarhus Convention and its Parties, QUNO highlights the essential role that the Aarhus Convention has to play in environmental peacebuilding, and brings a peacebuilding approach to the human rights and environmental rights community.

In June, QUNO participated in the Aarhus Convention's Meeting of the Parties in Maastricht. It was an opportunity for States parties, Task Forces and Committees to the Convention, and the NGO community, to gather and discuss challenges in implementation, recommended practice and priorities for upcoming years. NGOs and civil society organisations were well represented from countries across Europe, including Eastern Europe and Central Asia where there are dedicated Aarhus centres to help achieve the aims of the Convention. A briefing paper and further information about the event are available on our website: <http://www.quno.org/areas-of-work/natural-resources-conflict-and-cooperation>.

Take action:

- *Raise awareness with various stakeholders about the provisions about the Aarhus Convention;*
- *Exercise your right to information and participation in decision-making in matters that impact the environment and therefore your health and wellbeing;*
- *Make use of the opportunity for redress provided by the Compliance Committee: <http://www.unece.org/env/pp/welcome.html>*

Further reading:

Protecting your environment - the Power is in your hands Quick guide to the Aarhus Convention (UNECE, 2014). Available online.