The Access Initiative: Access to Information, Participation, and Justice in Environmental Decision-making

The Access Initiative (TAI) is a global coalition of civil society groups promoting national-level implementation of access to information, participation, and justice in decisions that affect the environment. Launched two years ago, The Access Initiative has grown to include 25 civil society organizations in nine countries on five continents.

“Environmental issues are best handled with the participation of all concerned citizens…. At the national level, each individual shall have appropriate access to information concerning the environment… and the opportunity to participate in decision-making processes…. Effective access to judicial and administrative proceedings… shall be provided.”


The Initiative grew out of the concept that transparent, participatory, and accountable governance is essential to achieving sustainable development. It aims to support implementation of Principle 10 of the 1992 Rio Declaration on Environment and Development by (1) strengthening the capacity of public interest groups to track progress toward and build a global constituency for national-level implementation of common participation and access standards and by (2) raising the awareness and commitment of governments toward building national access and public participation systems.

Global partnerships are central to The Access Initiative. Coalitions of civil society organizations have been established in the nine partner countries, each of which also works regionally and at the global level as part of WRI’s international coalition. By creating and facilitating partnerships at these three levels, The Access Initiative has established its presence in a broad range of policymaking arenas.

Commitments to Principle 10 and an Agenda for Action

The Core Team of The Access Initiative took advantage of the political momentum surrounding the World Summit on Sustainable Development to launch a new Partnership for Principle 10. Designed to serve as a vehicle to translate Access Initiative research into action, PP10 partners include the governments of Chile, Mexico, Hungary, Uganda, Italy, Sweden, and the United Kingdom, as well as international organizations like the World Bank and many NGOs. The PP10 is a Type 2 outcome of the WSSD, and is currently under the auspices of the U.N.’s Sustainable Development partnerships.

In addition:

- In Uganda, WRI’s Access partner, Advocates Coalition for Development and Environment (ACODE), identified major gaps in access to information about large-scale emergencies. As a result, the government of Uganda announced a new policy to provide information to the public about water quality and emergencies.

- In Indonesia, the Ministry of Environment signed a Memorandum of Understanding with the Indonesia Center for Environmental Law (ICEL), another Access Initiative partner, to pursue activities targeting the gaps in implementation of Principle 10 identified in ICEL’s Access Initiative assessment.
The Access Scorecard

How Much Access does the Public Have to Environmental Decisions?
The ACCESS INITIATIVE is a first effort to systematically take stock of people’s access to information, participation, and justice in decisions that affect the environment. This scorecard presents a comparative analysis of national assessments conducted by research teams in nine pilot countries: Chile, Hungary, India, Indonesia, Mexico, South Africa, Thailand, Uganda, and the United States.

High:
Most pilot countries had scores in the highest range. A high score does not necessarily represent the best practice possible.

Medium:
Pilot countries either had scores in the mid range or showed significant internal variation.

Low:
Most pilot countries had scores in the lowest range. A low score does not necessarily represent the worst practice possible.

Access and Quality scores are averaged to yield an Overall score. Not all indicators were measured in all nine countries.

ACCESS TO ENVIRONMENTAL INFORMATION

How much access does the public have to information about:
- Emergencies: large and visible emergencies with extensive media coverage
- State of the environment (e.g. reports)
- Air quality monitoring
- Water quality monitoring
- Industrial facilities: based on air and water compliance monitoring and PRTRs
- Emergencies: accidents or fires at private facilities
- Are legal guarantees and provisions in place for access to information?

ACCESS TO PARTICIPATION

How much opportunity does the public have to influence:
- National policy-making on environmental issues
- Regional, state, or local decision-making (state or local planning efforts)
- Specific projects with or without an EIA process
- National policy-making outside the environment
- Are legal guarantees and provisions in place for participation?

ACCESS TO JUSTICE

To what extent does the public have:
- Affordable justice
- Institutional infrastructure
- Is there a legal and regulatory framework supporting enforcement?

BOTTOM LINE:
Governments scored high at providing their citizens with access to information, rated lower at providing opportunities to participate in decisions that affect the environment, and lagged on the provision of access to justice. A truly effective and empowering system of access requires the strong, integrated practice of all three principles.

Access is defined as:
- Accessibility by authorities to requests for information; extent of active information dissemination, provision of information in a range of formats and products, timeliness and coverage during and after emergencies

Quality is defined as:
- Clarity of content, frequency of reporting, breadth and coordination of coverage

Access is defined as:
- Existence of opportunities to participate and the ability of the public to learn about these opportunities; opportunity to learn about the outcome of environmental deliberations

Quality is defined as:
- Inclusiveness of consultation, timeliness of notification of opportunities to participate

Access is defined as:
- Legal standing, affordability of legal help and fees, the presence and diversity of mechanisms for dispute resolution and remedy

Quality is defined as:
- Inclusiveness and clarity of legal mandate to disclose information; inclusiveness of legal definitions of environmental information in the public domain

“Through this partnership...we look forward to collaborating with NGOs, other governments, and international organizations to ensure that local people have a voice and influence decisions that affect their livelihoods.”

Ruhakana Rugunda
Minister of Water, Lands, and Environment, Uganda
President of the African Ministerial Conference on the Environment

Closing the Gap: Information, Participation, and Justice in Decision-making for the Environment

The “Access Scorecard” at left provides a snapshot of the report’s findings.

The Example of TAI-Mexico

In Mexico, four civil society organizations representing constituencies and interests ranging from citizen participation to environmental education to international law convened a new coalition called TAI-Mexico. The coalition includes Centro Mexicano de Derechos Ambientales (CEMDA), Presencia Ciudadana Mexicana, Cultura Ecológica, and Comunicación y Educación Ambiental.

With initial guidance from TAI’s Core Team, which includes WRI and Chile’s Corporación Participa, TAI-Mexico then coordinated the work of their four diverse institutions to adapt and apply the TAI methodology. The partnership rapidly began to produce results. TAI-Mexico partners developed new, strong working relationships with staff at the Ministry of Environment, who provided crucial information about government practice.

Using their research results on facility-level reporting, TAI-Mexico is working with the national government to build in stronger access to information and participation provisions in Mexico’s new Pollutant Release and Transfer Registry.

TAI-Mexico also played a substantive role in influencing a dialogue on regional action for the advancement of the access principles, and in mobilizing Mexico’s participation in the Partnership for Principle 10.