



# The right to know

In a democratic society, people have the right of access to environmental information. However, for many years environmental conditions and the environmental impacts of various human activities were kept secret. In the USSR and other Central and Eastern European countries, for example, the public had limited access to information. Documents that were stamped “Not for Printing”, “State Secret” or “Confidential” were only accessible with special permission from specific organisations or institutions. Today, legislation in many European countries guarantees the public the right to obtain access to such information. In fact, governments are responsible for making such information easy to access. In Belarus, the right of free access to information is guaranteed by the Constitution. The Aarhus Convention has been signed by Belarus and entered into force in 2001.

Read through the case study below and discuss the situation it describes.



## Case study: Allergies and environmental pollution

Mr. Petrov is a teacher in a small town on the country's border. His school is located close to a chemicals factory. He is head of the school's environmental club and has carefully observed the health of his students over many years.

“After close observation, I gradually discovered a relationship between the allergic reactions experienced by my students and the pollution caused by the nearby chemicals factory. There are rumours that the factory's activities may soon be expanded, and members of the local population are seriously concerned. I would like to help, but in order to reach more accurate conclusions I need to know more about the emissions from the factory and their concentrations. For this, I need access to the relevant information. There is another factory in the neighbouring country, just across the border, and its activities also have an impact on our town. I need up-to-date information about the pollution from this factory, too. However, I have been told that I cannot obtain such information because I am a foreigner. I cannot understand what my nationality has to do with it when the pollution is not confined by borders...”



It is important to know that the local authorities are obliged to provide Mr. Petrov with all available information about the nature and quantity of the factory's emissions within a period of 10 days to two months (depending on the complexity of the issue). If the municipal authorities do not have this information, they are obliged to refer him to other institutions that do. There are, of course, several exceptions, the main one being if the information requested has a bearing on national security or foreign affairs. In any case, Mr. Petrov is entitled to a response and an explanation, and if he is dissatisfied with the response of the authorities he may take the matter to court.

Local authorities are also obliged to collect environmental information in order to protect people's health. They must disseminate this information in a timely manner through the local mass media. The publishing of environmental information in newsletters or daily broadcasts should be regular practice on the part of local and national authorities.

With respect to information from a neighbouring country, the Aarhus Convention guarantees the right of access to this data, assuming that both countries have signed the convention. The convention prohibits discrimination against people or organisations according to citizenship, nationality or place of residence.



# The right to participate

Public participation in environmental decision making makes governmental actions more transparent to the community, and makes the authorities themselves more accountable to society. The principle of public participation is one of the main prerequisites for sustainable development, as it contributes to better decisions that reflect the real needs of people and the environment. Citizens and civil society organisations should have the opportunity to express their concerns and views to the authorities regarding environmental impacts, and the authorities should take into consideration the needs of society.

Read through the case study below and discuss the implications.



## Case study: The new highway

The Ivanov family owns a farm close to a road. The family would like to expand its stockbreeding activities, but recent information about plans for infrastructure developments has raised serious concerns.

“I am very worried about the amount and speed of construction work lately”, says Mr. Ivanov. “There is little left of the once calm and quiet village road. Now they are planning to build a highway here. There will be far more traffic and higher levels of noise and pollution, which will have a negative impact on my stock’s productivity.”



“Plans to build a power transmission line are also alarming”, adds Mrs. Ivanova. “I have heard that electromagnetic waves have a negative impact on human and animal health, and that they even suppress normal plant growth. What will happen to our business then?”

According to the law, the authorities are obliged to involve the public in any decision-making process involving projects and activities related to metallurgy, waste management, industrial production, the construction of dams and roads, mining, the production of energy and chemicals, and other similar activities. The authorities should therefore make their intentions and plans public by disseminating information in an easy-to-understand format and in a timely manner that allows an adequate period for response.

This information should include a thorough analysis of the possible impacts of the future activity on the environment. The procedure for preparing such information is called an environmental impact assessment (EIA).

The authorities are also obliged to organise a public discussion about all such projects. The location, date and time of the meeting should be well publicised in advance. The public discussion should be organised before a decision is taken. The authorities are then obliged to take into account the various views and considerations presented. The decision itself should be based on the principle of general consensus, reflecting a maximum number of perspectives and minimising the potential impact of the future development on people’s health and the environment. Public participation is required not only in the case of new constructions, but also in relation to the development of plans, programmes or policies regarding the environment.