Assessing Access to Information, Participation, and Justice for the Environment:

A Guide

A publication of The Access Initiative

Assessing Access to Information, Participation, and Justice for the Environment: A Guide

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Note to the Reader

This version of *Assessing Access to Information, Participation, and Justice for the Environment: A Guide* is produced as a complement to the CD-ROM released in mid-2003. While this text provides guidance on how to perform an Access Initiative assessment, you will need either the PDF worksheets of the methodology or the CD-ROM to carry out an assessment. Information on obtaining these is available at www.accessinitiative.org or through correspondence with the staff of The Access Initiative at the World Resources Institute.

This text also appears, in slightly modified form, on the CD-ROM as the "How-to" Guide. We suggest that you use this text in tandem with the CD-ROM application, where you will find fuller information and interactivity, along with instructions on software use and data sharing.

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If you have any questions, please do not hesitate to contact the acting Secretariat of The Access Initiative at the World Resources Institute:

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Table of Contents

Introduction

Welcome to The Access Initiative's "How-to" Guide. Use this guide to assess how well your government provides the public with access to **information, participation,** and **justice** in decisions affecting the environment. Then, learn how to use your results to work for improvement.

What will I find in this guide?

You will find step-by-step instructions on how to assess your government and work towards improving access to environmental decision-making. The following provides an overview of the guide's chapters.

Chapter 1: The Access Initiative: An overview of the Access Principles (information, participation, and justice), what The Access Initiative is, what it has done, and what it can do for you.
Chapter 2: The Assessment, Step by Step: These are the steps you will need to take to conduct research, score your country, and put your results into action.
Chapter 3: The Methodology: Start here with an overview of the terms and tools you will use to conduct your research.
Chapter 4: Assessing Access to Information: Learn about what types of environmental information to assess and how to choose case studies.
Chapter 5: Assessing Participation: Learn how participation contributes to environmentally friendly decision-making and how you can assess whether such participation exists in your country.
Chapter 6: Assessing Capacity Building: Learn how to assess the social, legal, administrative and educational structures that support access to information, participation, and justice.
Chapter 7: Getting Involved: Learn how you can share your results and how your organization can contribute to and benefit from The Access Initiative and its related coalition, the Partnership for Principle 10.
Appendices: At the end of this guide you will find a glossary, a list of links to helpful Internet sites, a report outline to help you summarize your research, and other supplemental information and forms.

Please note: The Access to Justice section is under development and will appear in future versions of the guide.

Why should I use this guide?

After following the instructions in this guide, you can use your results to:

- Set priorities for changing environmental decision-making
- Find ways to improve the public participation system
- Put public participation on the agenda of policy makers
- Raise public awareness of opportunities to obtain information, participate in decisions, and seek redress and remedy
- Plan and undertake activities to address weaknesses
- Design public participation strategies for specific policy decisions
- Build a broad movement among the public for improved access to information, participation, and justice in decision-making

After using this guide, you will see where your government is performing well, where it could improve, and where it urgently needs to change. Use this knowledge to inform citizens about their rights, alert the media to potential risks, and give government officials recommendations based on real-world research.

Carrying out an assessment is a major undertaking, requiring dedicated staff, funding, and several months of work. However, it can allow you become part of a worldwide movement to give people a greater role in making the decisions that shape their lives and their environment.

How do I use this guide to measure access?

This guide tells you how to assess the four elements of a public participation system:

- Access to **information**
- Opportunities for **participation**
- Access to **justice**
- **Capacity building**

A National System of Public Participation in Environmental Decision-Making – What are the elements?

Information + Participation + Justice = **The Access Principles**

Laws + Government efforts + Civil society support + Education = **Capacity building**

The Access Principles + Capacity building = **National system of public participation**

To carry out your assessment of these elements, you conduct research and enter information into a database of over 100 *indicators*. These indicators are generated as you answer research questions – some focusing on laws and others on practice. (*Terminology note:* In this guide, the term "indicator" is used as shorthand to refer to both the research questions and their answers.) Your research will help you answer these questions and create detailed scores of your country's performance. *Chapter 3: The Methodology* includes instructions on this process.

Where do I go to get help or to make comments?

The glossary and web links included in the Appendices provide definitions, explanations and background material. If you have further questions or comments on the guide, please email us at access@wri.org or write to us at:

How to Guide Comments
The Access Initiative
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Your input can help shape future versions of this guide – see *Chapter 7: Getting Involved* to find out how.

Who designed this guide?

This guide is the creation of The Access Initiative (TAI), a coalition of civil society groups dedicated to improving access to information, participation, and justice at the national level. Please see Chapter 7 or www.accessinitiative.org for more information about TAI.

If you use this guide to create an assessment of the Access Principles and to publish a report, you may simply acknowledge that your methodology is based on the research of The Access Initiative. If you wish to share your results and you meet certain criteria, you may join TAI and have your research formally associated with it. To learn about the benefits of joining, see *Chapter 7: Getting Involved* in this guide.

We hope that you find this guide practical and useful. We especially hope that you can translate the results of your assessment into action. Our mission is to ensure that people around the world can participate in environmental decisions, making them fair and sustainable. You can be a part of this effort.

Chapter 1: The Access Initiative

This guide is one part of a larger effort to ensure that people are informed about decisions affecting the environment, that they have a say in those decisions, and that they are able to pursue redress if their rights to participate in decision-making are violated. These concepts are the **Access Principles**—access to information, participation, and access to justice in environmental decision-making. The Access Initiative (TAI) is devoted to making these principles a reality in countries around the world. Read on to find out more, and visit our website at www.accessinitiative.org.

Why are the Access Principles important?

People in Hai Duong, Vietnam, refused to drink the LASKA brand of bottled water, because they had **information** that what was labeled "mineral water" in fact came from local rivers.

Mexico City residents had opportunities for **participation** in the development of a federal zoning project and made sure that the plan incorporated environmental concerns such as land conservation.

In the United States, use of the federal **justice** system allowed an environmental group to sue the Department of Energy under the Freedom of Information Act and thus learn who was responsible for drafting the federal energy policy.

These examples and many more demonstrate what is possible when the Access Principles are a reality in a country.

When people have access to information, participation, and justice in environmental decision-making, they are empowered to safeguard public health and the environment. This guide provides instructions on assessing the status of these three Access Principles in a given country, as well as on examining capacity building— government efforts to ensure that agencies and the public have the educational, social, technological, and legal tools needed for meaningful access.

What is The Access Initiative?

The Access Initiative is a global partnership of non-governmental organizations (NGOs) working to increase public access to information, participation, and justice. In 2003, The Access Initiative (TAI) included over 30 NGOs as partners, bringing together experts in environmental law, policy, and sustainable development. Please see Appendix C for a list of partners.

TAI believes that the Access Principles are crucial to ensuring that environmental decisions are fair and sustainable. We also believe that using assessments to identify where countries stand on these principles is an effective way to work towards needed improvements in laws and institutions supporting access.

How did The Access Initiative start?

A global meeting of representatives from civil society and international organizations, governments, and academia launched The Access Initiative in November 2000. These experts defined the goals and methods of The Access Initiative.

Box 1.1
The Access Initiative mission

The global meeting which launched The Access Initiative defined the goals, strategy, and criteria of the coalition.

Method: Identify gaps in access at the national level through a universally applicable set of research questions (indicators)
Scope of the methodology: An assessment of the three Access Principles (information, participation, and justice) and of capacity building
Approach: Focus on methodology development with input from partners around the world
Criteria for partner selection: NGO partners from countries with "average" performance representing diverse geographical, political and cultural conditions
Short-term political strategy: Target outreach for the World Summit for Sustainable Development in 2002
National strategies: Strong collaboration with government

What has The Access Initiative (TAI) accomplished?

Since its launch, TAI has grown to include over 30 organizations in 9 countries. TAI has also developed an innovative, flexible methodology, which consists of indicators that address specific topics pertaining to information, participation, justice, and capacity building. See *Chapter 3: The Methodology* for more about the indicators.

TAI used the draft methodology to conduct pilot assessments in nine partner countries – Chile, Hungary, India, Indonesia, Mexico, South Africa, Thailand, Uganda, and the United States. These tests showed that a universal set of indicators—like the ones included in this guide—could be used successfully to capture access in different geographical, cultural, and political settings.

Each of the nine partners involved in the pilot efforts completed an assessment of the status of the Access Principles in their country, and each published a report presenting their research. The partners launched a variety of outreach efforts, workshops, and collaborations based on their findings. Many of the pilot countries are currently developing innovative relationships and strategies with their governments to encourage dialogue and action on the Access Principles. Please see www.accessinitiative.org or Appendix D of this guide for examples of products and strategies emerging from Access Initiative assessments.

The national findings were compiled and published in a global report, *Closing the Gap: Information, Participation, and Justice in Decision-Making for the Environment*. This publication supported a global strategy targeting the World Summit for Sustainable Development (WSSD). It is also used for outreach to an international audience through presentations and mailings. If you are interested in learning more about the results of the pilot assessments, you may download *Closing the Gap* from www.accessinitiative.org or you may order a copy from The World Resources Institute.

In addition to testing the methodology, publishing *Closing the Gap,* and strategizing for WSSD, The Access Initiative has:

- Expanded to include new partners
- Incorporated lessons learned in the pilot-test assessments to revise and enhance the research methodology

Box 1.2
The Partnership for Principle 10 (PP10)

In August and September of 2002, the World Summit on Sustainable Development (WSSD) was held in Johannesburg, South Africa. One outcome of this gathering was the launching of "Type 2" partnerships, which are collaborations between non-governmental organizations (NGOs), governments, and international organizations. The Access Initiative launched one of these "Type 2" agreements, The Partnership for Principle 10 (PP10). This coalition supports Paragraph 119 of the WSSD Plan of Implementation and Principle 10 of the 1992 Rio Declaration, both of which emphasize the need for information, participation, and justice in decisions affecting the environment. PP10 brings together public and private entities to translate TAI's findings into action. For more on PP10, please see www.pp10.org or *Chapter 7: Getting Involved* in this guide.

- Launched a new partnership, the *Partnership for Principle 10* (See Box 1.2).
- Produced this guide to allow you to assess access in your country.

What can I gain from The Access Initiative?

The Access Initiative (TAI) developed this guide to acquaint you with our methodology—the result of over two years of development, testing, and revision—and help you use it to assess your own government's performance relative to the Access Principles.

This guide also shows you how your research can have an impact well beyond your own country. For instance, by giving us feedback on your experience in using the TAI research methodology, you can help us make refinements that will increase its helpfulness and ease of use in future assessments.

You can also draw on the experience and resources of The Access Initiative by becoming a member and joining other like-minded organizations around the world in promoting access to information, participation, and justice.

If, after completing the assessment, you would like to become part of The Access Initiative, please read *Chapter 7: Getting Involved*. You will learn how your organization can join TAI and its related coalition, the Partnership for Principle 10.

By working with TAI you can become part of a worldwide movement to give people a greater role in making the decisions that affect their environment and, in turn, their lives.

For more on The Access Initiative, including assistance with this guide, updates on TAI activities, information on findings from the pilot countries, and contact information, please visit www.accessinitiative.org.

Chapter 2: The Assessment, Step by Step

This chapter provides guidelines on assessing your government's performance and on putting your results into action. We have broken the process into stages and provided examples from nine Access Initiative countries that have already completed assessments. (Please see Appendix C: The Access Initiative Partners for a list of those countries).

Building Your Coalition

The key to a successful assessment is a diverse team of researchers – a coalition.

What is a coalition and why do I need one?

A coalition is a team of several organizations and individuals coming together to perform the research and analysis tasks of an assessment. You will need such a team to use the methodology in this guide effectively. You can gain support from a group that includes:

- Non-governmental organization (NGO) representatives
- Lawyers
- Academics
- University students
- Journalists
- Other experts and consultants as needed

Working in a coalition allows you to divide up work, draw on multiple viewpoints, and reach broad audiences.

How is a coalition structured?

The size and structure of your coalition will vary depending on the needs and resources of your country.

In general, coalitions include:

- Several non-governmental organizations (NGOs) which can cover different geographical and topic areas
- A *lead organization* which coordinates efforts and keeps the coalition on track
- A *research team* with members from different organizations to conduct actual data collection and analysis
- An *advisory group*, a panel of experts that oversees the research and lends credibility to the effort

How many organizations and researchers are in a typical coalition?

Coalitions usually include two to four non-governmental organizations (NGOs), a team of three to five main researchers from those organizations, and additional researchers as needed. Below are examples of different types of coalitions from countries that completed pilot assessments in 2001:

- *Hungary:* 5 researchers from 3 NGOs
- *Indonesia:* 12 researchers from 4 NGOs
- *Uganda:* 4 researchers from 2 NGOs, 1 independent journalist
- *India:* 6 researchers from 1 NGO

Box 2.1
Building your coalition

Most of the pilot partners brought together several non-governmental organizations (NGOs) and experts from the fields of policy, public interest work, academia, media, and law to form their research team. National coalitions include people and organizations with the following types of skills:

- Knowledge of areas such as constitutional and environmental law and information management
- Experience with indicators for measuring trends in governance and environment
- Familiarity with industrial or economic sectors chosen as case studies (e.g., economic sectors with significant environmental impact, large contribution to gross domestic product (GDP), and substantial share of employment)
- Experience in outreach, media relations, and community organizing
- Ability to form and maintain contacts with government officials and agencies

How many coalitions can there be in a country?

The Access Initiative, which developed this assessment methodology, can support only one coalition in a given country. We are happy to help you contact a coalition, if one already exists in your country. If not, we will let you know whether other organizations and individuals have expressed interest in forming a coalition.

Who leads the coalition?

One NGO will serve as a *lead organization,* coordinating coalition efforts and helping the assessment run smoothly.

The lead organization:

- Convenes meetings of the coalition
- Devises a plan for the assessment and divides up tasks
- Ensures that the assessment is consistent and credible
- Helps coalition members coordinate their work and communicate with each other
- Sets deadlines and guides the review process
- Serves as a contact with The Access Initiative and coalitions in other countries
- Distributes the software and coordinates data entry and data merging (if using the CD-ROM)

Decide whether your group is willing and able to serve as lead organization, and meet with other interested parties to select a leader.

What is the role of the advisory group?

An *advisory group* is a panel of environmental, legal, public interest, academic, and government experts. This group does not conduct the assessment, but it provides guidance and oversight. Having advisors that are well-known and respected can bring credibility to and attract publicity for your assessment. The role of the advisory group is to:

- Provide advice on selecting case studies
- Monitor work and provide input
- Review results and correct errors
- Engage audiences beyond the coalition
- Help with strategy and action plans

To form your advisory group, work with the other members of your coalition and use contacts in government and civil society to request the participation of various experts.

One example of a diverse advisory group comes from The Access Initiative's partner coalition in Indonesia. That group included a professor of environmental law, officials from the Ministry of Environment and the National Chamber of Commerce and Industry, a Supreme Court judge, NGO representatives, and a member of parliament.

If possible, form your advisory group at the beginning of the assessment process. Coalitions in Thailand and Indonesia followed this approach and found it helpful.

Box 2.2
National TAI Coalitions

Each of the partners in The Access Initiative (TAI) took a different approach to forming a coalition. Your coalition will be unique to your country, but existing coalitions can provide good models of workable teams.

Chile:

- Corporación Participa (lead organization), a non-governmental organization focused on participation
- RIDES, a research center focused on environmental policy
- Fundación TERRAM, an organization focused on access to justice

Hungary:

- EMLA (lead organization), a national-level environmental law organization
- Hungarian Environmental Partnership Foundation, an organization devoted to public participation
- Miskolc Institute for Sustainable Development, a local organization dealing with access to information.

Mexico:

- Instead of selecting a lead organization, four organizations created a common coalition called The Access Initiative-Mexico.

Please see "TAI Countries" on www.accessinitiative.org for additional information on national coalitions and research teams.

Planning Your Assessment

Before you start your assessment, make sure you know what the audience of your assessment is, what products you hope to create, what resources you have available, and how you will approach the task.

What are the goals of and audiences for my assessment?

The ultimate goal of conducting research is to present findings to the public, the government, or civil society, and to encourage improvements in access. Having this in mind will focus your research and influence your outreach strategy. One of your first steps should be to consider:

- *Target audiences* for the results of your research (government, mass media, etc.)
- *Strategies* for outreach (workshops, press conferences, etc.)
- *Products* that could emerge from your research (materials such as research reports, press releases, pamphlets for the public, etc.)

See Appendix D for examples of activities and products by Access Initiative countries.

How long does an assessment take?

Conducting an assessment will likely take several months. The coalition in Thailand spent three months on research and scoring and an additional four months on reviewing the results, revising the work, translating the report, and preparing it for release. The Chile coalition reported spending a total of four months on the assessment. These teams were using the draft version of the methodology. This guide provides a more streamlined version which may take less time to use. However, be prepared for a large task. The exact amount of time you will need will depend on whether you complete the full assessment or a limited one, how many researchers you have, how efficiently they work, and what kind of outreach you plan.

To manage staff time, the lead organization should set deadlines for:

- Completion of research
- Completion of internal review by the research team
- Completion of external review by the advisory group
- Preparation and release of a research report
- Preparation and release of other products

How much does it cost to conduct an assessment?

The cost of an assessment will vary from country to country. Since it is impossible for us to provide specific cost information, we have instead included a list of activities that will need to be completed for the assessment and its related outreach.

You will need to budget for:

- Staff time for reviewing the methodology and conducting the research (an average of 500 staff hours is a good starting point, but this could vary significantly)
- Training workshops and meetings
- Meetings with other coalition members and with the advisory group

- Reproduction and mailing of letters, questionnaires, information requests, etc.
- Telephone calls, faxes, and (optional) Internet access for research
- Travel to research sites such as libraries in another city, government ministry headquarters, sites of emergencies or land concessions chosen as case studies, universities, etc.
- Consultants, interns, and/or university students to serve as additional researchers, if needed
- Production and distribution of your research report
- Production and distribution of any other planned products, such as CD-ROMs or pamphlets

Preparing for and Conducting Research

Conducting an assessment is a major task; this section provides general guidelines on how to approach it.

How can I get training on the methodology?

All researchers should be familiar with the methodology presented in this guide. The Access Initiative (TAI) provides training and workshops on using the methodology. The TAI Core Team organization in your region can answer questions and provide further resources. You may also email access@wri.org or write to TAI with basic questions at:

How-To Guide Comments/The Access Initiative
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Washington, DC 20002, USA
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Box 2.3
Core Team organizations by region

Africa
Advocates Coalition for Development and Environment (www.acode-u.org)

Asia
Thailand Environment Institute (www.tei.org.th)

Europe
Environmental Management and Law Association (www.emla.hu)

Latin America
Corporación PARTICIPA (www.participa.cl)

North America
World Resources Institute (www.wri.org/wri)

How should the workload be divided?

Research, planning, and outreach tasks will need to be matched with the skills of particular organizations or individuals. The lead organization can be responsible for assigning tasks and planning.

Planning tasks include:

- Determining target audiences and appropriate outreach products
- Securing funding and managing the budget
- Setting deadlines for completion of research
- Organizing meetings to launch the assessment and share findings
- Distributing the software and coordinating data entry

Research tasks include:

- Reviewing the methodology, deciding which parts of it to use, and determining how research tasks (such as interviews, site visits, and information requests) can be coordinated
- Conducting legal research on legislation, provisions, and court decisions pertaining to the Access Principles
- Researching access to information and making requests for environmental information
- Researching provisions for public participation
- Researching policy and practice regarding support for NGOs and environmental education
- Preparing the final research results, scoring, and research report
- Entering the research data into the database, and merging multiple database (if applicable)

Outreach tasks include:

- Writing and releasing the research report
- Preparing other outreach products (such as CD-ROMs, pamphlets, press releases, draft legislation, workshop agendas, curricula for environmental education)
- Presenting your findings, conclusions and recommendations to a broader audience, through press conferences, interviews with the mass media, and other activities

How do team members conduct their research?

Once they are prepared, team members collect information and answer over 100 research questions to generate *indicators* of performance (See Box 2.4). See *Chapter 3: The Methodology* to get started.

Box 2.4
Using Indicators to Evaluate Your Country

The methodology encompasses a series of *indicators* designed to measure the state of the Access Principles (information, participation, and justice) and capacity building in a particular country. (*Terminology note*: The methodology is made up of over 100 research questions. Once these questions are answered they generate indicators of performance. Therefore, in this guide the term "indicator" is used as shorthand to refer to both the research questions and their results.) For each indicator, there is a worksheet in the database with research guidelines outlining sources of information that should be consulted in evaluating the status of that indicator in your country. Based on your research, you will fill out the worksheet to document your research sources and select which one of three to five qualitative statements best captures the status of that indicator in your country. The statement you select will have a number value associated with it; the higher the number, the stronger the provisions for access to decision-making. If you are using the CD database rather than the PDF worksheets, you may use the "Reports" feature to generate customized clustered scores based on your values.

Reviewing and Analyzing Results

After you have used the database to enter all of your information, you can compile your data, have it reviewed, and develop conclusions or recommendations.

How should results be prepared for review?

Once the research is complete, each team member should submit results, documentation, scores, and preliminary findings and conclusions. Team members chosen to analyze data should compile the results and condense individual conclusions into an overall summary of preliminary findings. This analysis should be written in a standard format and distributed to all coalition members.

We strongly recommend that only two or three people analyze the results, so that the analysis can be completed quickly and efficiently.

How should the internal review be conducted?

Before the assessment results are submitted to the advisory panel, your entire research team should review the findings internally to ensure consistency and credibility. Questions or concerns can be addressed at this point by the responsible researcher. If necessary, you can consult original case studies and sources. Discuss the values selected for each indicator and agree on preliminary findings.

The objective of the internal review is to make sure that:

- You have provided references and citations for all research sources
- You have justified all of your value selections (that is, your scores)
- You have filled in all case selection forms and indicator worksheets completely
- You and your team agree on the analysis and conclusions

How do I create scores for my country's performance?

Once your research team agrees upon the research results, compile the results by hand (if using the worksheets) or by using the "Reports" function in the indicator database. These composite scores can illuminate patterns in your government's performance across various aspects of providing access to decision-making.

Once your scores are compiled, you can identify areas of weak, intermediate and strong performance. Use this information and your findings from the research to develop conclusions and recommendations.

How should the external review be conducted?

When your analysis has been completed, reviewed internally, and the results aggregated into composite score reports, it should be submitted to your advisory group for external review.

For an effective external review, make sure to:

- Provide the advisory group with all indicator scores and a summary of findings
- Provide the completed forms and worksheets from this guide
- Include conclusions and recommendations for comment

- Agree on a deadline and format for feedback from the panel
- Respond to all questions and concerns from the advisory group and gather its advice on outreach strategies
- Make both the comments from the reviewers and your responses to them available to the public

Putting Results into Action

For your assessment to be most effective, you will need to share your findings with outside audiences and continue monitoring access to information, participation, and justice.

What products and outreach strategies should my team develop?

Depending on the target audiences you hope to reach, you can develop a range of products and strategies. First, though, you will need to prepare a basic research report. Use the Report Outline included in Appendix F as a template. See the list below for other outreach ideas, or read about the products that Access Initiative countries have developed in Appendix D.

Suggested outreach strategies include:

- Holding a press conference to launch your report and invite response from the media, government, and NGOs
- Publishing a pamphlet to educate the public on the Access Principles (information, participation, and justice) and how to use them
- Developing a curriculum to help students in primary and secondary schools learn more about access to information and participation in decision-making for the environment
- Developing a training program for judges and/or lawyers to help them learn about the newest environmental laws and make informed and just decisions in environmental cases
- Establishing an email list-serv to disseminate your report and spur discussion on access issues

To learn more about how other countries released their results and what they are doing to encourage action, see Appendix D or go to "Events" on www.accessinitiative.org.

How can I ensure continued improvement in my country?

To ensure that your government will continue to improve and to support the Access Principles (information, participation, and justice), conduct repeat assessments. Most current Access Initiative partners plan to conduct assessments about every two years. For instance, the Silicon Valley Toxics Coalition in the United States plans to add and assess new indicators on an ongoing basis.

Using the methodology in this guide (or in future versions), plan to conduct follow-up assessments to measure whether your government has made progress in implementing the Access Principles. Your team can then use the strategies described in previous steps to call attention to your new report and encourage the government to take action.

How can I share my results and take my involvement further?

Besides having an impact in your own country, you can also share the results of your assessment with a worldwide forum of public and private entities dedicated to upholding the Access Principles of information, participation, and justice. Please see *Chapter 7: Getting Involved* in this guide to learn how you can submit your data for review and comparison, and how you can become part of The Access Initiative and its related coalition, the Partnership for Principle 10.

Chapter 3: The Methodology

This chapter describes the structure, terms, and tools you will be using to conduct your assessment. It also provides guidance on research methods and on selection of case studies.

Overview

Before you start your assessment, you should be familiar with the topics you will be assessing and the logic behind the methodology.

What is the methodology?

The methodology is a set of instructions and questions allowing you to assess your government's public participation system. These research questions generate over 100 indicators of your country's performance in providing access to information, participation, and justice in law and in practice. (*Terminology note*: In this guide, the term "indicator" is used as shorthand to refer to both the research questions and their answers.) These indicators are divided into four categories:

Category I: Access to Information. Information is the cornerstone of decision-making, providing the public with knowledge and evidence to make choices and monitor the state of the environment.

Category II: Participation. Participation allows citizens to express opinions, challenge decisions, and shape policies that could affect their communities and environment.

Category III: Access to Justice. Mechanisms for justice enable citizens to seek remedy if they do not have full access to information and participation or if government decisions do not take the environment into account. *Please note:* The indicators in this category are currently in development and will appear in future editions of the guide.

Category IV: Capacity Building. Capacity building efforts by the government ensure that individuals and groups have knowledge, skills, and support to obtain environmental information, participate in decision-making processes, and demand justice when their rights to access have been violated.

Together these categories create a cohesive system for fairness, understanding, and public involvement in decision-making which is greater than the sum of its parts.

How does the methodology address both law and practice?

Each of the categories—access to information, participation, access to justice, and capacity building—is assessed through *law indicators* and *practice indicators.* Law indicators evaluate the general legislative and judicial framework for guaranteeing access, while practice indicators are applied to selected case studies to examine real-world conditions. Using both types of indicators allows you to identify gaps between a country's policies and its actual implementation of the Access Principles.

Box 3.1
Assessing Law and Practice

Law indicators – These indicators are intended to assess the legal framework supporting access, such as constitutional guarantees, court decisions, and rules and regulations. The legal framework is crucial, because it provides support for the Access Principles and the mechanisms for redress and remedy in case those principles are violated.

Practice indicators – Even a well-developed legal framework does not ensure public access to relevant information or meaningful participation. The practice indicators in this guide are designed to evaluate performance in certain case studies (also referred to as "cases") assessing whether the Access Principles are actually being implemented. Cases selected for assessment may consist of events (e.g., an environmental emergency), decision-making processes (e.g., a land use plan), or institutions (e.g., a particular government office). Constructing indicators around these case studies helps focus your research and enable you to assign scores for performance in providing access in actual situations.

How can I adapt the methodology for my country?

Our goal in developing this methodology over the past two years has been to create indicators that are both universally applicable and flexible. There are several ways that you can adapt the methodology to fit your purposes and situation:

- Select case studies that are representative of your country's economic structure and environmental conditions.
- Conduct a shorter assessment if you have limited time and resources. See Box 3.2 for more information.
- Adapt or add indicators to address topics not included here but important in your country. We have constructed the methodology in a modular fashion so that you may write new indicators, using existing ones as a template. For instance, in *Category I: Access to Information*, you can add indicators measuring additional types of information, such as product labeling.
- Provide feedback on your experience. Help us make the indicators more accurate and easy to use for your future assessments and for other researchers. Send an email to access@wri.org with your suggestions, questions, and proposals, or write to us at:

How to Guide Comments
The Access Initiative
World Resources Institute
10 G Street NE Suite 800
Washington, DC 20002 USA

Box 3.2
Limiting Your Assessment – Priority Indicators

We understand that not all organizations have the time, staff, or funding to conduct a complete assessment using all of the indicators. For this reason, The Access Initiative has identified a core set of *priority indicators* that we believe are most important. If you must limit the scope of your assessment, we suggest that you do so by assessing only these indicators. Priority indicators are those which, according to our partners' research, establish a minimum baseline of information and provide a proxy for overall performance. Using these indicators will allow you to limit your assessment, but still gain information on each of the categories and subcategories. Priority indicators are clearly labeled as such on their hard copy or electronic worksheets.

You will find other suggestions for limiting your assessment in Chapters 4-6.

Organization and Definitions

This section introduces you to how the indicators are grouped and defines the terms used to refer to these groups.

A hierarchical structure is used to divide the indicators into topic areas. Four main *categories* are divided into *subcategories*. Under each subcategory, research questions or units called *indicators* appear. Each indicator is accompanied by several *values*, or score statements.

Categories are the four major areas that are assessed by the methodology. They represent the elements of a public participation system - the three Access Principles and capacity building.

Categories

Category I: Access to Information
Category II: Participation
Category III: Access to Justice (in development)
Category IV: Capacity Building

Subcategories are divisions of a category addressing a particular topic. Each subcategory contains law indicators addressing a given country's legal framework, or practice indicators addressing a particular type of case study. Each subcategory is identified by letters (A, B, C) for reference.

Subcategories in Category I: Access to Information

A. General Legal Framework
B. Information about Environmental Emergencies
C. Information from Regular Monitoring
D. Information from State of Environment Reports
E. Facility-Level Information

Indicators are generated by answering specific questions about access to information, participation, justice, and capacity building. (*Terminology note*: In this guide, the term "indicator" is used as shorthand to refer to both the research questions and their results.) Each indicator addresses one narrow topic, allowing the researcher to go into depth and produce a detailed justification for the score assigned on that topic. Each indicator is identified by its category (Information, Participation, Justice, or Capacity), a short version of its subcategory title (such as "Law" for "General Legal Framework"), a number, and a title. Indicators are grouped under topic headings for ease of reference. Each indicator contains several values or qualitative statements, one of which you select to answer the research questions posed.

Indicators in Category I, Subcategory A: General Legal Framework supporting Access to Information

Note that each indicator is identified by its category, a short version of its subcategory title, a number, and a detailed title:

Information/Law 1. Freedom of press
Information/Law 2. Freedom of speech
Information/Law 3. Right to access to public interest information

Values are qualitative statements used to measure access. They describe different levels of performance in a particular indicator. Each indicator has three or four values. For each indicator, you will choose the value statement that most closely reflects the situation in your country. Values are designated by numerals (i, ii, iii, iv, and v), with low numerals (i, ii) representing weak performance and higher numerals (iii, iv, and v) denoting better performance.

Values for Indicator Capacity/Law 3, Tax Conditions for Non-Governmental Organizations (NGOs)

(i) There are no tax exemptions or reductions for NGOs in the tax codes.
(ii) Tax codes provide that most or all NGOs pay reduced taxes.
(iii) Tax codes provide that most or all NGOs are tax-exempt.

In this example, value (i) reflects the worst situation, value (ii) reflects intermediate performance that could improve, and value (iii) represents the best practice. Based on your research for this indicator, you will select the value that best reflects the situation in your country.

See Appendix E for charts displaying the organization of the indicators according to category and subcategory.

General Research Instructions

This section describes the methods and tools you will use for your assessment in seven steps. When you are ready, you can find more detailed information in the assessment chapters – *Assessing Access to Information, Assessing Participation* and *Assessing Capacity Building.*

1. Choose sectors or areas to focus your assessment.

To assess your country's system of public participation, you may want to focus on a few common sectors of the economy, government, or industry. Case studies, or cases, are examples that allow you to examine access in practice. By selecting laws and case studies from a common sector, you can make your research more efficient. You can also gain an in-depth view of that particular sector.

If you select cases that all relate to one sector of industry (such as mining or logging), you can reduce the number of visits and information requests involved in the research process. For instance, you could interview an official at the Ministry of Mining for information about capacity building in the government, and then inquire about an environmental impact assessment for a new mine shaft as a case study of participation in development projects.

2. Choose and record case studies.

Once you have decided which areas or sectors you want to assess, select case studies that fall into those sectors. You will find more detailed information in Chapters 4-6, but start here for an overview.

Box 3.3
Tips for selection of case studies

Let the expertise and knowledge of coalition members and advisory group members guide and inform your selection of cases.

Choose cases that are typical of your country—not necessarily those that demonstrate best or worst practice.

Where applicable, choose recent cases. This will make it easier to find data and will most accurately reflect the current situation in your country.

Choose as many case studies as your time and resources will allow. The more cases you use, the deeper and more credible your assessment – so do not feel limited by the minimum suggested. The database will allow you to add as many case studies as you wish.

Law indicators:
Legal research does not require selection of case studies per se. You will need to consult legislation that is specific to the indicator.

Bodies of law which will be generally useful include:

- National Constitution (or equivalent)
- Bill of Rights (or equivalent)
- Laws on access to information and participation
- Environmental protection legislation
- Regulations on the judicial process
- Freedom of Information and Right-to-Know rules
- Rules on review procedures for development processes

- High court cases dealing with access to information and participation

Remember to read attachments and official explanations that may accompany legislation. Consult with legal scholars and environmental lawyers for additional information.

Practice indicators:
Case studies for assessment of practice can be events, decision-making processes, or institutions. See the list below for an overview of case types you will select.

For Category I: Access to Information

- Two different environmental emergencies, one large and one smaller-scale
- An air-quality monitoring system and a water-quality monitoring system
- Published State of the Environment reports
- Five industrial facilities with records of compliance with environmental requirements

For Category II: Participation

- One of each of the following: a policy, a plan, a program, a strategy and a law that addresses a development activity or sector relevant to the environment
- Two project-level decisions (e.g., a particular government mining or forestry concession, a permitting plan and accompanying environmental impact assessment (EIA), etc.)

For Category IV: Capacity Building:

- Three government agencies dealing with the environment or in sectors with environmental impact (i.e., Ministry of Environment, ministries of land, water, forestry, mining, energy, transportation, etc.)
- One or more high court(s)
- One or more mid-level court(s)

For more information, read chapters 4, 5, and 6 – *Assessing Access to Information, Assessing Participation and Assessing Capacity Building*. The text provides clear guidelines on how to choose a case study.

Box 3.4
Tips for making information requests

Devise a standard request letter that can be adapted for different agencies and different types of information, but make sure that your request is specific, listing exactly the file or record that you need with date, title, and subject.

To assure a non-biased response that accurately reflects how the government responds to requests from "average" citizens (rather than from NGOs), you could consider having an intern, a student, or someone else from outside your organization make the request in their own name.

Record the date you sent or made the request and the date you received a response.

Once you have chosen a case study, you will need to record the information about it. Before you begin using the indicators, make sure to:

- Fill out the forms in each assessment section with details about your case study – title, date, location, etc.

- Click on "Cases" to enter your case study information when you start to use the database.

3. Use the Indicator Chart for orientation.

Because there are over 100 indicators in the database, it is important to understand how they relate to each other and how they are divided. The Indicator Chart provides a graphical tool to help you understand the organization of the indicators.

The Indicator Chart displays all of the indicator titles in a category, displays all subcategories and their indicators, displays topic titles, shows you which indicators ask similar questions or address similar issues, clearly marks which indicators are priority, and shows you how indicators are titled and numbered.

You will find an Indicator Chart in each assessment chapter and in Appendix E.

4. Conduct research and collect information.

After using the Indicator Chart to decide which indicators to assess first, enter the database. Navigate to the indicator you want to view. You will see an "Instructions" screen and a field entitled "Research Guidelines." Use the suggestions there to guide your research efforts and gather information. Research methods are described below.

-*Consult*: After this heading, you will find a list of laws, files, publications, websites, or media sources that can provide information. You will need to review literature, search on the Internet (if you have access), look through back issues of newspapers, go to an agency or facility and looking through their files, or look through legal records and regulations.

-*Request*: This heading signals that you need to send an institution, facility, or individual a specific request for information. Look through the indicators and find other requests that could be directed to the same agency. Depending on the situation and agency, you may make a request by visiting the institution, calling and requesting the information, sending a formal letter, or sending an email or Internet request form.

-*Interview:* You will find suggestions for types of officials or representatives from agencies, facilities, organizations, or communities who could be useful in providing information. You may conduct interviews in person or over the phone. A useful technique is to compile interview questions from several indicators into a questionnaire that can be sent through the post or via email.

Please note: The research guidelines presented in this guide are purposely general in nature. They may be adapted to the legal structure, political structure, and available research sources in different countries. You may use different or additional research techniques. If you find enough information after consulting just one or two of the suggested sources, it is not necessary to consult all of the sources unless you need to confirm information or resolve contradictory data.

5. Enter your information in the indicator worksheets.

Once you have collected information for one or more indicators, you will need to enter it in the database (or hard copy indicator worksheets if you do not have the CD-ROM). Each indicator has its own worksheet with three parts:

Instructions: Make sure to read these first, as they provides ideas for research (see Step 4) and guidelines on selecting values.

Researcher/source information: Enter your name and the title of your case (If you haven't already done so, you will be prompted to enter your case study in the case database). Enter your research citation in the appropriate field. Fields on the worksheets are described below:

- *Website:* If you have Internet access and used it to find information, record the url (address) of the web page you used here.
- *Source:* Cite any source that you consulted, such as a file, a document, a particular law, a published book or report, or a mass media publication such as a newspaper or magazine. Record the title, the date the source was created or published, and the chapter, article, or page number where you found the specific information.
- *Interview:* If you interviewed individuals to gain information, record the office, agency or organization that they represent and the date of the interview. If you wish, record the interviewee's name and title in the "other information" field. Use this field for surveys or questionnaires as well; record the date a response was received.
- *Request:* If you send a specific information request to an agency or institution, please record the name of that office or agency. Make note of the day you sent the request and the day you received a response; record the numbered of days in between in the "Response rec'd" field.
- *Other sources and information:* If you have additional sources or types of sources (for instance, a film or a public bulletin posting) that do not fit in the given fields, list them here.

Responses/Values:
Here you will find a list of three to five qualitative statements, each marked with a numeral. Choose the value (statement) that best reflects the situation in that country and double click to select it. The statement will appear in the box to the right.

Box 3.5
Tips for documenting research

- You do *not* have to fill in all of the research documentation fields for every indicator. Simply complete the ones that are applicable for that particular indicator.
- Be as detailed as you can in recording information. This will make it much easier for you or other researchers and reviewers to go back and check your references.
- If you have more than one example of a particular type of source (such as a website), click on the "Add Another Record" button to record it on a new screen rather than listing it in the same field. You may add as many records as you wish.

Tips for selecting values:
Select only one value (statement and associated numerical score) for each indicator. This will make the process of scoring and comparing cases much easier. If the situation in your country seems to fall "between" two values, rather than selecting two values, please choose the one that more closely captures the situation and then explain the discrepancy.

Select a value for every indicator you assess. Even if the values do not reflect the situation in your country exactly, choose the closest one. Explain the discrepancy in the Justification box. If you would like, propose an alternative value that can be used in future assessments.

Be sure to complete and score separate indicator worksheets for each case study. Filling out a separate indicator worksheet for each case study ensures that your scores are specific to each case.

Justification/Comments: This field allows you to enter an explanation of why you selected a particular value. This justification can:

- Include a more detailed description of your research sources.
- Explain why the situation in your country is slightly different from the statement you selected.
- Explain any other circumstances that you think are important.
- Allow you to comment on the values or the indicator if you think they could be improved or changed.

Tip for using the CD-ROM: When you have finished entering information for an indicator, you can print out the worksheet. You can also print a blank indicator worksheet to take with you and fill in manually on research trips.

6. Create scoring reports and analyze results.

If you have the CD-ROM version, check the "Indicator Overview" to make sure all indicators are marked as complete. Then, use the "Reports" feature to view and print out customized scores for different subcategories, categories, or other groupings of indicators. See the User Instructions file for more detailed information on score reports.

If you do not have the CD-ROM version of the indicators, aggregate and calculate your scores based on the values you entered on the different worksheets.

When you have your scores, you and your research team should share and analyze your findings. See *Chapter 2: The Assessment, Step by Step* for guidance on this process.

Chapter 4: Assessing Access to Information (Category I)

This chapter outlines the types of information you will examine in the assessment. It also provides guidance on selecting case studies.

Overview

Start here for an introduction to access to information and to learn about the components of this chapter.

What will I find in this chapter?

You will find sections describing the five subcategories of indicators that form Category I: Access to Information. In each of these subcategory sections, you will find:

- Descriptions of what the indicators in a subcategory assess
- Suggested research methods
- Guidelines for selecting case studies
- Forms for you to record information about your case studies

The subcategories in Category I: Access to Information assess laws regulating access to information, as well as case studies of access to four types of information. These four types were selected to illustrate a range of purposes, levels of urgency, and audiences. The five subcategories are listed below, along with their short titles:

Subcategory A: General Legal Framework Supporting Access to Information (Information/Law)

Subcategory B: Information about Environmental Emergencies (Information/Emergencies)

Subcategory C: Information from Regular Monitoring (Information/Monitoring)

Subcategory D: Information from State of the Environment reports (Information/SOE)

Subcategory E: Facility-level Information (Information/Facility)

The Indicator Chart for Category I: Access to Information, displaying all subcategories and indicator titles, appears at the end of this chapter.

When you have reviewed the subcategory sections, move on to *Using the Indicator Chart and Limiting Your Assessment*, where you will learn how the indicators are organized and how you can select the most important ones to assess.

Why is access to information important?

Access to environmental information supports meaningful personal and organizational choices and decisions. Environmental information can be of great urgency and importance – or it may be less immediate but crucial to daily decisions or the formation of long-term policies. Different types of environmental information can be used to:

- Protect human lives, biodiversity and the environment in urgent situations such as a chemical accident
- Shape daily decisions; for instance, whether to drink water from local wells, whether to go for a walk on a day with high

levels of air pollution, or whether to buy a certain product
- Support decision-making that has long-term impacts, such as changing policies on facility reporting requirements or increasing general awareness of environmental issues

Public access to certain types of environmental information urges better environmental performance. For instance, public oversight of how facilities comply with environmental standards or what they discharge in the environment is a powerful motivation for improved environmental performance by industry.

Subcategory A: General Legal Framework Supporting Access to Information (Information/Law)

This section generally describes the purpose and scope of the indicators assessing laws on access to information. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory A (Information/Law) contains indicators assessing the legal basis for access to information in constitutional law, court decisions, national law, and other provisions. The indicators in this subcategory, so-called law indicators, are designed to assess whether the law consistently establishes conditions for access to information.

What are the research methods for this subcategory?

To assess the law indicators in Subcategory A (Information/Law), you will need to review:

- Your national constitution, bill of rights, high court decisions or equivalent
- Laws on information in the public domain such as Freedom of Information Acts (FOIAs)
- Body of environmental protection laws and regulations
- Procedural and administrative laws on information and its definitions

Be sure to read attachments and official explanations that may accompany legislation. Consult with legal scholars and environmental lawyers for additional information about laws or court decisions that could be relevant.

What kind of case studies should I select for this subcategory?

You do not need to select case studies for Subcategory A (Information/Law). Consult the types of legal sources described above or other relevant legislation.

Subcategory B: Information about Environmental Emergencies (Information/Emergencies)

This section generally describes the purpose and scope of the methodology's indicators which assess case studies of access to information about emergencies. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the database on the CD-ROM version.

What does this subcategory assess?

Subcategory B (Information/Emergencies) contains indicators assessing access to information *during* and *after* an environmental emergency. Information provided *during* an emergency alerts people to the immediate actions they can take to protect themselves. Information provided *after* an emergency (for example, through the findings of an ex post investigation) is important in alerting the public to possible long-term impacts on health and the environment.

The indicators in Subcategory B (Information/Emergencies) are organized according to four common topics about access to information during and after an emergency:

- Mandate or legal requirement to collect or disseminate information during/after an emergency
- Existence and quality of information systems during/after an emergency
- Efforts to disseminate information during/after an emergency
- Quality of information accessible to the public during/after an emergency

Note: In this subcategory, each indicator is applied to information provided *during* the emergency and information provided *after* the emergency. Indicator worksheets labeled **a** address information *during* the emergency, while indicator worksheets labeled **b** address information *after* the emergency:

Information/Emergencies 8a: Efforts to reach mass media *during* the emergency
Information/Emergencies 8b: Efforts to reach mass media *after* the emergency

What are the research methods for this subcategory?

Research methods for this subcategory include legal research, media searches, document review, Internet searches, information requests, surveys, and interviews. You will apply these research methods to gather information on two case studies: one large-scale emergency and one smaller-scale emergency.

Box 4.1
Tips for conducting research

Instead of setting up interviews, you may conduct a survey among a segment of the population or among organizations that have a stake in the selected case studies.

Review all indicators in this category before you start you research and identify how many groups of individuals you will need to interview or how many institutions you will need to visit. Combine your questions and be sure to address all relevant indicators in each interview. You may use the same approach with written requests for information.

General information on research methods and sources appears below, along with a list of indicator numbers. These numbers appear in the database, where indicators are labeled as Information/Emergency 1a, Information/Emergency 1b, and so on. Look through this table to coordinate your research efforts before starting your assessment.

Please note that you will find more detailed information on methods and sources accompanying each indicator worksheet. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	**To be used for Information/Emergency indicators numbered:**
Legal documents: Consult laws and mandates such as environmental protection laws, confidentiality regulations and emergency response and reporting laws.	1a, 1b, 2a, 2b, 3a, 3b
Documents, materials, and databases: Consult relevant material from websites, various government and company files and records, media sources, and libraries or other public repositories.	4b, 6b, 7a, 7b, 8a, 8b, 10a, 10b, 11b, 13a, 13b
Interviews: Conduct interviews with or send questionnaires to one media/public relations official from responsible agency, two other officials from responsible agency, and five community and NGO representatives.	4b, 6b, 8a, 8b, 10a, 10b, 11b, 13a, 13b, 14a
Requests: Send formal requests for information to various government agencies and facilities.	12b
Institutions and Organizations	**To be consulted for Information/Emergency indicators numbered:**
Government agencies: Agency responsible for dealing with emergency (responsible agency)	4b, 6b, 7a, 7b, 8a, 8b, 10a, 10b, 11a, 11b, 12b, 13a, 13b, 14a
Facilities: Facility/ site where emergency occurred	4b, 6b, 7a, 7b, 8a, 8b, 11a, 11b, 13a, 13b, 14a
Non-governmental organizations/community groups: 5 NGOs or community representatives	10a, 10b, 14a
Media: 2 local or national newspapers Internet news pages or other media outlets	8a, 8b, 13a, 13b

What kind of case studies should I select for this subcategory?

You will be selecting a minimum of *two* case studies: one large-scale emergency, and one smaller-scale emergency. If your team has the resources to do so, assess numerous emergencies to gain better insight into your country's public participation system. Please note that you will fill out a separate Indicator Worksheet for each case study.

To select appropriate case studies for the assessment, select environmental emergencies that:

- Are caused (directly or indirectly) by human activity
- Have impacts on human populations (deaths, illnesses, injuries, evacuations), biodiversity (deaths or injuries suffered by local species), or environmental resources (contamination or destruction of soil, air, water, forests, etc.)
- Are representative (e.g. are handled in a way similar to that in which other emergencies of comparable size and impact have been handled)

While sharing these basic characteristics, the emergencies selected for assessment might differ in scope (e.g., impacts on local fish species but not on local human populations), scale (e.g., national versus local) and severity of impact (e.g., evacuations but not deaths). For examples of emergencies chosen as case studies in the pilot assessment, please see Appendix 1 of *Closing The Gap*.

Make sure to note whether the emergencies you have selected are fairly typical of how well the government provides access to information, or whether they represent unusually strong or unusually poor government performance.

Guidelines for selecting Case 1: Large-Scale Emergency

To use the indicators in Subcategory B (Information/Emergencies) most effectively, select a large-scale emergency as a case study.

The large-scale emergency should:

- Involve a site and/or causes linked to human activity (i.e., *not* a purely "natural" disaster such as a hurricane or volcanic eruption)
- Involve response by national authorities (Ministry of Environment, federal emergency response workers, etc.)
- Involve measurable impact on human populations (deaths, injuries, illnesses or evacuation directly caused by incident) *and/or* measurable impact on the environment (change in quality of air, water, soil) *and/or* measurable impact on biodiversity (change in behavioral patterns, illness, injury or death of species in area)
- Have occurred in the last 5 years, and more recently if possible

When you have selected an event that meets these criteria, fill out Form IB to record information about it. This will be an important reference and will assist you in filling out the "Cases" database included with the indicators.

Box 4.2
Example of a large-scale emergency chosen as a case study

Severe pollution of Lake Victoria (Uganda):
In March of 1999, approximately 30 fishermen dumped toxic substances into Lake Victoria, one of the largest fresh water lakes in the world. The resulting deaths of millions of fish damaged the economy of Uganda, where fish exports are a large source of revenue and a vital source of employment for lakeshore communities. Because of the seriousness of the case, national level authorities responded by forming task forces, promulgating new regulations on fish quality standards, and launching a public awareness campaign.

Guidelines for selecting Case 2: Small-scale emergency

For comparison, you should also select a smaller-scale, more commonplace emergency as a case study.

The small-scale emergency should:

- Be representative (similar emergencies have occurred before and will likely occur again, and there is no reason to believe that this emergency was handled differently than others)
- Have occurred at a private facility (industrial factory or plant, landfill, warehouse, etc.) or be caused by a private company
- Have impact on humans or environment outside of the grounds of the private facility
- Involve response from local authorities (e.g., city task force, local fire department)
- Involve dangerous substances that could cause harm to environment (toxic materials, chemicals, etc., as defined by Annex 1 of the Seveso directive.
- Have occurred in the last 2 years, and more recently if possible

When you have selected a smaller-scale emergency that meets these criteria, fill out Form IB to record information about your case study *before* assessing the indicators in Subcategory B (Information/Emergencies). This will be an important reference and, if you are using the CD-ROM, will assist you in filling in the "Cases" database included with the indicators.

Note: If you have limited time or resources for your assessment, assess only access to information provided *during* the emergencies rather than access to information provided *after* the emergencies.

Box 4.3
Examples of case studies of smaller-scale emergencies

Fire at chemical factory in the city of Viña del Mar (Chile):
On March 22, 2000, a fire broke out at the Oxiquim chemical factory in Vina del Mar, killing two people and injuring several others. A toxic cloud created by 30,000 liters of burning fuel covered the city, while chemicals spilled into a nearby river. Local and regional emergency authorities handled the incident. While information was neither complete nor timely during the incident, high quality information was available after the emergency.

Fire at Flex Industries in the Malanpur-Ghirongi Industrial Belt (India, 2001):
In Gwalior, Madhya Pradesh, a fire broke out in an industrial facility which resulted in the deaths of 13 workers and injuries to 3 others. Local authorities responded. No emergency action was taken in neighboring communities and no information was distributed.

How do I record my case study selections?

Use Form IB to record the details of the emergencies that you selected. This will be an important reference and, if you are using the CD-ROM, will assist you in filling in the "Cases" database included with the indicators.

Make sure to note on the form whether the emergencies you have selected are fairly typical of how well the government provides access to information, or whether they represent unusually strong or unusually poor government performance.

Form IB: Information about Environmental Emergencies

Before assessing the indicators for Subcategory B (Information/Emergencies), please record the following information for each of the emergencies you have chosen. Duplicate or add forms if you assess more than two case studies.

	Emergency 1: Large-Scale, National	Emergency 2: Small-Scale
Type of emergency:		
How typical a case is this for your country? *How often do similar emergencies occur?* *Is it comparable to other recent emergencies in terms of size, scale, type, performance by responding agency, and impact?*		
Duration of event (give starting and ending date, to best of knowledge):		
Location of emergency *City:* *Province/Region:* *Country:* *Other features of area:*		
Description of event (a paragraph explaining the course of the emergency):		
Impact of emergency *Human impact (# of deaths, injuries, illnesses, evacuation, etc.):* *Biodiversity impact (damage to or death of local species):* *Environmental impact (water or air pollution, soil contamination, destruction or damage of forest or other ecosystem, etc.):*		
Responsible party: *Responding agency:* *Level of government responding:*		

Subcategory C: Information from Regular Monitoring (Information/Monitoring)

This section generally describes the purpose and scope of the indicators assessing case studies of monitoring system. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the actual indicators, download the PDF worksheets from www.accessinitiative.org or se the CD-ROM version.

What does this subcategory assess?

Subcategory C (Information/Monitoring) contains indicators assessing access to information from air and drinking water monitoring. These indicators provide insight into how well the government distributes information about the environment under ordinary, relatively constant circumstances. Air and water monitoring were chosen for assessment because systems for these types of data collection are generally well-established and widespread. Affecting public well-being on a daily basis, air quality and water quality are crucial in any geographical or cultural setting. Information from regular monitoring efforts can help individuals and communities make knowledgeable choices and urge improvements in air and drinking water quality.

Most countries have undertaken some efforts to monitor ambient air and water quality. The purpose of monitoring air quality can be to reduce human health impacts (e.g., from high concentrations of particulate matter or toxic chemicals such as ground-level ozone) or to reduce environmental impacts (e.g., impacts from pollutants responsible for acid deposition and resulting damage to lakes, forests, soils, buildings, etc.). Water quality monitoring is multifaceted and includes testing of both underground sources and surface waterways. For the purposes of this assessment, we suggest that you examine monitoring of drinking water quality because of its direct impact on public health.

The indicators in this subcategory are organized according to four common topics of access to information:

- Mandate or legal requirement to collect and disseminate air/drinking water monitoring information
- Existence and quality of air/drinking water monitoring system
- Efforts to disseminate information about air/drinking water quality
- Quality of air/drinking water quality information accessible to the public

Note: Each indicator in this subcategory has two worksheets: **a.** Access to monitoring information about air quality, and **b.** Access to monitoring information about drinking water quality.

What are the research methods for this subcategory?

To assess access to air and drinking water quality monitoring information, you will conduct legal research, media searches, document review, Internet searches, information requests, surveys, and interviews. You will apply these methods to gather information on at least two case studies: one air quality monitoring system and one drinking water quality monitoring system. These systems should be fairly representative of systems in your country (e.g. should represent typical rather than best or worst performance).

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear in the database, where indicators are labeled as Information/Monitoring 1a, Information/Monitoring 1b, and so on). Look through this table to coordinate your research efforts before starting your assessment.

Please note that you will find more detailed information on methods and sources accompanying each indicator worksheet. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	**To be used for Information/Monitoring indicators numbered:**
Legal documents: Consult laws and mandates such as environmental protection laws and requirements for collecting and reporting data on air and water quality	1a, 1b, 3a, 3b
Documents, materials, and databases: Consult relevant material from websites, air and water quality data reports (electronic or hard copy), monitoring agency files and records found in libraries or other public repositories, and media sources.	4a, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 8a, 8b, 9a, 9b, 10a, 10b, 11a, 11b, 13a, 13b, 14a, 14b
Interviews: Conduct interviews with or send questionnaires to two officials from monitoring agency and five community leaders or NGO representatives.	4a, 4b, 5a, 5b, 6a, 6b, 8a, 8b, 10a, 10b, 11a, 11b, 13a, 13b, 14a, 14b
Requests: Send formal requests for information to the agency responsible for monitoring.	9a, 9b, 12a, 12b
Institutions and Organizations	**To be consulted for Information/Monitoring indicators numbered:**
Government agencies: Agency responsible for monitoring air or water quality	4b, 4b, 5a, 5b, 6a, 6b, 7a, 7b, 9a, 9b, 10a, 10b, 11a, 11b, 13a, 13b, 14a, 14b
Non-governmental organizations/community groups: 5 NGOs or community representatives	10a, 10b
Media: 2 local or national newspapers Internet news pages or other outlets	8a, 8b

How should I select case studies for this subcategory?

We suggest that you choose at least one air-quality monitoring system and one drinking-water quality monitoring system as your case studies. We understand that not all countries carry out extensive air and drinking water monitoring, and that other types of monitoring may also be important in your country or region. You may adapt the guidelines below as appropriate (for instance, by choosing other types of monitoring or by choosing two systems within one type). If your team has the resources to do so, assess more than two case studies to gain better insight into your country's public participation system.

Guidelines for selecting Case 1: Air-quality monitoring system

Air monitoring systems are usually found in urban areas, where emissions from industrial facilities, construction, and traffic typically are major causes of pollution. Air pollution is most severe in heavily populated cities such as Mexico City, Jakarta, and Bangkok.

When selecting a case study, select an air monitoring system in an urban area and one that is similar to those in cities of comparable size. If you cannot select a "typical" system, explain why (very few monitoring systems exist, etc).

Once you have identified an appropriate air monitoring system, fill out Form IC to record the details of your case study. This will be an important reference and will assist you in filling in the "Cases" database included with the indicators.

Box 4.4
Examples of air monitoring systems chosen as case studies

Atmospheric Monitoring System of the City and Metropolitan Valley of Santiago (Chile):
Of all the air monitoring systems in Chile, the Santiago system incorporates the largest number of parameters and monitoring stations. It has been in operation since 1987.

Air Quality Monitoring by the Hamilton County Department of Environmental Services (United States):
This system operates in Hamilton County, a jurisdiction in southwest Ohio which includes one of that state's largest population centers, the Cincinnati metropolitan area. This system monitors levels of six criteria pollutants daily and the results are released to the public in a daily index. This case study reflects a high level of public interest in air quality in this region.

Guidelines for selection of Case 2: Drinking water quality monitoring system

Monitoring of drinking water quality has a direct impact on human health. Potential causes of contamination are widespread, including industrial chemicals, agricultural chemicals, and harmful microorganisms.

Select a drinking water monitoring system:

- Operated by the government *or* by a private company contracted by the government
- Representative of monitoring systems in jurisdictions of a similar size. If you cannot select a "typical" system, explain why (very few monitoring systems exist, etc).

Box 4.5
Examples of drinking-water monitoring systems chosen as case studies

Drinking water monitoring by Rand Water (South Africa):
Water quality has been monitored by private company and national supplier Rand Water since 1927. Today, Rand Water uses a website to provide users with updates on water issues (www.randwater.co.za). For example, a map highlights in red where untreated water should not be used for drinking where contact with water should be avoided because of microbiological health effects.

Lerma-Cutzamala Monitoring System (Mexico):
This system was chosen as a case study because it monitors the largest supply of drinking water to the greater Mexico City metropolitan area.

Once you have identified an appropriate drinking water monitoring system, fill out Form IC to record the details of your case study.

Note: If you have limited time or resources for your assessment, assess only one drinking water monitoring system (and do not assess an air monitoring system).

How do I record my case study selections?

Use Form IC to record the details of the monitoring systems that you selected. This will be an important reference and, if you are using the CD-ROM, will assist you in filling out the “Cases” database included with the indicators.

Form IC: Information about Air and Water Monitoring

Before assessing the indicators for Subcategory C (Information/Monitoring), please provide the following information about your case selections. Duplicate or add forms if you assess more than two case studies.

	Air Monitoring Case	Water Monitoring case
Jurisdiction (record location – province, city, etc., and official name of monitoring area):		
Is this monitoring system representative of other monitoring systems in your country? *Why or why not (size, quality of management, number of parameters monitored, etc.)?*		
Monitoring authority (designate whether public or private and note title and headquarters/ secretariat):		
Local information (population of airshed or population using monitoring drinking water, geographic and climate information, etc.):		
Dates of assessment:		
Interview contacts (name, title, office, contact information):		
Other notes:		

Subcategory D: Information from State of the Environment (SOE) Reports (Information/SOE)

This section generally describes the purpose and scope of the indicators assessing State of the Environment reports. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To see the actual indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory D (Information/SOE) contains indicators assessing whether State of the Environment (SOE) reports are published by the government, and if so, whether they are comprehensive and accurate. SOE reports provide information about the status of long-term trends in environmental quality. As a single source of data, they can give citizens a comprehensive picture of environmental challenges and threats in their country or region. SOE reports can also inform policy decisions, influence the choices made by non-governmental organizations (NGOs), and educate the public.

The indicators in this subcategory are organized according to four common topics about State of the Environment reports:

- Mandate and legal requirement to produce and disseminate SOE reports
- Existence and quality of a system to produce SOE reports
- Efforts to disseminate SOE reports
- Quality of SOE information accessible to the public

What are the research methods for this subcategory?

Research methods for this subcategory include legislation review, media searches, document review, Internet searches, information requests, surveys, and interviews. You will apply these methods to gather information about State of the Environment reports that you select as case studies.

Tips for research:

Review all indicators in this category before your start your research, and identify how many sites, groups or individuals you may need to visit, contact or interview. Instead of setting up interviews, you may conduct surveys. Combine all questions and be sure to address all relevant indicators in each interview. You can use the same approach with written requests for information.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear in the database, where indicators are labeled as Information/SOE 1, Information/SOE 2, and so on). Look through this table to coordinate your research efforts before starting your assessment.

Please note that you will find more detailed information on methods and sources accompanying each indicator in the database. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	To be used for Information/SOE indicators numbered:
Legal documents: Consult laws and mandates such as environmental protection regulations and requirements for producing state of the environment (SOE) reports	1, 3
Documents, materials, and databases: Consult relevant material from SOE reports (electronic or hard copy), websites, files and records of agency which produces SOE reports, and libraries or other public repositories.	4, 5, 7, 8, 9, 11, 13, 14
Interviews: Conduct interviews with or send questionnaires to one or two officials from agency which produces reports.	5, 8, 9, 11
Requests: Send formal requests for copies of report and other materials to the responsible agency	9, 12
Institutions and Organizations	**To be consulted for Information/SOE indicators numbered:**
Government agencies: Agency responsible for producing SOE report	4, 5, 7, 8, 9, 11, 12,13, 14
Media: 2 local or national newspapers Internet news pages or other outlets	8

What kind of case studies should I select for this subcategory?

Select at least *two* State of the Environment (SOE) reports or series of reports as case studies. If your team has the resources to do so, assess more than two reports to gain better insight into your country's public participation system.

An SOE report can be defined as a document that is:

- Published in electronic *or* in paper form
- Concerned with environmental and natural resources issues
- Supported by numerical data and charts, tables, and maps
- Countrywide or regional in coverage
- Useful to policymakers and others concerned with development planning

Choose two reports or series of reports in order to assess the consistency of the reporting efforts. You should choose the most recent reports or series of reports published on a national or provincial level. If SOE reports are published periodically (e.g., a series of annual reports) and readily available in your country, you may use a series of these as one of your case studies. In some countries, SOE reports are not produced on a regular basis. In this case, you may select single reports for assessment. Indicate how many of these reports have been published over a ten year period.

> ***Box 4.6***
> ***Examples of State of the Environment reports chosen as case studies***
>
> *The Environmental Statistics, General State of the Ecological Equilibrium, and Environmental Protection Report* (Mexico)
>
> *California Environmental Indicators Report* (United States)

How do I record my case study selections?

Use Form ID to record the details of the reports you selected. This will be an important reference and, if you are using the CD-ROM, will assist you in filling out the "Cases" database included with the indicators.

Form ID – Information from State of the Environment Reports

Before assessing the indicators for Subcategory D (Information/SOE), please provide the following information about your case selections. Duplicate or add forms if you assess more than two case reports.

	Report (or series) 1	Report (or series) 2
Name/title of report:		
Publishing authority, body, or agency:		
Jurisdiction/geographic coverage of report (national, state/province, regional):		
Dates of publication and time periods covered by the reports:		
Number of volumes (if a series) and length of report:		
Means of accessing report (online, library, by request from government, etc.):		
Main contents of report (consult table of contents for major sectors and trends represented):		
Is this SOE report representative of SOE reports published in your country (if others are published)? *Why or why not (length, publishing authority, depth, format, etc.)?*		
Other notes:		

Subcategory E: Facility-Level Information (Information/Facility)

This section generally describes the purpose and scope of the indicators assessing case studies of facility-level information. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the database from the CD-ROM version.

What does this subcategory assess?

Subcategory E (Information/Facility) contains indicators capturing whether manufacturing, processing, recycling, and extractive facilities provide timely and accurate environmental information. Such facilities are a primary focus of community concern and of laws regulating pollution. While the management of and legal responsibility for these facilities varies, they are often operated by private entities and regulated by public authorities to protect the environment. Because these facilities operate in many communities, because they can have serious impacts on the environment and human health, and because they involve both public and private actors, they are a logical focus of assessment.

This subcategory assesses access to two types of information from facilities: access to information from *compliance reports* and access to information from *pollutant release and transfer registers (PRTRs).*

a. *Compliance reporting*: In many countries, the government requires large industrial facilities to report on their compliance with laws that permit or license release of certain substances into the air or water. There may be no legal requirement or formal system established to make the information public, although data may be available on request. The indicators on compliance assess whether this information is made public and whether the data are accurate and complete.

b. *PRTRs:* Pollutant release and transfer registers (PRTRs) are government-operated systems for collection and dissemination of data on environmental releases and transfers of toxic chemicals from industrial facilities to a variety of environmental media (such as air, water, and soil). A full PRTR also includes information on transfers of substances in waste. In the past decade, countries have begun to develop PRTRs specifically to provide information to the public about facility releases of pollutants and transfers of waste. The indicators on PRTRs assess whether this type of reporting exists in a given country and to what extent it provides the public with relevant and complete information.

Note: Since the indicators in Subcategory E assess both *compliance reporting* and *pollutant release and transfer registers* (PRTRs), each indicator is applied to both types of information. Compliance reporting and PRTRs have separate indicator worksheets which are labeled **a** and **b**, respectively.

The indicators in this subcategory are organized according to four common topics about access to information about facility compliance reports and PRTRs:

- Mandate or legal requirement to collect and disseminate compliance reports/PRTRs
- Existence and quality of a system to collect compliance reports/maintain PRTRs

- Efforts to disseminate information about compliance/PRTRs
- Quality of compliance/PRTR information accessible to the public

What are the research methods for this subcategory?

To assess access to facility-level information in practice, you will conduct legislation review, media searches, document review, Internet searches, information requests, surveys, and interviews. You will apply these methods to gather information from reports produced by at least five facilities.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear in the database, where indicators are labeled as Information/Facility 1a, Information/Facility 1b, and so on). Look through this table to coordinate your research efforts before starting your assessment. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	**To be used for Information/Facility indicators numbered:**
Legal documents: Consult laws and mandates such as environmental protection agreements with facilities, confidentiality regulations, and regulations on industrial emissions and discharges to air, water and soil.	1a, 1b, 2a, 2b, 3a, 3b
Documents, materials, and databases: Consult relevant material from websites, files and records of 5 selected facilities, literature of regulating government agency, media sources, and libraries or other public repositories.	4a, 4b, 5a, 5b, 6a, 7a, 7b, 8a, 8b, 9a, 9b, 10a, 10b, 11a, 11b, 13a, 13b, 14a, 14b
Interviews: Conduct interviews or send questionnaires to one official from each of the 5 selected facilities and an official from regulating government agency.	4a, 4b, 5a, 5b, 6a, 8a, 8b, 10a, 10b, 11a,11b, 13a
Requests: Send formal requests for compliance and PRTR reports to the selected facilities.	9a, 9b, 12a, 12b
Institutions and Organizations	**To be consulted for Information/Facility indicators numbered:**
Government agencies: Ministry of Environment or other agency responsible for dealing with compliance and PRTRs	4b, 6b, 7a, 7b, 8a, 8b, 10a, 10b, 11b, 13a, 13b
Facilities: 5 selected facilities or their parent companies	4b, 6b, 7a, 7b, 8a, 8b, 10a, 10b, 11b, 13a, 13b
Media: 2 local or national newspapers or other media outlets	8a, 8b

What kinds of case studies should I select for this subcategory?

You will need to select two industrial sectors and then select at least five facilities within those two sectors as case studies (three facilities in a primary sector and two facilities in a secondary sector). You will assess access to their compliance reports and/or pollutant release and transfer registers (PRTRs). In many countries, one or both systems of public access to facility-level information may not yet exist. If this is the case in your country, you may assess a single type of reporting (most likely compliance reporting). If your team has the resources to do so, select more than five facilities to gain better insight into your country's public participation system.

Guidelines for selecting cases: Select two relevant sectors.

Identify *two* industrial or economic sectors from which you will choose your case studies of access to facility-level information.

The sectors should be:

- Significant in your country's economy (i.e., large employers, responsible for significant percentage of gross domestic product (GDP), and/or unique to your country)
- Significant in their environmental impact
- Sectors in which facility reporting has taken place in the last 2 years (if facilities have not reported, choose another geographical area or another economic sector)
- Representative in terms of environmental performance and reporting (search for industries that have an intermediate environmental impact, not those that are best or worst)

Once you have selected sectors, fill out Form IE to record information about them. This will be an important reference and, if you are using the CD-ROM, will assist you in filling out the "Cases" database included with the indicators.

Note: These sectors can also be used for identifying case studies for assessment in Category II: Participation.

Box 4.7
Examples of sectors

Electronics manufacturing (United States): This sector was chosen because of its environmental impact and its key role in the economy of California, where the assessment was based.

Other examples of sectors : mining (Uganda), logging (Indonesia), energy production (Thailand), and tourism (Mexico).

Guidelines for selecting cases: Choose five facilities to assess.

The facilities should:

- Belong to the two economic or industrial sectors you have selected. Ideally, choose three facilities from one sector and two from another.
- Perform one or more types of reporting (i.e., compliance and/or PRTRs).
- Have at least 10 employees.

Box 4.8
Examples of facilities chosen as case studies

India, chemical manufacturing sector: Gharda Chemicals Ltd., Rallies India Ltd., Vashisti Detergents Ltd. (India, chemicals)

United States, semiconductor manufacturing: Cypress Semiconductor, Apple Computer, STMicroelectronics

United States, computer recycling: Hackett Enterprises, Hewlett-Packard Computer Recycling Plant

- Be representative of their sector in terms of size, environmental performance, and reporting.

Names of facilities and companies that perform compliance or other environmental reporting can be found at the National Chamber of Commerce (or equivalent), the national Ministry of Environment (or equivalent), or at similar organizations representing industrial sectors. Other information sources include: contacts or periodicals from the central statistical office, the stock market registration office or tax offices.

Note: If you have limited time or resources for your assessment, assess compliance reporting (but not PRTRs) for each of your chosen facilities.

How do I record my case study selections?

Fill out Form IE to record information about the facilities you selected as case studies. This will be an important reference and, if you are using the CD-ROM, will assist you in filling out the "Cases" database included with the indicators.

Form IE – Facilities Reporting

Before assessing the indicators for Subcategory E (Information/Facility), please provide the following information about your sector and case selections. Duplicate or add forms if you assess more than five case studies.

Sector 1:					
Sector 2:					
Rationale for choosing sectors (percentage of GDP, percentage of labor force, regional impact, etc.)					
Case Study Facilities	**Facility 1**	**Facility 2**	**Facility 3**	**Facility 4**	**Facility 5**
Sector:					
Industry/product:					
Location:					
Community profile (population, rural/urban/industrial, climate, economy, etc.):					
Employee profile (number, skilled/unskilled, etc.):					
Actual or potential impact on environment and/or natural resources:					
Facility contact (name, address, phone number, email, website, etc.):					
Is this facility representative of facilities in this region or sector? *Why or why not (size, industry, operations, better or worse reporting or polluting practices, etc.)?*					
Other notes:					

Using the Indicator Chart and Limiting Your Assessment

When you are ready to start research, use the Indicator Chart and instructions in this section together with the indicator worksheets provided in PDF form or on the CD-ROM database.

How are the indicators organized?

The indicators in Category I: Access to Information are organized in an Indicator Chart that allows you to see all of the subcategories at once. Indicators are arranged according to their subcategory and what question they address.

For instance, the research question about "quality of information provided" is adapted to an indicator in each subcategory:

Information/Emergencies 4b – Quality of information provided in ex-post investigation
Information/Monitoring 4a – Number of diversity of monitored parameters of air quality
Information/SOE 4 – Number of core data sets, indicators, and trend data sets provided in SOE report
Information/Facility 4a– Types of compliance data reported

Indicators are labeled with a short version of their category and subcategory title as well as with a number, as indicated in the table below:

In Subcategory…	…Indicators are labeled
A: General Legal Framework Supporting Access to Information	Information/Law 1-8
B: Information about Environmental Emergencies	Information/Emergencies 1-14
C: Information from Regular Monitoring	Information/Monitoring 1-14
D: Information from State of the Environment Reports	Information/SOE 1-14
E: Facility-Level Information	Information/Facility 1-14

You will also see that subcategories are divided into topics. The titles of these topics identify indicators that address related issues. For instance, the indicators in Subcategories B (Emergencies), C (Monitoring), D (SOE), and E (Facility) are grouped under the following four overarching topics:

- Mandate or legal requirement to collect and disseminate information (law)
- Existence and quality of information systems (practice)
- Efforts to disseminate information (practice)
- Quality of information accessible to the public (practice)

You may begin your assessment in any subcategory or topic.

How can I limit my assessment?

We hope that you will assess all of the indicators, and, if resources are available, examine additional case studies and develop new indicators based on the existing framework. The more case studies you assess, the more comprehensive and credible your analysis will be. However, if your resources are limited, you may narrow the scope of your assessment accordingly and still draw conclusions about the selected cases.

There are two ways to limit your assessment:

1. Apply only priority *indicators in all subcategories*. Based on the research of The Access Initiative's partners, these indicators have proved to be the most important. Priority indicators are marked in bold on the Indicator Chart and are labeled on the individual indicator worksheets.

2. Apply only one group of indicators in each subcategory. You will still be assessing all indicators, but for fewer examples. For instance:

- In Subcategory B (Information/Emergencies), apply only indicators for access to information *during* an emergency (worksheets labeled **a**) and not for access to information after an emergency.
- In Subcategory C (Information/Monitoring), apply only indicators for *drinking water* monitoring (worksheets labeled **b**) and not for air monitoring.
- In Subcategory E (Information/Facility), apply only indicators for *compliance* (worksheets labeled **a**) and not for pollutant release and transfer registers.
- Since Subcategories A (Information/Law) and D (Information/SOE) do not have separate case study types, simply apply the priority indicators in these subcategories.

Category I: Access to Information
Indicator Chart

Read *across* to see indicators in different subcategories which address the same research question, given in the far left column. Read *down* by column to see indicators that fall into the same subcategory. Shaded boxes indicate that no indicator appears for that question and case type. Priority indicators appear in **bold** type.

Subcategory A: General legal framework supporting access to information *(Information/Law)*
Information/Law 1. Right to access to public interest information
Information/Law 2. Freedom of Information Acts (FOIAs)
Information/Law 3. Provisions for access to "environmental information" in the public domain
Information/Law 4. Freedom of the press
Information/Law 5. Freedom of speech
Information/Law 6. Interpretation of "environmental information"
Information/Law 7. Provisions for confidentiality of information concerning interests of government administration
Information/Law 8. Provisions for confidentiality of information concerning interests of the state

Topic: Mandate or legal requirements to collect and disseminate information (law indicators)							
	Subcategory B: Information about environmental emergencies (Information/ Emergencies)		**Subcategory C: Information from regular monitoring (Information/ Monitoring)**		**Subcategory D: State of the Environment reports (Information/ SOE)**	**Subcategory E: Facility-Level Information (Information/ Facility)**	
INDICATORS	a: *During*	b: *After*	a: *Air*	b: *Drinking Water*		a: *Complianc e*	b: *PRT Rs*
Mandate to disseminate each type of environmental information	**Information/ Emergencies 1**		**Information/ Monitoring 1**		**Information/ SOE 1**	**Information/ Facility 1**	
Claims of confidentiality regarding each of type of information	Information/ Emergencies 2					**Information/ Facility 2**	
Mandate or legal requirement to produce or report these types of environmental information	Information/ Emergencies 3		Information/ Monitoring 3		Information/SOE 3	Information/Facility 3	
Topic: Existence and quality of information systems (practice indicators)							
	Subcategory B: Information about environmental emergencies		**Subcategory C: Information from regular monitoring**		**Subcategory D: State of the Environment reports**	**Subcategory E: Facility-Level Information**	
INDICATORS	a: *During*	b: *After*	a: *Air*	b: *Drinking Water*		a: *Complianc e*	b: *PRT Rs*
Quality of the information provided		**Informat ion/ Emerge ncies 4**	**Information/ Monitoring 4**		**Information/ SOE 4**	**Information/ Facility 4**	
Regularity of generating information or producing an			Information/ Monitoring 5		Information/SOE 5	Information/Facility 5	

information product							
Existence of a database for each type of environmental information		Information/Emergencies 6	Information/ Monitoring 6			Information/ Facility 6	
Topic: Efforts to disseminate information (practice indicators)							
	Subcategory A: Information about environmental emergencies		***Subcategory B: Information from regular monitoring***		***Subcategory C: State of the environment reports***	***Subcategory D: Facility-Level information***	
	a: During	*b: After*	*a: Air*	*a: Drinking water*	*SOEs*	*a: Compliance*	*b: PRTR*
Accessibility of different types of environmental information on the Internet	**Information/ Emergencies 7**		**Information/ Monitoring 7**		**Information/ SOE 7**	**Information/ Facility 7**	
Efforts to reach mass media with different types of environmental information	**Information /Emergencies 8**		Information/ Monitoring 8		**Information/ SOE 8**	Information/Facility 8	
Free public access to different types of information			**Information/ Monitoring 9**		Information/SOE 9	Information/Facility 9	
Scope of the dissemination of the different types of information	Information/Emergencies 10		Information/ Monitoring 10			Information/Facility 10	
Efforts to produce a family of products for various audiences		Information/ Emergencies 11	Information/ Monitoring 11		Information/SOE 11	Information/Facility 11	
Timelines of information available on request		Information/ Emergencies 12	Information/ Monitoring 12		Information/SOE 12	Information/Facility 12	
Topic: Quality of information accessible to the public (practice indicators)							
	Subcategory A: Information about environmental emergencies		***Subcategory B: Information from regular monitoring***		***Subcategory C: State of the environment reports***	***Subcategory D: Facility-Level information***	
INDICATORS	*a: During*	*b: After*	*a: Water*	*b: Drinking water*	*SOEs*	*a: Compliance*	*b: PRTRs*
Quality of the different types of information accessible to public	**Information/ Emergencies 13**		**Information/ Monitoring 13**		**Information/ SOE 13**	**Information/ Facility 1 3**	
Timeliness of the different types of information accessible to the public	**Information/ Emergencies 14**		**Information/ Monitoring 14**		Information/SOE 14	**Information/ Facility 14**	

Chapter 5: Assessing Participation (Category II)

This chapter outlines the types of participation you will assess and provides information on selecting case studies.

Overview

Start here for an introduction to participation and to learn about the components of this chapter.

What will I find in this chapter?

You will find descriptions of the three subcategories of Category II: Participation. In each of these subcategory sections, you will find:

- Descriptions of what the indicators in a subcategory assess
- Suggested research methods
- Guidelines for selecting case studies
- Forms for you to record information about your case studies

The subcategories in Category II: Participation contain indicators which assess decision-making of different types and scales. The three subcategories are listed below, along with their short titles:

Subcategory A: General Legal Framework Supporting Participation (Participation/Law)

Subcategory B: Participation in National or Sub-National Policies, Strategies, Plans, Programs or Legislation (Participation/Policy)

Subcategory C: *Participation in Project-Level Decisions (Participation/Project)*

Make sure to read *Selecting Sectors for Subcategory B and C* to guide your case study selection. When you are done with the subcategory sections, move on to *Using the Indicator Chart and Limiting Your Assessment*, where you will learn how the indicators are assessed and how you can choose the most important ones to assess.

Why is participation important?

Public participation can influence decision-making in many ways. Diverse and meaningful public input helps decision-makers:

- Consider different issues, perspectives, and options when defining a problem
- Gather new social, economic, and environmental knowledge
- Integrate environmental and social concerns into decision-making
- Produce decisions that are fair, legitimate, and environmentally sound
- Manage social conflicts by bringing different stakeholders and interest groups together at an early stage while change is still feasible

Access to participation only has these results, however, if public participation is used to define a problem and determine the outcome of a process.

Subcategory A: General Legal Framework Supporting Participation (Participation/Law)

This section generally describes the purpose and scope of the methodology's indicators assessing laws on participation. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To see the actual indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory A (Participation/Law) contains indicators assessing whether there is legal support for participation in your country. Research questions focus on whether the law provides guarantees or notice regarding public participation in general or in specific cases.

What are the research methods for this subcategory?

To gather information for Subcategory A (Participation/Law), you will need to review:

- Your national constitution, bill of rights, high court decisions or equivalent
- Laws regulating public participation
- Body of environmental protection laws and regulations
- Procedural and administrative laws on public participation rights and rules
- Court decisions pertaining to public participation

Be sure to read attachments and official explanations that may accompany legislation. Consult with legal scholars and environmental lawyers for additional information about laws or court decisions that could be relevant.

What kind of case studies should I select for this subcategory?

You do not need to select case studies for Subcategory A (Participation/Law). Consult the types of legal sources described above or other relevant legislation.

Subcategory B: Participation in Decisions on National or Sub-national Policies, Strategies, Plans, Programs, or Legislation (Participation/Policy)

This section generally describes the purpose and scope of the indicators assessing case studies of participation. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To see the actual indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory B (Participation/Policy) contains indicators capturing public participation in decision-making on major policies, strategies, plans, programs, and legislation that could determine trends of organizational and individual behavior. Such decisions are made by government at different levels, including national, provincial, and municipal.

The indicators in this subcategory are organized according to three common topics about policies, strategies, plans, programs or legislation:

Box 5.1
Types of national and sub-national decision-making – definitions

Policies and strategies are terms than can refer to either broad statements of intent or to comprehensive sets of measures that focus the political agenda and set a decision cycle in motion.

Plans and programs identify the options for carrying out policies. Many policies and their related plans and programs have implications for the use of land, natural resources, raw materials, and chemicals as well as the generation of waste and pollution.

Legislation establishes long-term rules for implementing policies.

- Access to information about decision-making processes
- Opportunities to participate
- Outcome of participation

National-level decisions on policies, strategies, plans, programs and legislation may:

- Affect a major portion of the population
- Regulate sectors that produce an important share of gross domestic product
- Affect industries that are large employers
- Set the framework for natural resource use (e.g., water allocation, land use, mineral extraction, commercial logging, fishery, etc.)
- Set the framework for environmental protection (e.g., industrial pollution control, solid and hazardous waste disposal, wastewater treatment, transportation of toxic substances, etc.).

While perhaps not affecting the whole country, *sub-national* (regional, state, or local) policies, strategies, plans, programs, and legislation, can have major impacts on human well-being and environmental resources. Read on for examples of the types of decision-making processes assessed by the methodology.

Example of policies and strategies at work:
The EU has stated its intent to reduce carbon dioxide (CO_2) emissions. Its policies and strategies for CO_2 emission reductions combine a wide range of measures, one of which is fuel taxes. Taxing fuels at different rates according to their carbon content influences prices, which in turn determines the preferences of consumers (both companies and individuals) with regard to how much energy they consume (e.g., using public or private transport) and from what sources (e.g., coal, oil, natural gas, or renewable energy).

Example of a plan:
In February and March 2000, Mexico City's Federal District government sponsored a broad consultation on an ecological land-use plan and conservation program for the Valley of Mexico that would address loss of agricultural land and natural vegetative cover. The zoning plan incorporated the suggestions of local farmers, although the final plan was not disseminated to them.

Example of a program:
The Electricity Generating Authority of Thailand (EGAT) approved the Independent Power Producer program in May of 1994. The program was developed in response to an energy shortage and the desire of the government to limit its investment. Little public consultation was held.

These and other examples demonstrate the importance of public participation in developing strategies, plans, and legislation.

What are the research methods for this subcategory?

Research methods for the indicators in Subcategory B (Participation/Policy) include review of documents and websites, interviews with officials or potential participants, and requests for information. You will apply these methods to collect information on at least five decision-making processes.

Tips for research:

Instead of setting up interviews, you may conduct a survey among a segment of the population or among organizations that have a stake in the selected case studies of access to participation in decision-making.

Review all indicators in this category before you start your research and identify how many groups or individuals you will need to interview. Combine your questions and be sure to address all relevant indicators in each interview. You can use the same approach with written requests for information.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear in the database, where indicators are labeled as Participation/Policy 1, Participation/Policy 2, and so on). Look through this table to coordinate your research efforts before starting your assessment.

In addition to this general guide, please note that you will find more detailed information on methods and sources accompanying each indicator in the database. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	**To be used for Participation/Policy indicators numbered:**
Documents, materials, and databases: Consult relevant material from websites, various files, records and literature from decision-making authority, media sources, and libraries or other public repositories.	1-14 (all)
Interviews: Conduct an interview with or send a questionnaire to two officials from the decision-making authority, two or three representatives of local NGOs, and two or three local community leaders.	1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13

Institutions and Organizations	To be consulted for Participation/Policy indicators numbered:
Government agencies: Decision-making authority	1-14 (all)
Non-governmental organizations/community groups: 3 NGOs, 3 community representatives	1, 5, 7, 10, 11, 12, 13
Media: 2 local or national newspapers Internet news pages or other media outlets	1, 4, 5, 6

What kind of case studies should I select for this subcategory?

Before selecting your case studies, read *Selecting Sectors for Subcategories B and C.* Once you have chosen a sector of the economy that can be assessed for both Subcategory B (Participation/Policy) and Subcategory C (Participation/Project), follow the guidelines below to choose your specific cases.

Select at least five case studies, representing each type of decision-making process (policy, strategy, plan, program and legislation). If your team has the resources to do so, assess more than five case studies to gain better insight on your country's public participation system.

The selected decision-making cases should:

- Represent different scales (national and sub-national). For instance, your cases may include a national strategy for development of forests and a regional land-use plan for an area with rich forest resources
- Represent the five types of decision-making processes in Subcategory B (policies, strategies, plans, programs, and legislation)
- Be drawn from sectors responsible for major economic production in your country, such as resource- or pollution-intensive manufacturing, processing, or extractive industries. If you only select two cases, at least one should be from such a sector.
- Be typical of the relevant sector and type of decision-making process (i.e., neither best nor worst case). A typical case will demonstrate standard opportunities to participate and standard levels of involvement by the public.
- Be as recent as possible, but no more than 5 years old.

If you have to limit the number of your examples we suggest that you choose a minimum of two cases from the following combinations of decision types:

A policy or strategy **and** a plan
A policy or strategy **and** a piece of legislation
A program **and** a plan or a piece of legislation

How do I record my case study selections?

Use Form IIB to record the details of the policy, strategy, plan, program or legislation that you selected. This will be an important reference and, if you are using the CD-ROM, will assist you in filling out the "Cases" database included with the indicators.

Box 5.2
Examples of decision-making case studies at different scales

National-level decision-making: Independent Power Producer Program (Thailand, 1994):
This concession was developed by the Electricity Generating Authority of Thailand (EGAT) in response to a shortage of energy and government desire to limit its investment in the power sector. The cabinet approved the Independent Power Producer Program on May 31, 1994. No public consultation was conducted with affected parties at the drafting, formulation or definition stage.

Other examples of national level case studies include a mining concession policy in South Africa and a national logging concession policy in Indonesia.

Sub-national decision-making: Federal District Ecological Zoning Plan (Mexico, 2000):
In February and March 2000, Mexico City's government sponsored a broad consultation on an ecological land-use plan and conservation program. 46 agricultural communities in the Valley of Mexico were consulted, and as a result the zoning plan incorporated a number of citizen suggestions emphasizing the protection of aquifers and vegetation and legal standing for judicial defense of communal land. However, the government made no effort to communicate its final plan to the communities it had consulted.

Other examples of sub-national decision-making include the development of regional development plans in Hungary and the process for power plant siting in Ohio (the United States).

Form IIB. Participation in Decisions on National or Sub-national Policies, Strategies, Plans, Programs, or Legislation

Before assessing the indicators for Subcategory B (Participation/Policy), please record the following information about the decision-making processes you have selected as case studies. Duplicate or add forms if you have selected more than five cases.

Sectors selected:					
Rationale for choosing sectors (percentage of GDP, percentage of labor force, regional impact, etc.):					
Case Studies	**Case 1 (Policy)**	**Case 2 (Strategy)**	**Case 3 (Plan)**	**Case 4 (Program)**	**Case 5 (Legislation)**
Name/title of policy, strategy, plan, program, or legislation					
Decision-Making Authority/Developer (government or private agency leading project)					
Dates (give planning stages, start, and completion, as applicable)					
Location *City:* *Province/Region:*					
Scale (national, sub-national – state, regional, local)					
Economic sector					
Description of decision and expected impacts					
Other information (data on demographics of affected data, percentage of gross domestic product (GDP) or employment affected by sector or project, environmental/climate info for area, etc.)					

Is this decision-making process representative of its type? *Why or why not (scope of process, number of opportunities for public participation, level of public interest, speed of process, etc.)?*					

Subcategory C: Participation in Project-Level Decisions (Participation/Project)

This section generally describes the purpose and scope of the indicators assessing case studies of participation. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory C (Participation/Project) contains indicators assessing whether the public has the opportunity to participate in decision-making on individual development activities (projects).

Projects are the individual activities associated with new investment and production of goods, services, or infrastructure. Projects can be initiated in different ways, such as through concessions, permits, or contracts. Project-level decisions include, for example, an environmental impact assessment for constructing a mine, a permit for building a road, a logging concession, or similar development activities.

Public participation in and oversight of such decisions can influence the environmental plans of developers and their future environmental performance.

The indicators in this subcategory are organized according to three common topics about project-level decisions:

- Access to information about decision-making processes
- Opportunities to participate
- Outcome of participation

What are the research methods in this subcategory?

Research methods in this subcategory include review of documentation and websites, interviews with officials or potential participants, or submitting written requests for information. You will apply these methods to gather information on several case studies of project decision-making processes.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear in the database, where indicators are labeled as Participation/Project 1, Participation/Project 2, and so on). Look through this table to coordinate your research efforts before starting your assessment.

In addition to this general guide, please note that you will find more detailed information on methods and sources accompanying each indicator in the database. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	**To be used for Participation/Project indicators numbered:**
Documents, materials, and databases: Consult relevant material from websites, various files and records and literature from decision-making authority, media sources, and libraries or other public repositories.	1-15 (all)
Interviews: Conduct an interview with or send a questionnaire to two officials from the decision-making authority, two or three representatives of local NGOs, and two or three local community leaders.	1, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 15
Request: Send a formal request for information about public consultation process to the decision-making authority	13
Institutions and Organizations	**To be used for Participation/Project indicators numbered:**
Government agencies: Decision-making authority	1-15 (all)
Non-governmental organizations/community groups: 3 NGOs, 3 community representatives	1, 4, 5, 7, 8, 11, 12, 13, 15
Media: 2 local or national newspapers Internet news pages or other media outlets	1, 4, 5, 6, 13

What kind of case studies should I select for this subcategory?

Note: Before selecting your case studies, reading *Selecting Sectors for Subcategories B and C* in this chapter. Once you have chosen a sector of the economy that can be assessed for both Subcategory B (Participation/Policy) and Subcategory C (Participation/Project), follow the guidelines below to choose your specific cases.

You will need to select at least two case studies that represent project-level decision making processes. If your team has the resources to do so, assess more than two project-level decisions to gain better insight into your country's public participation system.

The selected project-level cases should:

- Represent single development projects or activities, in a sector of economic development with significant environmental impacts
- Include at least one case from the same sector as a case study assessed under Subcategory B (Participation/Policy). Again, sectors such as mining, forestry, transportation, and power generation are likely candidates. Heavy industries that are resource- or pollution-intensive (such as pulp and paper, chemicals, iron, steel, and aluminum) should also be considered.
- Include at least one case involving an environmental impact assessment (EIA), that is, a

"systematic examination of the likely impacts of development proposals on the environment prior to any activity" (see *Glossary*).

- Be representative of the project or decision type. A typical project-level decision-making process will demonstrate standard opportunities to participate and standard levels of involvement by the public.

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How do I record information about my case studies?

Fill out Form IIC to record information about the project-level decisions you selected as case studies. This will be an important reference and, if you are using the CD-ROM will assist you in filling out the "Cases" database included with the indicators

Box 5.3
Example of a case study of project-level decision-making

Public participation in an environmental impact assessment (EIA) process for the proposed construction of the Skuifraam Dam (South Africa, 1995):
The proposed Skuifraam Dam in the Western Cape of South Africa, first planned in 1989, would provide some 56 million cubic meters of water to the Cape Town metropolitan area. This dam and its impact is the focus of much scrutiny, since demand for water in the Western Cape is expected to exceed total yield somewhere between 2020 and 2030. An NGO alliance called the Skuifraam Action Group called for greater involvement of civil society in such an important project, including the Environmental Impact Assessment that was undertaken by the Department of Water Affairs and Forestry in 1995.

Form IIC: Participation in Project-Level Decisions

Before assessing the indicators for Subcategory C (Participation/Project), please record the following information about the decision-making processes you have selected as case studies. Duplicate or add forms if you have selected more than two cases.

Sectors selected:		
Rationale for choosing sectors (percentage of GDP, percentage of labor force, regional impact, etc.):		
Case Studies	**Case 1**	**Case 2**
Name/title of project, concession, permit, etc.		
Decision-Making Authority/Developer (government or private agency leading project)		
Dates (give planning stages, start, and completion, as applicable)		
Location City: Province/Region:		
Scale (national, sub-national – state, regional, local)		
Economic sector		
Description of decision and expected impacts		
Other information (data on demographics of affected data, percentage of gross domestic product (GDP) or employment affected by sector or project, environmental/climate info for area, etc.)		
Is this project-level decision representative for your country? Why or why not (scope of project, type of concession, number of opportunities of public participation, level of public interest, etc)?		

Selecting Sectors for Subcategories B and C

Read this section to select related case studies for both national or sub-national decisions and for project-level decision-making.

Why should I choose common sectors for Subcategory B and Subcategory C?

A sector is a particular area of the economy or a particular industry. If you select your case studies from a common sector, you will find your research more efficient and your case studies will be connected to each other. See *General Research Instructions* in Chapter 3 for more information on choosing sectors for case studies. See the subcategory descriptions for more information on the specific cases you will be choosing.

> ***Box 5.4***
> ***Examples of economic sectors with significant environmental impacts***
>
> Mining
> Forestry
> Fisheries
> Agriculture
> Transportation
> Tourism
> Energy
> Chemical industry

Which sectors should I choose?

We suggest that you choose one or two sectors that:

- Are particularly important to your country's environment, natural resource management, and economy
- Have a significant impact on human welfare and the environment
- Represent standard practice in allowing public participation (rather than best or worst performance)

Sectors may also be those which are major sources of employment, generate a significant portion of gross domestic product (GDP), are undergoing reform or restructuring, are developing rapidly, or produce major export goods or commodities.

The majority of your cases should be drawn from so-called "non-environmental" sectors responsible for major economic activity and significant environmental impacts. For instance, in Subcategory B (Participation/Policy), if you choose to assess participation in an activity such as an environmental action plan or a piece of environmental legislation, all other case studies in Category II: Participation should address one or two sectors of major economic production in your country, such as a resource- or pollution-intensive manufacturing, processing, or extractive industry.

Tip: You may consider selecting cases from the same sectors you selected for assessment of access to facility-level information in Category I: Access to Information.

See the table below for an example of case studies from Subcategory B (Participation/Policy) and Subcategory C (Participation/Project) in that fall into the same sector.
When you have decided on appropriate sectors, use the guidelines under

Subcategory B (Participation/Policy) and *Subcategory C* (Participation/Project) to select case studies. Then record the information about those sectors and case studies on Forms IIB and IIC.

Example: Choosing "linked" sectors for assessment		
Sector	**B: Participation/Policy**	**C: Participation/Project**
Power generation *Infrastructure development*	Strategy for reforming the energy sector Legislation on independent electric-power producers Energy efficiency program	Government concession granted to independent electric-power producers
Mining	Development of "white paper" on new policy for mining in a resources-rich region	Permitting of a new mine shaft and accompanying environmental impact assessment

Using the Indicator Chart and Limiting Your Assessment

When you are ready to start research, use the Indicator Chart and instructions in this section together with the indicator worksheets provided in PDF form or on the CD-ROM database.

How are the indicators organized?

The indicators in Category II: Participation are organized in an Indicator Chart that allows you to see all of the subcategories at once. Indicators are arranged according to their subcategory and what question they address.

For instance, the research question about "quality of information supporting participation" is adapted to indicators in each subcategory:

Participation/Policy 2a – Quality of information supporting participation in policy making
Participation/Project 2 – Quality of information supporting participation in project-level decision-making

Indicators are labeled with a shorthand version of their subcategory title as well as with a number:

In Subcategory…	…Indicators are labeled:
A: General Legal Framework Supporting Participation	Participation/Law 1-4
B: Participation in National or Sub-National Policies, Strategies, Plans, Programs, or Legislation	Participation/Policy 1-14
C: Participation in Project-Level Decisions	Participation/Project 1-15

You will also see that subcategories are divided into topics on the Indicator Chart. The titles of these topics identify indicators that address related issues. For instance, the indicators in Subcategories B (Participation/Policy) and C (Participation/Project) are grouped under three overarching topics:

- Access to information about decision-making
- Opportunities to participate
- Outcomes of participation

You may begin your assessment in any subcategory or topic by entering the indicator database. Please note that you should fill out a separate worksheet for each type of decision-making process. In other words, you will assess each indicator in Subcategory B (Participation/Policy) five times, creating separate worksheets for the policy, strategy, plan, program and legislation that you have chosen. You may label each worksheets with its associated letter (a: Policy, b: Strategy, c: Plan, d: Program, e: Legislation).

How can I limit my assessment?

We hope that you will assess the indicators in all three subcategories, using separate examples for policies, strategies, plans, programs, or legislation as well as project-level decisions. If resources are available, you can assess additional examples and develop new subcategories based on the existing framework. The more cases you assess, the more comprehensive and credible your analysis will be.

If, however, your resources are limited and you cannot assess all of the indicators, there are two ways that you can narrow your assessment:

1. *Apply only priority indicators in all subcategories.* Based on the research of The Access Initiative's partners, these indicators have proved to be the most important. They are marked in bold on the Indicator Chart and are labeled in red on the individual indicator worksheets.

2. *Apply indicators for only a limited number of case studies (a minimum of 2) in Subcategory B (Participation/Policy).* You will still be assessing all indicators, but for fewer examples. If you have to limit the number of cases, we suggest that you choose a minimum of two cases from the following combinations of decision types:

- A policy or strategy **and** a plan
- A policy or strategy **and** a piece of legislation
- A program **and** a plan or a piece of legislation

Category II: Participation

Read *across* to see indicators in different subcategories which address the same research question, given in the far left column. Read *down* by column to see indicators that fall into the same subcategory. Priority indicators appear in **bold** type.

Subcategory A. General legal framework supporting participation in decision-making affecting the environment (Participation/Law)						
Participation/Law 1. Freedom of direct participation in public matters						
Participation/Law 2. Public participation in drafting legislation						
Participation/Law 3. Public participation rules in administrative laws relevant to environmental protection						
Participation/Law 4. Public participation in administrative procedural law						
Topic: Access to information about decision-making processes						
	Subcategory B: Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation (Participation/Policy)					**Subcategory C: Participation in project-level decision-making (Participation/ Project)**
INDICATORS	*a.Policy*	*b.Strategy*	*c.Plan*	*d.Program*	*e.Law*	
Lead time for notification of draft	**Participation/Policy 1**					**Participation/Project 1**
Quality of information supporting participation	**Participation/Policy 2**					**Participation/Project 2**
Existence and availability of documents supporting respective decision at public registries/records	**Participation/Policy 3**					**Participation/Project 3**
Timeliness of notification of intent to propose a decision	Participation/Policy 4					Participation/Project 4
Timeliness of communication of final decision	Participation/Policy 5					Participation/Project 5
Communication tools used to disseminate drafts or final decisions	Participation/Policy 6					Participation/Project 6
Communication of draft decision to marginalized socioeconomic or cultural groups	Participation/Policy 7					Participation/Project 7
Topic: Opportunities to participate						
	Subcategory B: Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation (Participation/Policy)					**Subcategory C: Participation in project-level decision-making (Participation/ Project)**

<table>
<tr><td>INDICATORS</td><td>a: Policy</td><td>b: Strategy</td><td>c: Plan</td><td>d: Program</td><td>e: Law</td><td></td></tr>
<tr><td>Degree of external consultation in defining the parameters or scope of the decision</td><td colspan="5">Participation/Policy 8</td><td>Participation/Project 8</td></tr>
<tr><td>Comprehensiveness of consultation at drafting stage</td><td colspan="5">Participation/Policy 9</td><td></td></tr>
<tr><td>Consultations held with marginalized socio-economic and cultural groups</td><td colspan="5">Participation/Policy 10</td><td>Participation/Project 10</td></tr>
<tr><td>Duration of public comment period</td><td colspan="5">Participation/Policy 11</td><td>Participation/Project 11</td></tr>
<tr><td>Public participation in implementation and review of decision</td><td colspan="5">Participation/Policy 12</td><td>Participation/Project 12</td></tr>
<tr><td colspan="7">Topic: Outcome of participation</td></tr>
<tr><td></td><td colspan="5">Subcategory B:
Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation
(Participation/Policy)</td><td>Subcategory C: Participation in project-level decision-making (Participation/ Project)</td></tr>
<tr><td>INDICATORS</td><td>a: Policies</td><td>b: Strategy</td><td>c: Plan</td><td>d: Program</td><td>e: Law</td><td></td></tr>
<tr><td>Timeliness of information given to the public about the consultation process used in the selected decision-making case</td><td colspan="5">Participation/Policy 13</td><td>Participation/Project 13</td></tr>
<tr><td>Incorporation of public input in decision</td><td colspan="5">Participation/Policy 14</td><td>Participation/Project 14</td></tr>
<tr><td>Degree of participation by affected parties or public interest groups in implementation of or monitoring compliance with decisions</td><td colspan="5"></td><td>Participation/Project 15</td></tr>
</table>

Chapter 6: Assessing Capacity Building (Category IV)

This chapter defines the different types of capacity building and describes how it is assessed by the methodology. It also provides guidance on selecting case studies.

Overview

Start here for an introduction to capacity building and to learn about the components of this chapter.

What will I find in this chapter?

This chapter contains descriptions the three subcategories of Category IV: Capacity Building. In each of these subcategory sections, you will find:

- Descriptions of what the indicators in a subcategory assess
- Suggested research methods
- Guidelines for selecting case studies
- Forms for you to record information about your case studies

The indicators in Category IV: Capacity Building assess selected aspects of capacity building through the following three subcategories, listed here with their short titles:

Subcategory A: General Legal Framework Supporting Capacity Building (Capacity/Law)

Subcategory B: Government Efforts to Build its Own Capacity (Capacity/Government)

Subcategory C: Government Efforts to Build the Capacity of the Public (Capacity/Public)

When you are done with the subcategory sections, move on to *Using the Indicator Chart and Limiting Your Assessment,* where you will learn how the indicators are organized and how you can choose the most important ones to assess.

What is capacity building and why is it important?

"Capacity building" refers to efforts to enhance social, educational, technological, legal, and institutional infrastructure for providing public access to decision-making that affects the environment.

This methodology examines government efforts to build capacity. If the government does not take steps to build its own capacity, its officials may lack the knowledge and incentive to provide the public with access to information, participation, and opportunities for redress and remedy. Capacity building through training and providing resources encourages government officials to provide information, engage the public in decisions, and enforce access legislation.

Likewise, if the government does not work to build public capacity, the public may remain unaware of its rights to and opportunities for access. The government must strengthen the ability of citizens and public interest organizations to obtain and understand environmental information and participate in decision-making.

Box 6.1
Definition of capacity building

The term "capacity building" is both complex and ambiguous. A commonly accepted definition presented in Agenda 21 is "[efforts to improve a country's] human, scientific, technological, organizational, institutional and resource capabilities." This guide discusses capacity building as a mechanism to enhance effective and meaningful participation in decisions that affect the environment.
(Adapted from Petkova et al., *Closing The Gap*, WRI, 2002)

Subcategory A: General Legal Framework Supporting Capacity Building (Capacity/Law)

This section generally describes the purpose and scope of the indicators assessing laws on capacity. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory A (Capacity/Law) contains indicators assessing whether the legal framework of a country establishes the general conditions needed for an open and inclusive society. Civil freedoms create the foundations of such a society – for instance, by supporting a free press that informs the public. Without broad civil freedoms and liberties, access to information, participation, and justice will be impossible—for environmental decision-making as well as in other sectors. In particular, laws that support rather than restrict the existence and activities of non-governmental organizations (NGOs) ensure that the public can rely on such associations to protect their interests.

What are the research methods for this subcategory?

Research in Subcategory A (Capacity/Law) consists primarily of reviews of legislation, court decisions, and constitutional mandates. Consult:

- Your national constitution, bill of rights, high court decisions, or equivalent
- National laws regulating access principles
- Laws on public participation in legislation
- The body of environmental laws
- Procedural and administrative laws on information, participation, legal representation, associations, and education
- Tax codes concerning non governmental organizations (NGOs)
- Laws concerning registration of NGOs

Be sure to read attachments and official explanations that may accompany legislation. Consult with legal scholars and environmental lawyers for additional information about laws or court decisions that could be relevant.

What kind of case studies should I select for this subcategory?

You do not need to select case studies for Subcategory A (Capacity/Law). Consult the types of legal sources described above and other relevant legislation.

Subcategory B: Efforts of the Government to Build its own Capacity (Capacity/Government)

This section generally describes the purpose and scope of the indicators assessing case studies of capacity building. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory B (Capacity/Government) contains indicators that capture efforts by the government to create human resources that can assist the public in gaining access to information, participation, or justice. Though there are many types of human capacity needed to support access to decision-making, we have chosen to limit the assessment to administrative staff, judicial officials, and lawyers. The public is unlikely to obtain information, be able to participate, or have access to redress and remedy without informed civil servants willing to assist the public, judges who are familiar with rapidly evolving right-to-know legislation, or attorneys who offer affordable representation.

What are the research methods for this subcategory?

Research methods in this subcategory include interviews, surveys, document searches, and literature reviews. You will apply these methods to gather information on several government agencies, courts and other institutions that you choose as case studies.

Tips for research:
Instead of setting up interviews, you may conduct a survey among a segment of the population or among organizations that have a stake in the selected case studies.

Review all indicators in this category before you start your research and identify how many groups or individuals you will need to interview. Combine your questions and be sure to address all relevant indicators in each interview. You can use a similar approach with written requests for information.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear on the worksheets, where indicators are labeled as Capacity/Government 1, Capacity/Government 2, and so on). Look through this table to coordinate your research efforts before starting your assessment.

Please note that you will find more detailed information on methods and sources accompanying each indicator in the database. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	To be used for Capacity/Government indicators numbered:
Documents, materials, and databases: Consult relevant material from websites, various files, directories and records from 3 selected agencies, media sources, and libraries or other public repositories.	1, 2, 3
Interviews: Conduct an interview with or send a questionnaire to officials from each of the selected agencies, to one judge or clerk at each of the selected courts, to attorneys involved in public interest work, and to public interest NGOs	1, 2, 3
Request: Information on staff training and responsibilities from selected government agencies and courts	1, 2, 3
Institutions and Organizations	**To be consulted for Capacity/Government indicators numbered:**
Government agencies: 3 selected agencies	1, 2
Courts: 2 or 3 selected courts	3,

What kind of case studies should I select for this subcategory?

In this subcategory, you will select institutions as case studies. You will be assessing the quality of training and communication provided by each agency or court (see table above).

To assess government efforts to build its own capacity, select:

- At least three government agencies
- At least one administrative court (if one exists)
- At least one mid-level court (e.g. district or provincial)

If your team has the resources to do so, select additional government agencies or institutions to gain better insight into your country's public participation system.

Make sure to note whether the agencies and courts you select show typical performance for agencies of similar scale or purpose. For instance, does the Ministry of Environment respond to requests more quickly than the Ministry of Education? Can an official at the national Ministry of Mining be contacted on the phone as easily as a provincial mining official?

> ***Box 6.2***
> ***Example of government agency chosen as case study***
>
> *Ministry of Environment (Hungary):*
> The Hungarian research team reviewed the website of the Ministry of the Environment and determined that it contained useful information on administrative structure for the public. While conducting research for Category I: Access to Information about an environmental emergency in the River Tizsa, the team interviewed a chief environmental inspector about the type of training his staff received.

To make your research more efficient, we suggest that you choose sectoral agencies that manage the types of decisions you selected in Category II: Participation or the types of information assessed in Category I: Access to Information. For example, if you selected a specific mining concession as a case study in Category II: Participation, then in Category IV: Capacity Building you may wish to assess the practices of the Ministry of Mining or other agencies that oversee the mining industry. See Box 6.2 for an example.

How do I record my case study selections?

Use Form IVB to record the details of the agency, office or court you have selected. This will be an important reference and, if you are using the CD-ROM, will assist you in filling in the "Cases" database included with the indicators.

Form IVB: Government Efforts to Build its own Capacity

Before assessing the indicators for Subcategory B (Capacity/Government), please provide the following information about your case studies. Duplicate or add forms if you select additional cases.

Subcategory B: Government Efforts to Build Its Own Capacity					
	Government Institution 1 (Ministry of Environment)	**Government Institution 2**	**Government Institution 3**	**Administrative Court**	**Mid-Level Court**
Name/title of institution					
Related sector (also explain relation to other parts if applicable)					
Jurisdiction					
Relevant/interviewed sectors or offices					
Website or other source of information					
Main contacts (names, titles, addresses – can give more details in indicator worksheets)					
Are these agencies and courts representative of your government's administrative performance? *Why or why not (size, bureaucracy, speed of response, etc.)?*					

Subcategory C: Government Efforts to Build the Capacity of the Public (Capacity/Public)

This section generally describes the purpose and scope of the indicators assessing case studies of capacity building. To see specific indicator titles, refer to the Indicator Chart at the end of this chapter. To use the indicators, download the PDF worksheets from www.accessinitiative.org or use the CD-ROM version.

What does this subcategory assess?

Subcategory C (Capacity/Public) contains indicators capturing government efforts to build the public's capacity to exercise the Access Principles and to use the laws that interpret and guarantee those Principles. The indicators also assess efforts to create conditions that favorably influence such capacity building. Personal choices and public participation in decision-making are more likely to contribute to a better environment if people can understand environmental issues, form environmental organizations, and easily find guidelines on sources of information and opportunities to participate.

What are the research methods for this subcategory?

Research methods in this subcategory include interviews, surveys, document searches, and literature reviews. You will apply these methods to gather information on the government agencies you selected for assessment under Subcategory B (Capacity/Government), as well as to several non-governmental organizations and schools supervised by local or national authorities.

Tips for research:
Instead of setting up interviews, you may conduct a survey among a segment of the population or among organizations that have a stake in the selected case studies.

Review all indicators in this category before you start your research and identify how many groups or individuals you will need to interview. Combine your questions and be sure to address all relevant indicators in each interview. You can use a similar approach with written requests for information.

General information on research methods and sources appears below, along with a list of indicator numbers (these numbers appear on the worksheets, where indicators are labeled as Capacity/Public 1, Capacity/Public 2, and so on). Look through this table to coordinate your research efforts before starting your assessment.

Please note that you will find more detailed information on methods and sources accompanying each indicator. You should adapt these methods as appropriate for your country and your team's resources.

Research Methods	To be used for Capacity/Public indicators numbered:
Legal documents: Consult tax codes and regulations concerning non-governmental organizations, charitable giving by individuals, groups, and international organizations	6,9
Documents, materials, and databases: Consult relevant material from websites, various files, directories and records from 3 selected agencies, media sources, educational curricula, and libraries or other public repositories.	1, 2, 3, 4, 5, 7,8
Request: Send a formal request for translations of administrative information, for information on grants to NGOs, and information on environmental education curricula	5, 6, 7, 8
Interviews: Conduct an interview with or send a questionnaire to 2 government officials, 2 public interest NGOs, 2 teachers or other educators, and 2 attorneys involved in public interest work.	4, 7, 8, 9
Institutions and Organizations	**To be used for Capacity/Public indicators numbered:**
Government agencies: 3 selected agencies Ministry of Education or equivalent	1, 2, 3, 4, 5, 6, 7, 8
Non-governmental organizations: Representatives of 2 NGOs	6, 9
Academic and legal establishments: 2 educators involved in environmental education and 2 attorneys involved in public interest work	7, 8, 9

What kind of case studies should I select for this subcategory?

You will use the government institutions chosen in *Subcategory B* (Capacity/Government) as your case studies for assessment.

Make sure to note whether the agencies and courts you select show typical performance for agencies of similar scale or purpose. For instance, does the Ministry of Environment respond to requests more quickly than the Ministry of Education? Can an official at the national Ministry of Mining be contacted on the phone as easily as a provincial mining official?

In addition, you will need to identify sources for research such as:

- Mechanisms for distributing information to the public. These include the Internet, public reading rooms, public libraries, bulletin boards at community centers, or other conduits for public information

- Other institutions that provide the public with information and capacity. These include primary and secondary schools, public and university libraries, and public information Internet sites
- Non-governmental organizations (NGOs) involved with environmental advocacy and awareness raising. Select at least four NGOs representing different types of groups (e.g., research-oriented, grassroots, advocacy, national)

In order to measure availability of information, you should consider a method of information distribution that fairly represents local conditions. For instance, if you are examining the Internet as a source of information, it is logical to assess the amount of information available on the Internet and what share of the population has affordable access to the Internet. However, if your research is focused in a rural area where few citizens have access to computers, libraries or public bulletins may be more logical areas for assessment.

You are likely to contact the same non-governmental organizations that you interviewed for assessment of Categories I (Access to Information) and II (Participation). Look through the Category IV indicators for relevant interview questions and consolidate your questions for these groups.

How do I record my case study selections?

If you have not already done so, fill out Form IVB to record information about government institutions you are selecting for assessment. When you have selected the institutions and agencies you will be assessing, fill out Form IVC to record information about them. These forms will be important for reference and, if you are using the CD-ROM, will assist you in filling out the "Cases" database that accompanies the indicators.

Box 6.3
Example of government institution chosen as a case study

Ministry of Education (Thailand):
The Thai team decided to assess environmental education by applying indicators to the practices of the Department of Curriculum and Instruction, part of the Ministry of Education. They determined that environmental education was included within the general curriculum preparation, handled by a staff of 392 people. While there is no specific office responsible for environmental education, the Thai researchers determined that the Department of Environmental Quality Promotion (of the Ministry of Environment, Science and Technology) also played a role in raising environmental awareness through training programs.

Form IVC: Government efforts to build the capacity of the public

Before assessing the indicators for Subcategory C (Capacity/Public), please provide the following information about your case studies. Duplicate or add forms if you select additional cases. Please note that the government institutions you are assessing should be recorded on Form IVB.

Subcategory C: Government Efforts to Build the Capacity of the Public				
	Government Agencies	**Schools**	**NGOs**	**Other sources of information**
Name/Title				
Sector (public, private, academic, etc.)				
Location				
Area/population served				
Description (relevance to assessment)				
Website or other source of information				
Names of primary contacts at chosen institutions				
Are these institutions representative of your government's administrative performance? *Why or why not (size, amount of funding, quality of management, speed of response, etc)?*				

Using the Indicator Chart and Limiting Your Assessment

When you are ready to start research, use the Indicator Chart and the instructions in this section together with the indicator worksheets provided in PDF form or on the CD-ROM database.

How are the indicators organized?

The indicators in Category IV: Capacity Building are arranged in an Indicator Chart that allows you to see all of the subcategories at once. Indicators are arranged according to their subcategory and what question they address.

Indicators are labeled with a short version of their category and subcategory title as well as with a number:

In Subcategory…	…Indicators are labeled:
A: General Legal Framework Supporting Capacity Building	Capacity/Law 1-7
B: Government Efforts to Build Its Own Capacity	Capacity/Government 1-3
C: Participation in Project-Level Decisions	Capacity/Public 1-9

You will also see that subcategories are further divided into topics. The titles of these topics identify indicators that address related issues. For instance, Subcategory C (Capacity/Public) contains the following topics:

- Availability and comprehensiveness of information from selected agencies
- Government support for NGOs and environmental education

You may begin your assessment in any subcategory or topic by entering the database.

How can I limit my assessment?

We hope you will assess all of the indicators proposed to measure capacity-building efforts and conditions. If resources are available, you may interview additional people or organizations and develop new subcategories for assessment based on the existing framework. The more case studies you assess, the more comprehensive and credible your analysis will be.

If, however, your resources are limited and you cannot assess all the indicators, you may limit the scope of your work by assessing only the indicators marked as *priority* on the Indicator Chart (designated by **bold** type on the chart and by red type in the indicator database).

Category IV: Capacity Building

Priority indicators appear in **bold** type.

Subcategory A. General legal framework supporting capacity building (Capacity/Law)
Capacity/Law 1. Freedom of association
Capacity/Law 2. The right to a clean environment
Capacity/Law 3. Legal interpretation of “the public”
Capacity/Law 4. Registration of non government organizations
Capacity/Law 5. Tax conditions for non government organizations
Capacity/Law 6. International financial support for NGOs
Capacity/Public 7. Conditions for local philanthropy
Subcategory B. Government efforts to build its own capacity (Capacity/Government)
Capacity/Government 1. Government investment in compliance with laws and regulations on access to information and participation
Capacity/Government 2.Training for government staff
Capacity/Government 3. Training for judicial officials
Subcategory C. Government efforts to build the capacity of the public (Capacity/Public)
Topic: Availability and comprehensiveness of information from selected agencies
Capacity/Public 1. Information about mandate and point of contact
Capacity/Public 2. Guidelines for public on how to access information
Capacity/Public 3. Guidelines for public on how to participate in decision-making
Capacity/Public 4. Guidelines for public on procedures for bringing complaints in administrative and judicial proceedings
Capacity/Public 5. Languages and translations of administrative information
Government support for NGOs and for education
Capacity/Public 6. Government funds and earmarked subsidies to support NGO activities
Capacity/Public 7. Teacher training and materials for environmental education
Capacity/Public 8. Curriculum for environmental education
Capacity/Public 9. Support for independent professional and legal help

Chapter 7: Getting Involved

This chapter explains how you can join and benefit from The Access Initiative (TAI). You will also learn about the Partnership for Principle 10, a unique coalition of government and non-government organizations putting TAI's findings into action. Read on to explore becoming a member of these innovative and growing partnerships.

Submitting Your Data and Sharing Your Results

In addition to using your results nationally, we hope that you will share your results and findings globally through The Access Initiative (TAI).

How can I submit my data to The Access Initiative?

Once you have completed your assessment and entered your information in the database, you can send your results back to The Access Initiative through email. If you are using the CD-ROM, please see the instructions in the User Instructions file for guidance on this process. If you are using the PDF indicators, you may send them back to us by email or mail, with aggregate scores included.

We suggest that you let the lead organization of your coalition enter and collect all of the data in the database so that there is only one file sent to us.

Why should I share my results with TAI?

When you submit your results to The Access Initiative (TAI), you will then be able to draw on the experiences and resources of teams that have already completed assessments.

Specifically, you can benefit from:

- Feedback on the indicator scores and values your team chose
- Confirmation of conclusions and suggestions for outreach from other countries with similar findings
- Detailed information on findings and events in other countries
- Support, guidance, and resources from TAI for conducting future assessments
- Wider dissemination of your findings via posting of your results on www.accessinitiative.org

How can I have my results posted on www.accessinitiative.org and integrated in future TAI reports?

To become part of TAI and share your results on the TAI website, you should submit your data to us in the database as described above. This will allow us to compare your data with that from other countries and coalitions and create global scores.

In addition, you should create a report presenting your indicator scores and findings. To make it easier for you to compile a report, we have included a Report Outline in Appendix F. Whether or not you use this feature, your electronic or hard copy report should include the following elements:

- Completed indicator worksheets for at least all priority indicators, including values, research documentation, justifications and score reports;
- Names and affiliations of members of the lead organization,

research team, and advisory group (if these cannot be provided for political or practical reasons, please explain);

- Summary of comments from the advisory panel, including dates on which comments were submitted;
- A statement of whether you are willing to submit the report to a global review and a list of proposed reviewers (to include a mix of people from your country who were not part of the coalition or original review panel, and foreigners familiar with your country);
- *Optional:* A brief narrative description of how the report was generated (e.g., how many people were involved, how it was compiled, how the team decided on values and scores, how many reviewers were asked for comments, how many submitted comments, etc.). If comments were made at a meeting, provide a summary of the meeting and a list of those present.

Note: If your assessment and report are in a language other than English, please provide your original-language report to TAI, along with an English-language summary of the report (research and findings), and clearly marked indicator worksheets showing your selection of values and scores.

Please visit www.accessinitiative.org for examples of posted reports, information, and contacts that you can use to guide your involvement with TAI. Submit your report by email to access@wri.org or by post.

I have suggestions for future versions of the methodology. How can I contribute to its development?

The best ideas for improving the methodology and indicators come from researchers who have actually used them. Please send us your suggestions (general or specific) for changes to the methodology.

You can:

- Suggest changes to a particular indicator (please note the indicator's category, number, and title)
- Propose additional indicators, subcategories, or categories
- Suggest deletions of unnecessary or redundant indicators
- Propose changes or additions to the instructions or research methods
- Ask questions about use and interpretation of the methodology

Address your questions and comments in an email to access@wri.org, or send them to:

How-To Guide Comments
The Access Initiative
World Resources Institute
10 G Street NE, Suite 800
Washington, DC 20002 USA
(202)729-7600

Please be as specific as possible and include your contact information so that we can send you a reply addressing your comments.

Joining The Access Initiative

We hope you will consider becoming a partner of The Access Initiative (TAI). Please see *Chapter 1: The Access Initiative* or www.accessinitiative.org for an overview of TAI and its work.

What do TAI Partners do in their countries?

TAI partners build national coalitions and conduct research (as described in this guide) to identify progress and gaps in access to information, participation, and justice. They ensure the credibility and accuracy of their methodologies through review of assessments by an advisory panel that includes government representatives. Partners then publish their research assessment and use the research results to advocate for policy reform. Finally, members of TAI are responsible for raising funds to support their activities.

What do TAI Partners gain from the global network?

While anyone can use the TAI methodology and guide, there are advantages to formal membership in The Access Initiative. Access Initiative partners:

- Share information, ideas, and suggestions with a global network of like-minded organizations
- Participate in workshops to launch assessments
- Contribute to the development and dissemination of the methodology
- Receive assistance in applying the methodology
- Have their results disseminated globally
- Are involved in international dialogues and decision-making forums
- Can use internationally recognized TAI materials
- Receive assistance in fundraising.

How does my organization join?

You organization should meet the following criteria:

Willingness to work with others. TAI partners work in national-level coalitions that typically include two to six organizations, plus consultants and other experts. We are happy to help you contact a coalition, if one already exists in your country. If not, we will let you know whether other organizations and individuals in your country have expressed interest in joining TAI and help you contact each other. See *Chapter 2: The Assessment Step by Step* for more information.

Willingness and ability to convene a team. TAI partners form teams combining diverse skills, including experience in environmental law, information management, indicator development, activism, and outreach, as well as analytical and research skills. See *Chapter 2: The Assessment Step by Step* for more information.

Ability and willingness to work with governments. TAI is committed to including governments in the review process, as a means to help ensure the quality of the assessment and as an important part of building a constituency for policy reform.

Willingness to use transparent methods and review. To become a TAI partner, you must be transparent concerning the methodology used to conduct your assessment and have your assessment reviewed by relevant stakeholders.

Willingness and ability to secure your own support for your activities. The Access Initiative is not a grant-making organization and has limited resources to sponsor new partners. We are willing to support you in writing proposals to prospective funders, but the principal responsibility for fundraising is at the national level.

If you are interested in conducting an assessment and joining The Access Initiative, please complete the membership form included in Appendix G. Send it to access@wri.org **and** to the relevant Core Team member for your region. Alternatively, you may send the form by post to:

Coordinator, The Access Initiative

World Resources Institute

10 G Street NE Suite 800

Washington, DC 20002 USA

We will contact you to discuss your membership and we look forward to working with you.

The Partnership for Principle 10

Please consider joining the Partnership for Principle 10, a coalition working to translate the findings of The Access Initiative into action. Read on to find answers to frequently asked questions about the Partnership.

What is the Partnership for Principle 10?

The Partnership for Principle 10 (PP10) is a new initiative developed as a "Type II" outcome of the World Summit on Sustainable Development (WSSD). PP10 provides a venue for governments, civil society groups, and international organizations to work together to promote national-level implementation of Principle 10 of the Rio Declaration and Paragraph 128 of the WSSD Plan of Implementation so that decision-making at the national level is transparent, inclusive, and accountable. The Partnership is motivated by the growing evidence that increased public access to information, participation in decision-making, and access to justice leads to more equitable and environmentally-sound development of countries, sectors, and communities.

PP10 was launched in August 2002 at the WSSD in Johannesburg, South Africa. There, the founding partners agreed on a general framework for the development of the Partnership. In a presentation to the United Nations, the members of the Partnership committed themselves to support independent assessments and collaborate across sectors in order to meet the commitments made in the Rio Declaration and the WSSD Plan of Implementation.

The Partnership convened its first meeting in Lisbon, Portugal in April 2003 with representatives from eight governments and 13 national and international organizations. During this meeting, decisions were made relating to the Partnership's commitments, operation, strategy, and structure.

Who is involved in PP10?

The list of partners in PP10 includes governments, international organizations, and national and international NGOs. The acting Secretariat of the Partnership is World Resources Institute. New partners continue to join PP10, so please see our website at www.pp10.org for a complete list.

As of April 2003, PP10 members included 8 governments, 5 international organizations, and 8 NGOs. PP10 also allows potential partners to obtain observer status.

How is PP10 different from The Access Initiative?

The Access Initiative is a coalition of civil society organizations that conduct independent assessments of their country's national public participation systems. The Partnership for Principle 10 translates this research into action through a wide range of stakeholders.

How does PP10 support sustainable development?

The Partnership seeks to improve national public-participation systems to ensure access to information, participation, and justice in decision-making that affect the environment. At the national level, a working public participation system enables individuals and groups to make informed choices and integrate social and environmental objectives in decisions on economic policies and specific development activities. In this way, a public participation system is an essential mechanism for the promotion of a sustainable development agenda.

PP10 directly supports a wide range of international commitments and regional instruments for sustainable development, including:

Principle 10 of the Rio Declaration, signed in 1992 by 178 countries, which states that environmental issues are best handled with the participation of all concerned citizens and that individuals should have appropriate access to information, participation, and justice concerning the environment

The World Summit on Sustainable Development Plan of Action (2002), aimed at ensuring access to information, participation, and justice in environmental decision-making to further Principle 10 of the Rio Declaration on Environment and Development

The Aarhus Convention (1998), an agreement led by the United Nations Economic Commission for Europe (UNECE) to promote information, participation, and justice in environmental decision-making.

How does the Partnership for Principle 10 work?

PP10 partners endorse shared commitments that support a common strategy to implement practical salutations that provide the public with access to information, participation, and justice for environmentally sustainable decisions.

In addition, each partner contributes to the achievement of the PP10 objective through specific efforts and activities to which they are held accountable.

To join PP10, candidate governments and organizations must commit to both internal and external improvements, which are then subject to peer-review by the current partners.

For instance, a national-level civil society organization might commit to undertaking a national assessment every two years, using the tools in this guide. Working together with stakeholders, the organizations might identify a set of priorities for implementation, for instance, improving the legal foundation for access to information, developing a new system for public information, and implementing a program of staff training for government officials responsible for facilitating participation processes.

A national government ministry, based on the results of the assessments and the priorities that have been established, might commit to promoting improved legislation, to developing a new public information system, or to implementing a program of staff training related to public participation.

An international organization might commit to improving its disclosure and participation policies and practices, and to developing program areas to support improved access to information, participation, and justice in its countries of operation.

All commitments are required to be measurable, time bound, and additional. Specific commitments will be peer-reviewed by other partners during 2003, and final specific commitments will be announced at the beginning of 2004.

What are the PP10 strategies?

The Partnership for Principle 10 has several strategies for implementation:

- *Accountability Mechanism.* PP10 will facilitate accountability by providing information about the specific commitments of the partners and their progress toward achieving them.

- *Mobilize Financial Resources.* PP10 will mobilize additional financial resources for national-level implementation by focusing on "matchmaking" among the commitments of different partners, and by ensuring that appropriate bilateral connections between potential donors and potential recipients are made.

- *Learning Mechanism.* PP10 will serve as a learning mechanism by documenting and exchanging emerging knowledge and best practice in the implementation of Principle 10. PP10 will establish a basic framework for documentation, and facilitate collaborations designed to generate learning in specific areas.

- *Partnership Expansion.* PP10 will expand its membership to establish its global scope, and to aid in mobilizing resources. Expansion of PP10 will focus on maintaining geographic balance and attracting new sources of funding.

PP10 Values and Operating Principles

Accountability. We should be accountable for implementing our commitments and achieving our objectives to our peers, our constituencies, and the international community.

Transparency. We should share information about our commitments and our work to meet them with our peers, our constituencies, and the international community, and we must encourage examination of our process.

Equity and Inclusiveness. We should include all partners in decision-making and ensure that the outcomes of decisions are equitable.

Oriented to results. We should work to achieve practical and sustainable results in improving public access to information, participation, and justice in decision-making at the national level.

Efficiency. We should achieve maximum improvement in national systems of public participation with the resources available.

Respect. We should respect a diversity of approaches and solutions to specific national or organizational needs for improvement of access to information, participation, and justice. We likewise should recognize and respect the diverse contributions by partners to the Partnership process.

How can I join PP10 and learn more?

The Partnership for Principle 10 relies on the diversity of its partners for effective implementation of Principle 10.

For consideration as a PP10 partner, visit www.pp10.org and fill out the application form provided. You may also contact World Resources Institute for information – please email us at access@wri.org, or see our mailing address in Appendix G.

Appendix A: Glossary

This glossary defines terms, phrases, and acronyms from the "How-to" Guide and from the Indicator Worksheets.

List of Defined Terms and Phrases, A-Z

Note: The definitions provided in this glossary are for the purposes of The Access Initiative and this guide only. For widely used words and terms, general dictionary definitions are followed by the specific definitions used in the context of this guide (where applicable).

Aarhus Convention – Short name for the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters. The Aarhus Convention was adopted on 25 June 1998 in the Danish City of Aarhus at the Fourth Ministerial Conference in the "Environment for Europe" Process. It entered into force on 30 October 2001. The Convention is concerned with the implementation of access to information, participation, and justice, as stated in its objective: "In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this convention." See www.unece.org/env/pp for more information.

Access – The ability or right to obtain or make use of a commodity or process. In the context of this guide, "access" refers to the ability or right to obtain or make use of information, opportunities for participation, and mechanisms for justice.

Access Initiative, The – A global coalition of civil society groups working together to promote national-level implementation of commitments to access to information, participation, and justice in decisions affecting the environment. See www.accessinitiative.org for more information.

Access Principles – Refers to the three cornerstones of The Access Initiative: access to information, participation, and access to justice.

Active efforts – In the context of this guide, "active efforts" refers to the dissemination of information that involves outreach by an entity (such as a government agency) and is not dependent on request of or search by the public. Distributing information to public facilities such as libraries or releasing it to the mass media are examples of active efforts of dissemination.

Administrative – Pertaining to the execution of public affairs; administering; executive; as, an administrative body.

Administrative interest – Of or concerning the operations of administrative bodies. May include internal communications of government authority or other information designated as administrative secrets (i.e., information exempt from public interest accessibility rules). Administrative interests or subjects of administrative secrets are usually determined by high-level laws or by heads of administrative agencies.

Affected parties – Groups or individuals subject to or influenced by an event or action.

Agenda 21 – A comprehensive plan of action to be taken globally, nationally, and locally by organizations of the United Nations system, governments, and major groups in every sector in which humans have impact on the environment. Agenda 21 was adopted by more than 178 Governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992. See also **Rio Declaration**.

Alternative dispute resolution – A mechanism of resolving conflicts through mediation or arbitration rather than through litigation. In alternative dispute resolution, a third party hears the arguments of the disputing parties and helps them come to agreement. Resolutions reached through this mechanism are not legally binding or enforceable; their implementation depends on the goodwill and commitment of the parties involved.

Assessment – The act of assessing; appraisal. In the context of this guide, "assessment" refers to the process of measuring a country's performance in providing access to information, participation, and justice, including collecting data to answer selected research questions. The term also refers to the product of such research – as in, "once a team has completed an assessment, they should submit it to The Access Initiative."

Category – A specifically defined division in a system of classification; a class. In the context of this guide, "category" refers to one of the four main divisions or parts of the methodology. These parts correspond to the three Access Principles—information, participation, and justice—and to the related concept of capacity building. (In Version 1.0 of the guide, there are three categories- corresponding to information, participation, and capacity building.)

Capacity building – In the context of this guide, "capacity building" refers to efforts to improve a country's human, scientific, technological, organizational, institutional, and resource capabilities. According to Agenda 21, capacity building consists of mechanisms, efforts, or conditions which enhance effective and meaningful public participation in decisions affecting the environment. Types of capacity building include educating civil servants to implement access rights, creating a supportive legal and administrative situation for non-governmental organizations, and ensuring Internet access for the general public.

Case – See **case study.**

Case study – A study of a unit and causes of its success or failure. In the context of this guide, "case study" refers to a study of an example used for assessing practice in providing access to information, participation, or capacity building. A case study may be of an event (such as an environmental emergency), a decision-making process (such as development of an environmental impact assessment), or a particular government office or agency. Case studies are also referred to as "cases."

Coalition – A union of individuals or organizations united for a common purpose. In the context of this guide, "coalition" refers to the group of organizations and individuals within a country who have agreed to work together to conduct the assessment and translate the results into products and outcomes.

Compliance – Adherence to a particular law or regulation. In the context of this guide, "compliance" refers to adherence by facilities to regulations on emissions to air, emissions to water, and other environmental impacts.

Concession – The right to undertake a specified activity for profit on government property; a bilateral agreement or contract between national and local governments and grantees giving the latter the right to manage public property or offer public services that are within the competence of the state.

Confidentiality – State of containing secret information, the unauthorized disclosure of which poses a threat to national security. In the context of this guide, "confidentiality" refers to the state of having the dissemination of certain information restricted.

Dissemination – Distribution, spreading, publication. In the context of this guide, "dissemination" refers to distribution of information.

Environmental emergency – A situation created by an accidental release or spill of hazardous chemicals that poses a threat to the safety of workers, residents, the environment, or property; or, any type of accident or event occurring through man-made causes or on a man-made site with the potential to harm human populations, biodiversity, or the environment.

Environmental governance – The range of institutions and decision-making processes (including but not limited to governments) engaged in managing the environment and natural resources.

Environmental impact assessment (EIA) – The term applied to the systematic examination of the likely impacts of proposed development on the environment prior to any activity.

Ex post investigation – A detailed inquiry or systematic examination formulated, enacted, or operating after the occurrence of an event. In the context of this guide, "ex post investigation" specifically refers to such an investigation carried out after an environmental emergency.

Freedom of Information Act (FOIA) – Can be used as to refer to any regulation or piece of legislation regulating access to information. Also refers specifically to Title 5 of the United States Code, section 552. Enacted in 1966, this act provides that any person has the right to request access to federal agency records or information. All agencies of the United States government are required to disclose records upon receiving a written request for them, except for those records protected from disclosure by the nine exemptions and three exclusions of the FOIA. This right of access is enforceable in court.

Indicator – Any of various statistical values that collectively indicate the stability of a system. In the context of this guide, "indicator" refers to a measurement of a particular aspect of performance in implementation of access to information, access to participation, access to justice, or capacity building (the public participation system). The term "indicator" is used as shorthand to refer to both research questions and their answers.

Information – Knowledge of a specific event or situation; intelligence; a collection of facts or data. In the context of this guide, "information" refers to facts, knowledge, explanations, justifications, data, and resources on environmental factors, including air and water quality, environmental emergencies, general environmental trends, facilities and their environmental impacts, plans or programs affecting natural resources, etc.

Interested parties – Participants in a lawsuit or other legal proceedings that have an interest in the outcome.

ISO 14000 - The International Organization for Standardization (ISO) is a private-sector, international standards body based in Geneva, Switzerland, which promotes the international harmonization and development of manufacturing, product, and communications standards. The IS0 14000 standards are a series of voluntary standards developed under the IS0 framework to address environmental management by organizations and identify management system elements that are intended to lead to improved performance.

Judicial – Of or relating to the administration of justice, or the judiciary.

Justice – The upholding of what is just, especially fair treatment and due reward in accordance with honor, standards, and law. In the context of this guide, "justice" refers to mechanisms for redress and remedy in the case of a violation of rights or restriction of access; includes mediators, alternative dispute resolutions, administrative courts, formal courts of law, and other mechanisms.

Law indicators – Indicators that assess the legal framework supporting an Access Principle. These indicators require research in constitutional law, court decisions, regulations, and legislative process.

Legal indicators – See **law indicators**.

Mandate – An authoritative command; a formal order.

Marginalized socio-economic or cultural groups – In the context of this guide, refers to groups facing discrimination, economic hardship, or insufficient political representation due to their race, ethnicity, religion, language, origin, income level, or cultural practices.

Mass media – Television, print, and radio journalism produced for the general public rather than for a professional audience; a medium of communication designed to reach the mass of the people.

Methodology – A body of practices, procedures, and rules used in a discipline or an inquiry; a set of working methods. In the context of this guide, "methodology" refers to the framework of research questions, indicators, and research tools (including guidelines on source selection and documentation) used to conduct a national assessment of access to information, participation, and justice.

Non-governmental organization (NGO) – Any civil organization or group, including voluntary groups, community groups, charities, trade unions, campaigns, and almost any other group that is not part of the government. Businesses and other profit-making entities are not included in this definition.

Participation – The act of taking part or sharing in something. In the context of this guide, "participation" refers to informed, timely, and meaningful input and influence in decisions on general policies, strategies, and plans at various levels and on individual projects that have environmental impacts.

Partnership for Principle 10 – A new initiative developed as a "Type 2" outcome of the World Summit on Sustainable Development. The Partnership for Principle 10 provides a way for governments, civil society organizations, and international organizations to work together to implement practical solutions to provide the public with access to information, participation, and justice for environmentally sustainable decisions. See www.pp10.org for more information.

Periodicity – The quality or state of being periodic; recurrence at regular intervals. In the context of this guide, "periodicity" refers to the frequency with which a report or data is published or disseminated. For instance, the periodicity of a report is annual if it is published every year; the periodicity of a Pollutant Release and Transfer Register (PRTR) is semi-annual if it is released every six months. A greater periodicity implies greater frequency of information release and thus greater access to information.

Policy – A plan or course of action, as of a government, political party, or business, intended to influence and determine decisions, actions, and other matters. In the context of this guide, "policy" refers to a broad statement of intent that focuses the political agenda and sets a decision cycle in motion.

Pollutant Release and Transfer Register (PRTR) – First introduced in the United States in 1986 (as the Toxic Release Inventory), PRTRs provide accessible and usable information to the public about facility releases or pollutants and transfers of waste. Facilities submit standardized reports to the government about their releases of chemicals and pollutants into air, water, and soil, as well as transfers of waste to other sites for management. A few also include information about the amount of chemicals entering products (which can eventually enter the environment as waste). The reporting responsibility may depend on the nature of the handled chemicals and on the size of the company. Data are available to the public electronically for individual facilities or in aggregated form. See more in the OECD 1996 Guidelines.

Practice indicators – Indicators assessing how the Access Principles are implemented in a country (in other words, whether policy, commitments, and law are implemented). Practice indicators focus primarily on case studies. These indicators are also referred to in the database as "case-related" indicators.

Principle 10 – Part of the Rio Declaration. The full text of Principle 10 reads: "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." Principle 10 embodies the ideals of the Access Initiative and is the foundation of the Partnership for Principle 10.

Priority indicator – One of the crucial or central indicators in the methodology, which can be assessed as part of a minimum assessment if time or resources prohibit assessing all indicators.

Pro bono – Being or involving uncompensated legal services performed especially for the public good.

Provision – A clause in a statute, contract, or other legal instrument.

Public – 1.The people of a nation or community as a whole. 2. One or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations, or groups.

Public interest information – Information handled by administrative bodies that informs the public about the management of the state property and about the fulfillment of the responsibilities of the state.

Public participation system – In the context of this guide, refers to the collected means for access to information, opportunities for participation, mechanisms for justice, and capacity building in the policy and practice of a country.

Quasi-judicial - Essentially judicial in character but not within the judicial power or function, especially as constitutionally defined.

Redress – Relief; remedy; a means of seeking relief or remedy.

Remedy – The means of enforcing a right or preventing or redressing a wrong; legal or equitable relief.

Rio Declaration – A statement of commitments to environmentally sustainable decision-making and development, which emerged from the United Nations Convention on Environment and Development (UNCED) held in Rio de Janeiro, Brazil in June 1992.

Representatives of governments and NGOs from 178 countries attended UNCED, making the declaration an unprecedented statement of agreements to protect the global environment.

Sector – A part or division. In the context of this guide, "sector" refers to a particular division of the economy or of industry. Examples of sectors include mining, forestry, water management, power generation, and electronics manufacturing.

Seveso Directive – An agreement signed by members of the European Community in 1982 dealing with legislation to prevent chemical accidents and lessen their damage. The directive was developed in response to the chemical disaster at a chemical plant in Seveso, Italy in 1976. The directive was revised in 1987 and 1988 to include more far-reaching guidelines on emergency management and prevention.

Standard identifiers – Common factors for all facilities reporting in a particular jurisdiction, including types of substances/pollutants, geographic location, industrial sectors, and biota.

Standing – A party's right to make a legal claim or seek judicial enforcement of a duty or right.

State of the Environment (SOE) Report – A document (electronic or paper) that is: a.) concerned with environmental and natural resources issues; b.) supported by numerical data and charts, tables, and maps; c.) countrywide or regional in coverage; d.) useful to policymakers and others concerned with development planning; and e.) publicly available at reasonable cost.

State secret – Information exempt from public interest rules on data accessibility, based on the most vital interests of operation of the state and its organs. Subjects of state secrets are usually determined by high-level laws or by leaders of state ministries or agencies.

Strategy – A plan of action intended to accomplish a specific goal. In the context of this guide, "strategy" refers to a broad statement of intent that focuses the political agenda and sets a decision cycle in motion.

Subcategory – A subsection of a category. In the context of this guide, "subcategory" refers to one of the main sections of a category of assessment. Subcategories focus on one type of access, either in law or in practice.

Sub-national – At the regional or local rather than national level. In the context of this guide, "sub-national" refers to a decision-making process that does not affect the whole country but occurs on a regional, state, or municipal level.

Sustainable development – That which meets all the needs of the present generation without compromising the ability of future generations to meet their own needs.

Timeliness – Quality of occurring at a suitable or opportune time; being well-timed. In the context of this guide, "timeliness" refers to the speed or amount of time in which a given type of information, participation, or justice is provided or granted.

Topic – A subdivision of a theme, a thesis, or an outline. In the context of this guide, "topic" refers to an organizing idea used to group similar indicators. Topics in this guide include *Existence and quality of information systems, Efforts to disseminate information, Outcomes of participation*, etc.

Transparency – The quality or state of being transparent. In the context of this guide, refers to sharing information and acting in an open and accountable manner. Transparency allows stakeholders to gather information that may be critical to uncovering abuses and defending their interests. Transparent systems have clear procedures for public decision-making and open channels of communication between stakeholders and officials, and make a wide range of information accessible.

Value – An assigned or calculated numerical quantity. In the context of this guide, "value" refers to one of several choices given to measure performance for a particular indicator. Values are presented in the form of short statements, accompanied by a number. Each indicator has three to six possible values which describe different levels of performance.

List of Acronyms

EIA – Environmental Impact Assessment*
EMAS – Eco-Management and Audit Scheme
FOIA – Freedom of Information Act*
GDP – Gross domestic product
ISO – International Organization for Standardization*
NGO – Non-governmental organization*
OECD – Organisation for Economic Co-operation and Development
PP10 – Partnership for Principle 10*
PRTR – Pollutant Release and Transfer Register*
SOE – State of the Environment (Report)*
TAI – The Access Initiative*
UNCED – United Nations Conference on Environment and Development*
UNDP – United Nations Development Program
UNECE – United Nations Economic Commission for Europe
UNEP – United Nations Environment Programme
WRI – World Resources Institute
WSSD – World Summit on Sustainable Development

*Denotes that the term is defined in the Glossary's List of Defined Terms and Phrases. Please consult the entry there for more information.

Appendix B: Useful Internet Links

The Access Initiative (TAI)
www.accessinitiative.org

Partnership for Principle 10 (PP10)
www.pp10.org

Background information and agreements on Access Principles and indicators

The Rio Declaration
www.unep.org/unep/rio.htm

Agenda 21
www.un.org/esa/sustdev/agenda21.htm

The Malmo Declaration
www.unep.org/malmo/malmo_ministerial.htm

The Aarhus Convention
www.participate.org/convention/convention.htm

GRI (Global Reporting Initiative)
www.globalreporting.org

Other organizations

Organisation for Economic Co-operation and Development
www.oecd.org

United Nations
www.un.org

United Nations Environment Programme
www.unep.org

United Nations Economic Commission for Europe
www.unece.org

United Nations Economic Commission for Latin America and the Caribbean
www.uneclac.org

United Nations Development Programme
www.undp.org

United States Agency for International Development (USAID)
    www.usaid.gov

USAID Democracy and Governance: Cross-Sectoral Linkages
    www.dec.org

World Bank
    www.worldbank.org

TAI Partners

The Core Team

World Resources Institute (WRI), USA
    www.wri.org/wri

Thailand Environment Institute (TEI), Thailand
    www.tei.or.th

Environmental Management and Law Association (EMLA), Hungary
    www.emla.hu

Advocates Coalition for Development and Environment (ACODE), Uganda
    www.acode-u.org

Corporación Participa, Chile
    www.participa.cl

Other Partners

Agricultural Cooperative Development International (ACDI), Uganda
    www.acdivoca.org

Austral Center for Environmental Law, Chile
    www.ceada.org

Centro de Investigación y Planificación del Medio Ambiente (CIPMA), Chile
    www.cipma.cl

Centro Mexicano de Derecho Ambiental, A.C. (CEMDA), Mexico
    www.cemda.org.mx

Comunicación y Educación Ambiental, S.C., Mexico
    www.comunicacionambiental.com

Cultural Ecológica, A.C., Mexico
www.culturaecologica.com

Environmental Justice Networking Forum (ENJF), South Africa
www.botany.uwc.ac.za

Environmental Law and Management Clinic of Technikon Pretoria, South Africa
www.techpta.ac.za

Environmental Law Institute (ELI), USA
www.eli.org

Fundación TERRAM, Chile
www.terram.cv.cl

Hungarian Environment Partnership (OKOTARS), Hungary
www.okotars.hu

Indonesian Center for Environmental Law (ICEL)
www.icel.or.id

King Prajadhipok's Institute (KPI), Thailand
www.kpi.ac.th

Ohio Citizen's Policy Center, an affiliate of Ohio Citizen Action, USA
www.ohiocitizen.org/about/cpc/html

Participatory Research in Asia (PRIA), India
www.pria.org

Presencia Ciudadana Mexicana, A.C., Mexico
www.presenciaciudadana.org.mx

Recursos e Investigación para el Desarrallo Sustenable (RIDES), Chile
www.rides.cl

Silicon Valley Toxics Coalition (SVTC), USA
www.svtc.org

Appendix C: Access Initiative Partners

Assessing Access to Information, Participation and Justice for the Environment: A Guide was produced by The Access Initiative (TAI), a global coalition of civil society organizations promoting access to information, public participation, and justice in decision-making for the environment.

Currently, 30 partners in 9 countries are led by a Core Team of five organizations. These coalition members serve as lead organizations for their respective regions. They help provide international coordinator of national assessment efforts, work to recruit new TAI partners in additional countries, and facilitate communication among partners.

TAI Pilot Countries:

Chile, Hungary, India, Indonesia, Mexico, South Africa, Thailand, Uganda, United States. Please see www.accessinitiative.org for a list of countries where Access Initiative coalitions have formed since the pilot phase in 2001-2002.

Core Team Members:

North America – World Resources Institute (WRI)
Asia – Thailand Environment Institute (TEI)
Europe – Environmental Management and Law Association (EMLA)
Africa – Advocates Coalition for Development and Environment (ACODE)
Latin America – Corporación PARTICIPA

Original partners of the Access Initiative (listed by country):

CHILE: Corporación PARTICIPA, Centro de Investigación y Planificación del Medio Ambiente (CIPMA), Recoursos e Investigación para el Desarrollo Sustenable (RIDES), Fundación TERRAM

HUNGARY: Environmental Management and Law Association, Hungarian Environmental Partnership (OKOTARS), Miskolc Institute for Sustainable Development

INDIA: Participatory Research in Asia

INDONESIA: Indonesian Center for Environmental Law

MEXICO: Centro Mexicano de Derecho Ambiental, A.C.
Comunicación y Educación Ambiental, S.C.
Cultura Ecológica, A.C., Presencia Ciudadana Mexicana, A.C.

SOUTH AFRICA: Environmental Law and Management Clinic of Technikon Pretoria, Environmental Justice Networking Forum

THAILAND: Thailand Environment Institute, King Prajadhipok's Institute, NGO-Coordinating Committee on Development

UGANDA: Advocates Coalition for Development and Environment (ACODE), Agricultural Cooperative Development International, the Uganda Wildlife Society

UNITED STATES: Environmental Law Institute, Ohio Citizen's Policy Center (an affiliate of Ohio Citizen Action), Silicon Valley Toxics Coalition, Clean Water Fund, World Resources Institute

Appendix D: Examples of Activities, Products, and Strategies by Access Initiative Partner Countries

Further information on these activities can be obtained through www.accessinitiative.org or through correspondence with the partner organizations.

National strategies

The Access Initiative's original partner countries used their findings in a number of ways to work towards increased access to information, participation, and justice:

Setting priorities: In Uganda, the Advocates Coalition for Development and Environment (ACODE) determined that sectors central to a country's economy (such as mining or fisheries in Uganda) tended to perform poorly in providing access to information and thus should be a focus of improvement efforts.

Establishing a working group: In Chile, Corporación Participa and RIDES have entered into an agreement with the government to set up a national working group. The working group will include non-governmental organizations (NGOs), government officials, and business representatives and will use the assessment to identify specific activities through which members improve the system of public participation in Chile.

Raising public awareness: The Access Initiative-Mexico (TAI-Mexico) has presented its findings at meetings with community groups to raise their awareness of new legislation and opportunities to participate. To respond to the demand from these groups, TAI-Mexico used the findings from the assessment to develop and publish a CD-ROM guide for participation by individuals, NGOs and communities.

Training professionals: In Hungary, the Environmental Management and Law Association (EMLA) has used the assessment to create a training program for judges.

Designing public participation strategies: TAI-Mexico applied the methodology to design a public participation strategy for a large transportation project in Mexico City.

Incorporating a broad range of stakeholders: In Thailand, the Thailand Environment Institute (TEI) held a national meeting with over 250 representatives of civil society, the government, the business community, and the media to discuss the assessment. This meeting led to discussions with the business community on how to improve access to facility-level information and how to build a broad national constituency for improvement.

Examples of products

Mexico: Created a CD-ROM containing the assessment, a summary, and a guide for individuals and organizations on how to get environmental information, where to find opportunities for participation and how to demand improvement. Produced a short television presentation highlighting Mexico's participation in the World Summit on Sustainable Development.

Thailand: Published newspaper articles and held press meetings emphasizing the Partnership for Principle 10 and the World Summit on Sustainable Development.

South Africa: Held discussions with the Department of Environmental Affairs about The Access Initiative (TAI). Staged a workshop for non-governmental organizations (NGOs) to inform them about TAI.

Indonesia: Published a special report in *Kompas*, the country's largest daily newspaper. Met with representatives from the government to work on the Right to Freedom of Information Law.

Appendix E: Methodology Table and Indicator Charts

Consult the following charts for information on the organization of the indicators.

Methodology Table

Category I: Access to Information	**Indicator numbers**
Subcategory A: General Legal Framework	Information/Law 1-8
Subcategory B: Information about Emergencies	Information/Emergencies 1-14
Subcategory C: Information from Regular Monitoring	Information/Monitoring 1-14
Subcategory D: Information from State of the Environment Reports	Information/SOE 1-14
Subcategory E: Facility-Level Information	Information/Facility 1-14
Number of indicators	*60*
Category II: Participation	
Subcategory A: General Legal Framework	Participation/Law 1-4
Subcategory B: National and Sub-National Decision Making on Policies, Strategies, Plans, Programs, or Legislation	Participation/Policy 1-14
Subcategory C: Project-Level Decision-Making	Participation/Project 1-15
Number of indicators	*33*
Category III: Access to Justice (in development)	
Number of indicators	*0*
Category IV: Capacity Building	
Subcategory A: General Legal Framework	Capacity/Law 1-5
Subcategory B: Government Efforts to Build its own Capacity	Capacity/Government 1-4
Subcategory C: Government Efforts to Build the Capacity of the Public	Capacity/Public 1-10
Number of indicators	*19*
Total number of indicators	**112**

Category I: Access to Information
Indicator Chart

Read *across* to see indicators in different subcategories which address the same research question, given in the far left column. Read *down* by column to see indicators that fall into the same subcategory. Shaded boxes indicate that no indicator appears for that question and case type. Priority indicators appear in **bold** type.

Subcategory A: General legal framework supporting access to information *(Information/Law)*							
Information/Law 1. Right to access to public interest information							
Information/Law 2. Freedom of Information Acts							
Information/Law 3. Provisions for access to "environmental information" in the public domain							
Information/Law 4. Freedom of the press							
Information/Law 5. Freedom of speech							
Information/Law 6. Interpretation of "environmental information"							
Information/Law 7. Provisions for confidentiality of information concerning interests of government administration							
Information/Law 8. Provisions for confidentiality of information concerning interests of the state							
Topic: Mandate or legal requirements to collect and disseminate information (law indicators)							
	Subcategory B: Information about environmental emergencies (Information/ Emergencies)		**Subcategory C: Information from regular monitoring (Information/ Monitoring)**		**Subcategory D: State of the Environment reports (Information/ SOE)**	**Subcategory E: Facility-Level Information (Information/ Facility)**	
INDICATORS	a: *During*	b: *After*	a: *Air*	b: *Drinking Water*		a: *Compliance*	b: *PRTRs*
Mandate to disseminate each type of environmental information	**Information/ Emergencies 1**		**Information/ Monitoring 1**		**Information/ SOE 1**	**Information/ Facility 1**	
Claims of confidentiality regarding each of type of information	Information/ Emergencies 2					**Information/ Facility 2**	
Mandate or legal requirement to produce or report these types of environmental information	Information/ Emergencies 3		Information/ Monitoring 3		Information/SOE 3	Information/Facility 3	
Topic: Existence and quality of information systems (practice indicators)							
	Subcategory B: Information about environmental emergencies		**Subcategory C: Information from regular monitoring**		**Subcategory D: State of the Environment reports**	**Subcategory E: Facility-Level Information**	
INDICATORS	a: *During*	b: *After*	a: *Air*	b: *Drinking Water*		a: *Compliance*	b: *PRTRs*
Quality of the information provided		**Information/ Emergencies 4**	**Information/ Monitoring 4**		**Information/ SOE 4**	**Information/ Facility 4**	
Regularity of generating information or producing an information			Information/ Monitoring 5		Information/SOE 5	Information/Facility 5	

product							
Existence of a database for each type of environmental information		Information/Emergencies 6	Information/ Monitoring 6			Information/ Facility 6	
Topic: Efforts to disseminate information (practice indicators)							
	Subcategory A: Information about environmental emergencies		***Subcategory B: Information from regular monitoring***		***Subcategory C: State of the environment reports***	***Subcategory D: Facility-Level information***	
	a: During	*b: After*	*a: Air*	*b: Drinking water*	*SOEs*	*a: Compliance*	*b: PRTR*
Accessibility of different types of environmental information on the Internet	**Information/ Emergencies 7**		**Information/ Monitoring 7**		**Information/ SOE 7**	**Information/ Facility 7**	
Efforts to reach mass media with different types of environmental information	**Information /Emergencies 8**		Information/ Monitoring 8		**Information/ SOE 8**	Information/Facility 8	
Free public access to different types of information			**Information/ Monitoring 9**		Information/SOE 9	Information/Facility 9	
Recipients of the different types of information	Information/Emergencies 10		Information/ Monitoring 10			Information/Facility 10	
Efforts to produce a family of products for various audiences		Information/ Emergencies 11	Information/ Monitoring 11		Information/SOE 11	Information/Facility 11	
Timeliness of information available on request		Information/ Emergencies 12	Information/ Monitoring 12		Information/SOE 12	Information/Facility 12	
Topic: Quality of information accessible to the public (practice indicators)							
	Subcategory A: Information about environmental emergencies		***Subcategory B: Information from regular monitoring***		***Subcategory C: State of the environment reports***	***Subcategory D: Facility-Level information***	
INDICATORS	*a: During*	*b: After*	*a: Water*	*b: Drinking water*	*SOEs*	*a: Compliance*	*b: PRTRs*
Quality of the different types of information accessible to public	**Information/ Emergencies 13**		**Information/ Monitoring 13**		**Information/ SOE 13**	**Information/ Facility 1 3**	
Timeliness of the different types of information disseminated to the public	**Information/ Emergencies 14**		**Information/ Monitoring 14**		Information/SOE 14	**Information/ Facility 14**	

Category II: Participation

Read *across* to see indicators in different subcategories which address the same research question, given in the far left column. Read *down* by column to see indicators that fall into the same subcategory. Priority indicators appear in **bold** type.

Subcategory A. General legal framework supporting participation in decision-making affecting the environment (Participation/Law)						
Participation/Law 1. Freedom of direct participation in public matters						
Participation/Law 2. Public participation in drafting legislation						
Participation/Law 3. Public participation rules in administrative laws relevant to environmental protection						
Participation/Law 4. Public participation in administrative procedural law						
Topic: Access to information about decision-making processes						
	Subcategory B: Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation (Participation/Policy)					**Subcategory C: Participation in project-level decision-making (Participation/ Project)**
INDICATORS	*a.Policy*	*b.Strategy*	*c.Plan*	*d.Program*	*e.Law*	
Lead time for notification of draft	**Participation/Policy 1**					**Participation/Project 1**
Quality of information supporting participation	**Participation/Policy 2**					**Participation/Project 2**
Existence and availability of documents supporting respective decision at public registries/records	**Participation/Policy 3**					**Participation/Project 3**
Timeliness of notification of intent to propose or approve a decision	Participation/Policy 4					Participation/Project 4
Timeliness of communication of final decision	Participation/Policy 5					Participation/Project 5
Communication tools used to disseminate drafts or final decisions	Participation/Policy 6					Participation/Project 6
Communication of draft decision to marginalized socioeconomic or cultural groups	Participation/Policy 7					Participation/Project 7
Topic: Opportunities to participate						
	Subcategory B: Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation (Participation/Policy)					**Subcategory C: Participation in project-level decision-making (Participation/ Project)**

INDICATORS	*a: Policy*	*b: Strategy*	*c: Plan*	*d: Program*	*e: Law*	
Degree of external consultation in defining the parameters or scope of the decision	**Participation/Policy 8**					**Participation/Project 8**
Comprehensiveness of consultation at drafting stage	**Participation/Policy 9**					
Consultations held with marginalized socio-economic and cultural groups or affected parties	Participation/Policy 10					**Participation/Project 10**
Duration of public comment period	Participation/Policy 11					Participation/Project 11
Public participation in implementation and review of decision	Participation/Policy 12					Participation/Project 12
Topic: Outcome of participation						
	Subcategory B: Participation in national or sub-national decision-making on policies, strategies, plans, programs or legislation (Participation/Policy)					**Subcategory C: Participation in project-level decision-making (Participation/ Project)**
INDICATORS	*a: Policies*	*b: Strategy*	*c: Plan*	*d: Program*	*e: Law*	
Timeliness of information given to the public about the consultation process used in the selected decision-making case	**Participation/Policy 13**					**Participation/Project 13**
Incorporation of public input in decision	Participation/Policy 14					Participation/Project 14
Degree of participation by affected parties or public interest groups in implementation of or monitoring compliance with decisions						Participation/Project 15

Category IV: Capacity Building

Priority indicators appear in **bold** type.

Subcategory A. General legal framework supporting capacity building (Capacity/Law)
Capacity/Law 1. Freedom of association
Capacity/Law 2. The right to a clean environment
Capacity/Law 3. Tax conditions for non government organizations
Capacity/Law 4. Registration of non government organizations
Capacity/Law 5. Legal interpretation of “the public”
Capacity/Law 6. International financial support for NGOs
Capacity/Public 7. Conditions for local philanthropy
Subcategory B. Government efforts to build its own capacity (Capacity/Government)
Topic: Institutional support for public access to decision-making
Capacity/Government 1. Government investment in compliance with laws and regulations on access to information and participation
Capacity/Government 2.Training for government staff
Capacity/Government 3. Training for judicial officials
Subcategory C. Government efforts to build the capacity of the public (Capacity/Public)
Topic: Availability and comprehensiveness of information from selected agencies
Capacity/Public 1. Information about mandate and point of contact
Capacity/Public 2. Guidelines for public on how to access information
Capacity/Public 3. Guidelines for public on how to participate in decision-making
Capacity/Public 4. Guidelines for public on how to bring complaints in administrative and judicial proceedings
Capacity/Public 5. Languages and translations of administrative information
Government support for NGOs and education
Capacity/Public 6. Government funds and earmarked subsidies to support NGO activities
Capacity/Public 7. Teacher training and materials for environmental education
Capacity/Public 8. Curriculum for environmental education
Capacity/Public 9. Support for independent professional and legal help

Appendix F: Report Outline

This outline provides a suggested structure for your narrative report. Use the rest of the Guide for information and ideas, and use the data from the application to supplement your narrative. This outline is meant to help guide your ideas on format and content, but please add additional information where you feel it is appropriate and adapt the outline for your country. If you are going to create a short summary of your report, use the same general structure but reduce the length of each chapter.

I. Opening Material
II. Introduction
III. Context and Methodology
IV. Access to Information
V. Participation
VI. Capacity Building
VII. Conclusions and Recommendations
VIII. Appendices

I. Opening Material

You may format your report and its cover according to your coalition's needs, but be sure to include the following elements.

A. *Title* – Choose a title that will capture the attention of your audience. Include a subtitle explaining what the report is, e.g.: "An Assessment of Access to Information, Participation, and Justice in [your country]"
B. *Acknowledgements* – Make sure to acknowledge all of the report authors and their affiliations. List all of the researchers and organizations in your coalition.
C. *Recognition of affiliation with The Access Initiative* – We ask that you include the following statement: "This publication was produced by [names of organizations or coalition] and is based on research and methodology developed by The Access Initiative (TAI). Unless otherwise noted, views, interpretations, and findings represented herein are those of X, and do not represent The Access Initiative. The Access Initiative is a global coalition of public interest groups collaborating to promote national-level implementation of commitments to access to information, participation, and justice in environmental decision-making. The Access Initiative is led by a core team composed of the World Resources Institute (Washington D.C., USA), the Environmental Management and Law Association (Budapest, Hungary), Corporación Participa (Santiago, Chile), and the Thailand Environment Institute (Bangkok, Thailand). The core team relies on input and support from a broad constituency of NGOs, governments and regional and global inter-governmental organizations."
D. *Table of contents.*

II. Introduction

This section introduces the reader to the issues and serves as an executive summary. Recommended length is two pages.

A. *Purpose of the report* – Write a sentence or two about assessing the status of implementation of access to information, participation, and justice in your country.
B. *Importance of access* – Write a paragraph referencing Principle 10 of the Rio Declaration, Agenda 21, the Plan of Implementation of the World Summit on Sustainable Development. Explain how these commitments are relevant in your country and why access to information, participation, and justice are important.
C. *Overview of report* – Write a sentence summarizing each chapter, e.g.: "Chapter 1 provides background and the context for access to information, participation and justice. It also briefly discusses the methodology used for the assessment. Chapter 2 presents the results of the assessment and analyses access to four different types of information," etc.
D. *Overview of main conclusions and findings* – You may wish to feature these prominently in a text box.

III. Context and Methodology

This chapter should outline the social and political context in your country that may affect access to information, participation, and justice but is not reflected specifically in the indicators. Recommended length is five or six pages.

A. *Discussion of influential political factors* – This section will address the issue of whether there is a general political will to improve access. To evaluate the existence of political will and infrastructure, address issues such as:
   1. Endorsement of (or refusal to endorse) relevant international commitments and agreements - Discuss whether your government has endorsed the WSSD Plan of Implementation and whether they are parties or signatories of other regional or international agreements on access (such as the Aarhus Convention).
   2. Current decisions to promote or block legislation relevant to access (such as freedom of information acts), or current examples of major efforts to either increase or limit public involvement in important national-level decisions.
   3. Levels of corruption or other special interest influence on decisions – Evidence of high levels of corruption or efforts to curb it in certain critical institutions (e.g. the courts) or throughout the political system are indicative of political will or its absence. High levels of corruption or substantial control of political decisions by special interests usually restrict access to decision-making.
   4. Other factors as relevant.

B. *Discussion of social factors* – This section will briefly address educational, demographic, technological, and other factors and their implications for access. You may wish to discuss issues such as:

1. Levels of illiteracy
2. Percentage of the population with access to the Internet
3. Number of languages spoken in the country and/or number of marginalized socioeconomic or cultural groups
4. Percentage of population living in rural areas
5. Number of non-governmental organizations dealing with the environment and access issues
6. Other factors as relevant.

C. *Analysis of the implications of these political and social factors for access in your country*

1. Examples of how political and social factors influence access – For instance, high illiteracy rates might imply that the government should disseminate most information through radio or television rather than in printed form.
2. Statistics – Provide data for both political and social factors. Ideally, you should use data generated and available in your country, such as figures from the national statistical office. If such data is unavailable you might consider international sources, such as Transparency International, the World Bank, the United Nations, or other sources of data and indicators.

D. *Description of the methodology used for the assessment* – Explain the methodology developed by the Access Initiative and how you applied it. Acknowledge the members of your research team and any adaptations they made to this methodology. You may use text and definitions from this guide.

1. Assessment of policy and practice – Explain that the team assessed the presence and quality of legislation for access as well as its implementation in selected case studies. You may wish to include a table, text box, or appendix listing the case studies you assessed.
2. Modifications to the methodology – If your team adapted the methodology or developed the methodology further, please describe your contribution here. Describe any weaknesses you identified in the methodology, as well as needs for future development.

IV. Access to Information

This section discusses why access to environmental information is important and outlines the findings of your assessment in this area. Recommended length is up to ten pages.

A. Introduction

1. Description of why access to information is important – Refer to *Chapter 4: Assessing Access to Information* for material.
2. Description of what was assessed – Explain what types of information you assessed, why these types are important, whether you applied all indicators and if not, why you selected certain ones for assessment.

B. *Assessment of law regarding access to information*

1. Description of the legislation you assessed - This information could be in a text box, table, or appendix listing the laws and regulations reviewed and the years of their adoption.
2. Description of the methodology – Explain that you assessed the presence and quality of this legislation and the degree to which it supports access to environmental information in general, as well as support for access to specific types of environmental information.
3. Analysis of main findings – Using the information from the Report Scorecards generated by the database, discuss strong and weak points in the development of the legal framework. Briefly analyze the implications of the score report by answering the following questions: Is the law supportive of access? Which are its strongest points? Which are its weakest points? What more needs to be done and what are the priorities in your country for the development of the legal framework? Make sure to include the relevant score report in your appendices, and use graphical representations of your findings instead of plain text when possible.

C. *Assessment of practice* – case studies on access to information

1. Basic information – Describe the types of information you assessed, the number of cases you selected for each type, the total number of cases, and the research methods you used.
2. Case studies description – Write a brief narrative explaining the case study criteria and describing the case studies you selected for each type of information. Refer to Forms IB, IC, ID, and IE from Chapter 4, and attach as appendices.
3. Description of the methodology – Note that you assessed research questions addressing legal mandates for collecting information, existence and quality of information systems, efforts to disseminate information, and quality of information disseminated.
4. Analysis of the main findings for each type of information – Draw information from the Report Scorecards from the database and briefly analyze their implications. What are the strongest and weakest points in the framework for access to environmental information? Use graphical representations of your findings instead of plain text when possible.
5. Comparison of the findings between the cases for different types of information. This is the most difficult analysis. Based on the Report Scorecards from the database, decide how to cluster the cases (or the types of information) and how to score them as weak, intermediate and strong. Consider questions such as:
    a. Are there any common threads among the different cases? Is there an indicator for which all of them have strong performance or weak performance?
    b. Do the cases indicate that the government has working systems for disclosure and active dissemination or response to requests for some types of information? Which are these types? Do the

cases indicate that systems for disclosure and active dissemination or response to requests are completely absent for other types of information?

c. Do the cases indicate that access depends on the agency responsible, the affected people or the cause for pollution? Are any of these variables (agencies, cause for pollution, affected people, sensitivity of information, possible liability issues, other) factors which determine access?
d. Is the information available to the public relevant and timely?
e. Are certain groups excluded from receiving certain types of information?

Note: Throughout the chapter refer to *Appendix 1: Scores, case study forms, and worksheets for access to information.*

V. Participation

This chapter discusses why public participation is important and outlines the findings of your assessment in this area. Recommended length is up to ten pages.

A. *Introduction*

1. Discussion of why participation is important – Refer to *Chapter 5: Assessing Participation* in the Guide for material.
2. Description of what was assessed – Explain how many and which types of decision-making processes you assessed and why those types are important

B. *Assessment of laws supporting participation*

1. Description of the legislation you assessed – This information could be in a text box, table or appendix listing the laws and regulations reviewed and the years of their adoption.
2. Description of the methodology – Explain that you assessed the presence and quality of legislation and the degree to which it supports participation in general or specific types of decision-making.
3. Analysis of the main findings for each type of decision – Using the Report Scorecards generated by the database, discuss the strong and weak points in the development of the legal framework. Briefly analyze the implications of the score report: Is the law supportive of participation? Which are its strongest points? Which are its weakest points? What more needs to be done and what are the priorities in your country for the development of the legal framework for participation?

C. *Assessment of practice* – case studies of participation in decision-making

1. Basic information – Describe the types of decision-making processes, the number of cases you selected for each type, and the total number of cases. Are these cases typical for participation in the respective decision-making processes? Refer to Form IIB and IIC from Chapter 5, and attach them as appendices.

4. Description of the methodology – Note that you asked research questions about access to information about decision-making, opportunities to participate, and outcomes of participation.
5. Description of specific cases – Describe the cases you chose to represent each specific type of decision-making (e.g., "For participation in policies we assessed participation in the policy on mining concessions, which was developed in [year] by [agency].") Refer to Form IIB and IIC from Chapter 5, and include them as appendices.
6. Analysis of the main findings for each case – Refer to the Report Scorecards from database and briefly analyze their implications. What are the strongest and weakest points in the framework for public participation? Use graphical representations of your findings instead of plain text when possible.
7. Comparison of findings for different types of decisions - This is the most difficult analysis. Based on the Report Scorecards from the database, decide how to cluster the cases (or the types of decisions), and whether to score them as weak, intermediate and strong. Questions you might wish to consider include:
    a. Are there any common threads among the different cases? Is there an indicator for which all of them have strong performance or weak performance? What are the implications of these common threads for meaningful participation in decisions?
    b. Do the cases indicate that the government has working systems for meaningful and timely participation for some types of decisions and not for others? What are these types? Do the cases indicate that systems for participation are completely absent for other types of decisions? Do the cases indicate that participation might depend on common variables or factors such as: type and scale of decision, sector, responsible agency, the affected people or the beneficiaries from the decision?
    c. Is the information available to the public relevant and timely?
    d. Are certain groups excluded from participation?

<u>Note:</u> Throughout the chapter refer to *Appendix 2: Scores, case study forms, and worksheets for participation.*

VI. Capacity building

This section discusses why capacity building is important and outlines the findings of your assessment in this area. Recommended length is up to six pages.

A. *Introduction*

1. Description of what capacity building means and why it is important – Refer to *Chapter 6: Assessing Capacity Building* for material.

2. Description of what was assessed – Discuss how the methodology focuses on both government efforts to build capacity internally, and government efforts to build the capacity of the public. Again, refer to the introduction of *Chapter 6: Assessing Capacity Building.*

B. *Assessment of policy and practice regarding capacity building*

1. Description of the legislation you assessed - This information can be in a text box, table, or appendix listing the laws and regulations reviewed and the years of their adoption.
2. Description of case studies – Describe the agencies, NGOs and other institutions you selected for assessment and why you felt they were important case studies. Refer to Forms IVB and IVC in Chapter 6 and attach as appendices.
3. Description of the methodology – Provide a brief description of the indicators, and explain that you reviewed constitutional law and government practice regarding associations, NGOs, environmental education, and charitable giving among other areas.
4. Analysis of main findings – Using the Report Scorecards generated by the database, discuss strong and weak points in the development of the legal framework and government practices. Briefly analyze the implications of the Report Scorecards – Is the law supportive of an infrastructure for access? Do the cases indicate a government supportive of access in practice? What are the strongest points? What are the weakest points? What more needs to be done and what are the priorities in your country for the development of law and infrastructure for capacity in practice? Make sure to include the relevant Report Scorecard in your appendices. Use graphical representations of your findings when possible.
5. Comparison of the findings between the subcategories – This is the most difficult analysis. Based on the Report Scorecards from the database, decide whether capacity building in policy and practice should be scored as weak, intermediate and strong. The questions you might want to consider are:
    a. Are there any common threads among the different subcategories? What are their weakest and strongest points respectively?
    b. Do the subcategories indicate that the government invests significant effort and funding in building some types of capacity and not in others? Do the Report Scorecards indicate that capacity building efforts might depend on some common variables or factors such as: type of agencies, type of capacity?
    c. What are the implications from the comparison of the subcategories for the capacity of the government? For the capacity of the public?

Note: Throughout the chapter refer to *Appendix 3: Scores, case study forms, and worksheets for capacity building.*

VII. Conclusions and recommendations

This section summarizes your report and suggests ways that its findings can be applied. Recommended length is two pages.

A. Summary of your findings from the previous chapters (context, information, participation, and capacity building).
B. Scorecard – Provide a table, graph, or other graphic showing how cases and subcategories cluster into weak, intermediate, and strong performance. This scorecard can be generated using the Report Scorecards from the database. See *Closing the Gap* for examples.
C. Conclusions – Using the summary and the scorecard, discuss the most crucial areas for improvement and progress in your country.
D. Recommendations – Provide suggestions for action and using results. You may wish to cluster these by topic (legislation on information, government capacity, etc.) or by stakeholder (recommendations for legislators, for NGOs, etc.).

XI. Appendices

The appendices provide the data and background for your narrative report. Be sure to refer to them throughout.

Appendix 1: Scores, case study forms, and worksheets for access to information
Appendix 2: Scores, case study forms, and worksheets for participation
Appendix 3: Scores, case study forms, and worksheets for capacity building
Appendix 4: Cross-category Report Scorecards
Appendix 5: Bibliography – In addition to any background material (such as *Closing the Gap*) make sure to cite all of your assessment sources. These may include documents, interviews, requests; websites, libraries, others. Use worksheets from the database for information.

Appendix G: Form for Requesting Membership in The Access Initiative

If your organization is interested in joining TAI, you may fill out this forms and submit it by mail or email to The Access Initiative secretariat at the World Resources Institute, and to the Core Team organization in your region.

Send completed forms to:

Coordinator, The Access Initiative and the Partnership for Principle 10
World Resources Institute
10 G Street NE, Suite 800
Washington, DC 20002
access@wri.org

Core Team organizations (if outside North America):

Asia – Thailand Environment Institute – www.tei.or.th
Europe – Environmental Management and Law Association – www.emla.hu
Africa – Advocates Coalition for Development and Environment – www.acode-u.org
Latin America – Corporación PARTICIPA – www.participa.cl

The Access Initiative - Membership Form	
Name of Lead Organization:	
Contact Person:	
Title:	
Address:	
Email Address:	
Telephone:	
Fax:	
Website of Lead Organization:	
Mission statement:	
Description of existing program, project, or activity promoting access to information, participation, and justice in decision-making for the environment:	
Description of products and outcomes produced or expected by organization, program, project, or activity promoting access to information, participation, and justice in decision-making for the environment:	
Description of skills of staff:	