Category: **Obligation to Make Environmental Information Public**

Sub-Category: Access to Environmental Information

Name of Good Practice: Laws on Access to Environmental Information

Key Words: Access to Information, Internet, Technology

Implementing Actors: National Legislatures; National Ministries

Location: Multiple Countries

Description: Most countries have adopted specific laws relating to access to information, and some, such as South Africa, have adopted constitutional provisions relating to access to information. In addition, some countries have adopted specific laws or constitutional provisions relating to access to environmental information.

For example, Chile’s environmental framework law (La Ley No 20.417) sets out a comprehensive framework for access to environmental information. Article 31 provides that everyone has a right to access environmental information in the possession of the government relating to, among other things, the state of the environment, including air and water resources, soil and earth, protected areas, and biological diversity; environmental pollution; the impact of genetically modified organisms on the environment; adopted or proposed administrative acts, regulations, or other actions relating to the environment; environmental studies relied on for environmental decision-making; and potential threats from environmental harm to human health, security or cultural resources. Article 31 also provides for administrative and judicial review of alleged violations of the access to environmental information provisions. Similarly, Article 112 of the Norwegian Constitution specifically provides for“a right to information on the state of the natural environment and on the effects of any encroachment on nature that is planned or carried out.” In 2003 Norway adopted the Environmental Information Act which sets out the duty on any private or public entity to maintain and make available information on their actions that may have an “appreciable effect” on the environmental. The Czech Republic has adopted the Right to Environmental Information Act (Act No. 123/1998), which allows individuals to request access to a wide range of environmental information through multiple means, including by writing, fax, telephone, or “other technically feasible form.” The Act requires the government to provide the information requested as soon as possible and at the latest within 30 days of the request, and not later than 60 days under special circumstances. Any decision to deny requested information is subject to administrative and judicial review.

Further Information: Chile’s environmental framework law is available at: <http://www.mma.gob.cl/eae/1315/w3-printer-49004.html>; the Czech Republic’s law: <http://www.legislationline.org/documents/action/popup/id/8518>; information on Norway’s law: <http://www.regjeringen.no/en/dep/kld.html?id=668>.