UNEP promotes the application of Rio Principle 10 of the 1992 Rio Declaration in countries. This principle states that:-

*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*.”

The term “Public Participation” means the availability of opportunities for individuals, groups and organizations to provide input in the making of decisions which have, or are likely to have, an impact on the environment, including in the enactment of laws, the enforcement of national laws, policies, and guidelines, and Environmental Impact Assessment procedures. The Preamble to chapter 23 of Agenda 21 calls public participation “one of the fundamental prerequisites for the achievement of sustainable development.” Among human rights instruments, article 25 of the 1966 United Nations International Covenant on Civil and Political Rights enshrines the right to participate “in the conduct of public affairs, directly or through freely chosen representatives” and guarantees related rights, such as freedom of expression in article 19, freedom of assembly in article 21, and freedom of association in article 22. The WSSD Implementation Plan and the Rio +20 outcome document on the future we want also reiterates the importance of public participation.

A good example of engaging the public in decision making when pursuing the realization of the human rights to water is at the local, rural or community level in many developing countries in Africa and Asia, public participatory approaches in the form of Village Water Committees play an important role in managing and planning sustainable water projects. The role of village water committees goes beyond planning and running water services as it includes a participatory approach that puts the community in charge of operation and maintenance of rural water supply. In some countries they are constituted as advisory committees for the purpose of promoting the village interests in water resources and in some countries this mandate includes sanitation as well.

The Public can participate in decision-making only if opportunities are made available for them to participate. Participatory approaches undertaken by various national processes in water management and land conservation programs as well as the opportunity the Environmental Impact Assessment (EIA) procedure mandated by many national laws and policies provides to engage the public are but one of the many examples. The Environmental Impact Assessment process in most countries has a participatory approach that provides opportunities for the public to participate in decision-making by seeking their input on decisions that are likely to affect their immediate environment. In the process of developing and strengthening environmental laws and policies the public has also been involved in consensus building stakeholder workshops preceding the enactment of laws or environmental policies as well as in the enforcement of national laws in courts and the implementation of policies and guidelines.

The participation of the public may be either by individual citizens or by representation through the civil society. In particular, legal practitioners taking up public interest litigation in the field of environment and Legal Non-Governmental Organizations (NGOs) are expected to articulate issues and to institute public interest suits if there is a need. Issues relating to locus standi have been the main stumbling block in allowing public interest suits in many jurisdictions. There are instances however where the law may not restrict public interest litigation, thus allowing it to strengthen environmental legislation, but numerous difficulties may still exist because of the lack of access to information. The public or Non-Governmental Organizations may not be adequately involved and informed. The result is an inability to articulate concerns or to act on them. The public or civil society as a whole thus fails to take action that could change an environmental situation, keeping quiet when they should be pressuring the relevant authorities to act.

------------