Workshop Report: "What is the state of digital participation and EIA portals in EU Member States?"

Workshop procedure

In the third online workshop on formal digital public participation in our Aarhus-Strong project, held on July 5, 2023, we looked in detail at the different design of EIA portals in Germany, Estonia, Spain, Slovenia and Hungary. The Aarhus-Strong project aims to improve digital public participation in relation to EIAs (environmental impact assessments) in different EU countries.

In the first part of the workshop, the following experts reported from their national EIA portals: Tom Witschas (UfU e.V. - Germany); Aljoša Petek (PIC - Legal Center for the Protection of Human Rights and the Environment - Slovenia); Marta Vicioso (International Institute for Law and the Environment - Spain) and Dr. Csaba Kiss (Environmental Management and Law Association - Hungary). The report of Kärt Vaarmari (Estonian Environmental Law Centre) was delivered by the moderator.

In the second part of the workshop, positive examples of digital public participation were collected from the participants. In addition, Summer Kern, representative of non-governmental organizations in the Aarhus Convention Office, gave insights into the work of the Aarhus Convention Compliance Committee, which has issued current guidance related to the use of digital means. At the end of the workshop, ideas were collected on how authorities can be supported in the implementation of electronic public participation.

Background

Public participation in infrastructure projects is an essential element of modern democracy and is guaranteed to EU citizens by the Aarhus Convention. In the digital age, but also in times of global pandemics, it is necessary to make access to information digitally simple so that citizens can exercise their rights. Key to this access to information are so-called EIA portals, where information on large infrastructure projects such as highways, power plants or factories can be viewed and the results of the environmental impact assessment (EIA) are listed. Ideally, citizens can comment on these projects and voice their objections at so-called discussion meetings. However, the implementation of EIA portals and digital participation tools is very inconsistent and confusing across the EU. Therefore, the Aarhus-Strong project aims to collect best practice examples and will produce a guide to improve EIA portals.

Slovenia

In Slovenia, there are a total of three EIA portals at the national level. Two portals provide the public with general information, documents and deadlines for participation, while the third portal provides a spatial information system with digital maps and links to the assigned administrative numbers of the projects. However, comments still cannot be made on the portals, so the public must contact the authorities by e-mail. Overall, the Slovenian government, which was elected at the beginning of the pandemic, has limited public participation by amending environmental laws.

Spain

In Spain, there is a national EIA portal of the Spanish government, as well as EIA portals of the autonomous regions. However, only four of the 17 autonomous regions in Spain have an EIA portal. Since most projects are carried out at the regional level, very few projects are available in the national

EIA portal. On a positive note, the national EIA portal allows citizens to submit complaints directly via a comment field.

Hungary

Due to the political situation in Hungary, public participation is limited. There is no EIA portal in Hungary. Information on EIAs can be found on the websites of regional administrations, e.g., district offices, but is not listed separately and is therefore not easily accessible. Electronic participation therefore does not take place via a portal, but e.g. via e-mails to the competent authority. In addition, the Hungarian government has declared a state of emergency due to the war in Ukraine with the intention of further restricting public participation.
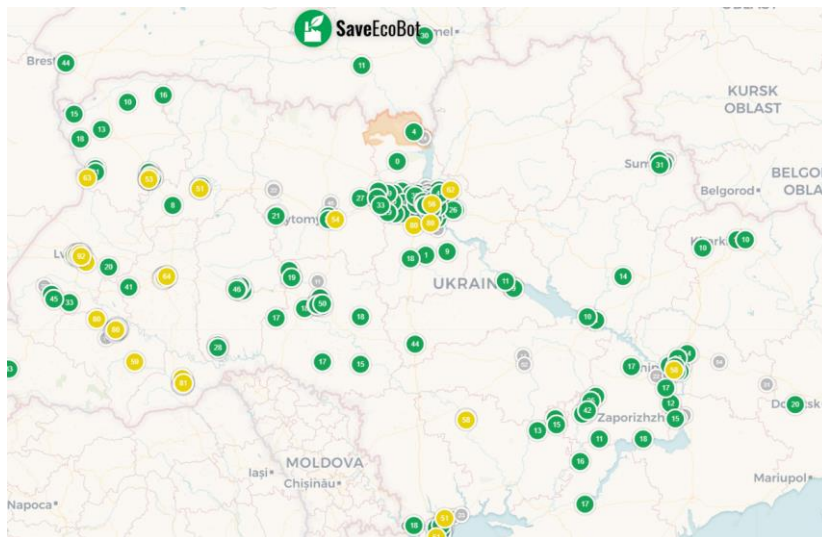
Estonia

Although Estonia is considered a pioneer in digitization efforts, there is no unified EIA portal. Documents are published in a very confusing manner on various websites of state authorities and local administrations. The situation has also changed constantly in recent years. In addition, the EIA portals do not allow objections and comments to be submitted via the portal, but must be submitted by e-mail or mail.

Germany

There are two EIA portals in Germany: one for the federal level and one for the states. The two portals are structured similarly, but there is room for improvement. Comments cannot be made in the portals and the available documents are partly very extensive and unclear.
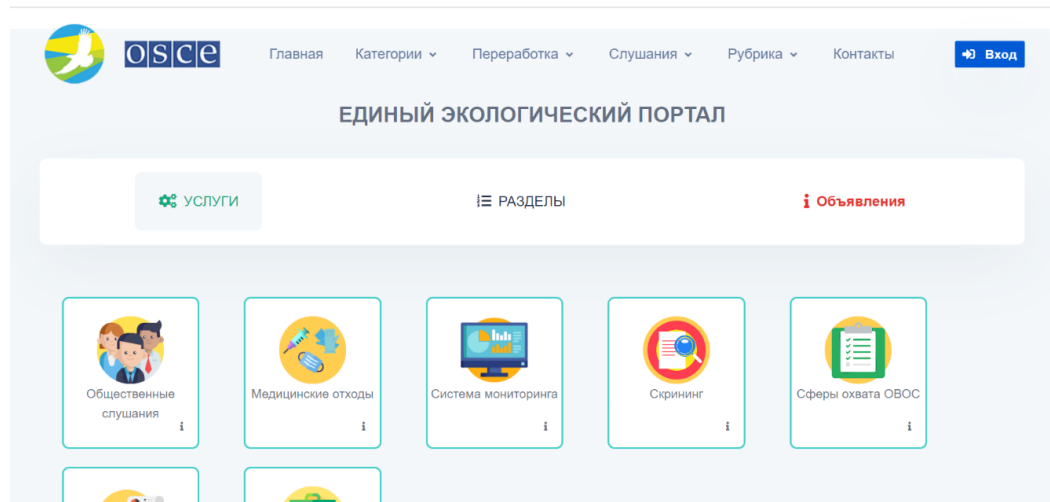
Best practice examples

Ukraine was highlighted as a particular best practice example. There, the NGO Safe Dnipro has developed an app, SafeEcoBot, which checks the EIA register. Users thus receive notifications when a new EIA is entered in the region to which they subscribe. In addition, a table summarizing all public comments is displayed at the end of the participation process. In addition, the geographic data in the app is very well developed and easy to understand. In SafeEcoBot, there is data on air quality, radiation exposure, and fires, among others.

Screenshot of the SaveEcoBot app. Visible is information about the air quality.

Another best practice example is EIA portals that have an archive function. This is the case in **Austria,** for example. In the Austrian EIA portal, projects up to the 1990s can be viewed. However, the documents there are also organized in a confusing way.

In **Kazakhstan,** comments can be made on the so-called Ecoportal, which is already used by many people. The comments of all users are visible on the portal and there are "thumbs up" and "thumbs down" buttons.

 Screenshot of the main page of the Ecoportal of Kazakhstan.

In addition, the **Czech Republic** can be cited as a positive example, as social media are increasingly being used here to disseminate info on EIA portals.

News from the Aarhus Convention

The Aarhus Convention's highest body, the **Meeting of the Parties**, has issued updated recommendations on electronic tools for effective public participation in 2021. These recommendations include that administrations must ensure that vulnerable groups are reached, barriers must be overcome (e.g., poor network connectivity, digital literacy, etc.), and preferably there should be a central EIA portal.

In addition, the **Task Force on Public Participation in Decision-making** (https://unece.org/env/pp/aarhus-convention/tfppdm) is an important body that issues recommendations. Exemplary recommendations include: youth need more education to participate in informal and formal participation; public participation needs to be tailored to the specific context (e.g., war, crisis, Covid-19) and target audience (e.g., face-to-face meetings, thematic radio programs, etc.). In addition, major concerns were expressed at the last Task Force meeting that these technologies should not be used to monitor the public and compromise human rights.

Next steps

In the next project steps, an innovative participation guide for the national environmental authorities of the EU member states will be developed, which will receive recommendations and best practices for the design of the EIA portals. The project results will be presented at the transdisciplinary and practice-oriented final event, where NGOs, lawyers, project promoters and representatives of the environmental

authorities can exchange their views. The project results will also be disseminated through press and public relations activities.