

The Right to Access Environmental Information as a Human Right

Hadja OUAFI *

Real Estate and Environmental Law Laboratory
Abdelhamid Ibn Badis University -Mostaganem, Algeria
hadja.ouafi@univ-mosta.dz

Date of submission:27/03/2025 - Date of acceptance: 14/04/2025 - Date of publication: 29/07/2025

Abstract: The right to access information primarily refers to the right of every individual to request information about the society to which they belong. With the advancements witnessed by numerous countries and their effect on the human environment, the concept of the right to access environmental information has emerged. Often referred to as environmental information or environmental journalism, this concept has gained increasing recognition. Jurisprudence has increasingly acknowledged this right as part of human rights, given its critical role as a fundamental tool for environmental preservation and for addressing violations against the environment.

Keywords: Human Right; Environmental Information; Light of International Texts; the Convention of Aarhus.

*Corresponding author: Hadja OUAFI.

Introduction:

The right to access information primarily refers to the right of every individual to request information about the society to which they belong. With the advancements witnessed by numerous countries and their effect on the human environment, the concept of the right to access environmental information has emerged. Often referred to as environmental information or environmental journalism, this concept has gained increasing recognition. Jurisprudence has increasingly acknowledged this right as part of human rights, given its critical role as a fundamental tool for environmental preservation and for addressing violations against the environment.

The origins of this right can be traced back to the 1970s, particularly to the first international conference on the human environment, held in Stockholm in 1972. This conference marked a historic turning point, laying the foundation for global attention to environmental issues. In its aftermath, several international conferences and agreements emphasized the right to access environmental information. These efforts encouraged individuals and relevant organizations to engage with environmental data, raising awareness of the risks threatening the environment. In turn, this has strengthened efforts to defend and actively participate in environmental protection.

Building on above, the Aarhus Convention, officially known as the Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters, was adopted in 1998. This convention represents a continuation of international efforts to safeguard the environment through inclusive participation from all sectors.

This study aims to explore key international documents addressing the right to access environmental information and to examine the provisions of this convention, particularly those related to this right. The core issue addressed by this study is to identify the legal foundations of the right to access environmental information under international law, with a specific focus on the Aarhus Convention.

Therefore, this study will focus on two main chapters:

First Chapter: The general international framework for the right to access environmental information.

Second Chapter: The Convention of Aarhus as the specific foundation for the right to access environmental information.

First Chapter: The General International Framework for the Right to Access Environmental Information

To ensure the effective and meaningful preservation of the human environment, individuals must have access to comprehensive information about the true state of the environment and be informed of any projects that may pose a risk to it. Public authorities within the state should serve as the primary source of this information.

From this perspective, the right to environmental information, or the right to access environmental information, emerges as a key principle in international environmental law. This right has been enshrined in several international texts and declarations. Before delving into the various international environmental texts that address the right to access environmental

The Right to Access Environmental Information as a Human Right

information, it is necessary to define what is meant by environmental information or environmental journalism.

First Section: The Concept of Environmental Information

Environmental information refers to any information directly associated with the environment, particularly the nature and extent of environmental issues, as well as activities and projects planned and their potential effect on the environment¹. The World Bank defines environmental information as the spread of environmental data by agencies or non-governmental organizations to promote public knowledge and influence opinions, attitudes, and behaviors toward the environment².

In the context of comparative legal texts, the term "environmental information" includes all types of data and information—whether written, visual, audible, or electronic—that pertain to the environment. Specifically, it involves information about the condition of environmental elements, factors affecting them, and measures or procedures undertaken to safeguard and conserve environmental resources. Furthermore, it covers administrative reports on the state of the environment and public health³.

Therefore, environmental information involves the creation and spread of scientific facts about the environment through several media channels. This process emphasizes threats to the environment, raising environmental awareness and increasing public knowledge, which ultimately contributes to the sustainable development efforts pursued by all⁴.

Referring to Algerian law, Article 7 of Law No. 03/10, regarding the Protection of the Environment within the Framework of Sustainable Development, states that environmental information includes all environmental data, regulations, measures, and procedures sought at ensuring environmental protection. The law also establishes citizens' right to access information concerning hazards they may encounter in specific areas⁵. By enshrining the right to environmental information, the Algerian legislator has aligned with international developments regarding this right, as reflected in numerous international texts associated with human rights and the environmental field.

¹ Abdul Nasser Ziad Hayajneh, *Environmental Law – The General Theory of Environmental Law with an Explanation of Environmental Legislation*, Dar Al-Thaqafa for Publishing and Distribution, Amman, Jordan, 2nd edition, 2014, p. 82.

² Gillian Martin Mehers, *Environmental Communication Planning Manual for the Mediterranean Region*, Swiss Publisher, Switzerland, 1992, p. 01.

³ Barakat Mohamed, *The Right to Access Environmental Information as a Means for Individuals to Contribute to Environmental Protection*, The Academic Journal of Legal Research, Faculty of Law and Political Science, Abderrahmane Mira University, Bejaia, Algeria, Vol. 02, Issue 01, July 2011, p. 36.

⁴ Ben Mehra Nassima, *Environmental Media and Its Role in Environmental Conservation*, Master's Thesis, Specialization in Environmental Law, Faculty of Law and Political Science, University of Algiers 1, Algeria, 2012/2013, p. 10.

⁵ Article 07 of Law 03/10, dated 19/07/2003, concerning Environmental Protection within the Framework of Sustainable Development, Official Gazette of the Algerian Republic, Issue 43, published on 20/07/2003, states that "every natural or legal person may request from the relevant authorities information related to the state of the environment, and the right to access such information. This information may include all environmental data, regulations, measures, and procedures aimed at ensuring environmental protection and how they are communicated." Article 09 of the same law states that "citizens have the right to access information concerning the risks they face in certain areas, as well as the protective measures that concern them. This right applies to technological risks and anticipated natural hazards."

Second Section: The Right to Access Environmental Information in Light of International Texts

The right to access environmental information is fundamentally rooted in international legal texts associated with human rights, as it is considered primarily a human right. Numerous international conventions and agreements have highlighted the human dimension of the right to a healthy environment. As a result, environmental legal texts have explicitly included this right and aimed to ensure its practical implementation.

First Subsection: The Right to Access Environmental Information in International Human Rights Texts

The United Nations has addressed the right to access information in Resolution No. 59, adopted by the General Assembly, which declares: "Freedom of information is one of the fundamental human rights... and is the standard against which all freedoms the United Nations focuses its efforts on are measured⁶."

Examining the Universal Declaration of Human Rights (1948), we find that it explicitly addresses the right to information. Article 19 states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any means⁷." This principle was later reaffirmed in the International Covenant on Civil and Political Rights (1966)⁸.

Referring to regional agreements and conventions associated with human rights, it is apparent that they explicitly and clearly enshrine the right of individuals to access information. These agreements highlight that every individual has the right to request any information held by public authorities within the state⁹. In this regard, it is noteworthy that the Charter of the Arab League initially did not address the right to access information. However, the adoption of the Arab Charter on Human Rights in 2004 rectified this omission by addressing the right to access information under Article 32¹⁰.

Furthermore, the Declaration of Beirut, issued in 2003 regarding the regional protection of human rights in the Arab world, also emphasized the right to access information. This right is articulated under Article 12, titled "Freedom of Information¹¹."

⁶ Zaabat Taher, *The Right of Citizens to Access Information*, Master's Thesis, Specialization in Human Rights and Public Freedoms, Faculty of Law and Political Science, Kasdi Merbah University, Ouargla, Algeria, 2013/2014, p. 27.

⁷ Article 19 of the Universal Declaration of Human Rights, 1948.

⁸ Article 19 of the International Covenant on Civil and Political Rights, 1966, states: "Everyone shall have the right to freedom of expression, which includes the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, or in print, in the form of art, or through any other media of his choice..."

⁹ The European Convention on Human Rights, 1950, addresses this right under Article 10, alongside the American Convention on Human Rights, 1969, which enshrines the right to access information under Article 13. Then, the African Charter on Human and Peoples' Rights, 1981, reaffirmed this right under Article 9.

¹⁰ Article 32 of the Arab Charter on Human Rights states: "This Charter guarantees the right to information, freedom of opinion and expression, as well as the right to seek, receive, and impart information and ideas to others by any means and without regard to geographical boundaries. These rights and freedoms shall be exercised within the framework of the basic principles of society and shall be subject only to the restrictions imposed by respect for the rights of others, their reputation, or the protection of national security, public order, public health, or morals."

¹¹ Zaabat, T. *ibid.*, p. 31.

The Right to Access Environmental Information as a Human Right

Thus, the inclusion of the right to access information in the aforementioned international texts has significantly contributed to the recognition and development of the right to access environmental information. This is clear in environmental frameworks, where this right is enshrined as a necessary tool to ensure the participation of individuals and entities, particularly non-governmental organizations, in the preservation and protection of the environment.

Second Subsection: The Right to Access Environmental Information in Light of International Environmental Texts

International texts, whether conventions or non-conventions, have addressed the issue of the right to access environmental information, all of which have aimed to establish this right in practice.

Referring to non-conventional international texts, especially declarations and international decisions, the Conference of United Nations on the Human Environment held in 1972 in Stockholm is regarded as the first international legal text to address the right to access environmental information. The declaration emanating from this conference explicitly and clearly enshrined this right, particularly in Principles 19 and 20.

As a result of the 1972 Stockholm Declaration, all subsequent international declarations and charters have focused on the right to access environmental information. For example, the World Charter for Nature in 1982, in Principle 16, affirmed this right as an effective tool for ensuring individual participation in environmental preservation. Moreover, Principle 23 of the same charter highlighted that every individual, either alone or in association with others, has the right to participate in decision-making processes related to their environment. The Arab Declaration on Environment and Development and Future Perspectives in 1991 also acknowledged the "right of individuals and non-governmental organizations to be informed about ecological issues that concern them¹²."

In 1992, the Declaration of Rio de Janeiro on Environment and Development further emphasized, in Principle 10, that environmental preservation necessitates the participation of all citizens through facilitating access to information and making it widely available by public authorities. This principle was enshrined in the draft guidelines on national legislation regarding the right to access information, public participation, and access to justice in environmental matters. This project was endorsed by the United Nations Environment Programme, which affirmed the guarantee of the right to access environmental information for both natural and legal persons at reasonable cost, effectively, and in a timely manner¹³.

On the other hand, decisions issued by several international organizations have recognized the right to access environmental information. This is apparent in the European Directive 90/313 of June 7, 1990, on the freedom of access to environmental information. Article 3 of the directive states that "Member states shall make environmental information

¹² Khaled El-Sayed Metwally Mohamed, "The Right to Environmental Information in International Treaties and Arab Laws," article available on the website <https://portal.arid.my/Publications/31607020-9efd-43.pdf> , accessed on 20/12/2024 at 9:30 PM, p. 102.

¹³ Guideline Principle No. 01 from the Guiding Principles on the Development of National Legislation Regarding the Right to Access Information, Public Participation, and Access to Justice in Environmental Matters, available on the website file:///C:/Users/User/Downloads/A_65_25-AR.pdf , accessed on 20/12/2024 at 8:45 PM, p. 19.

available to any natural or legal person requesting it, without requiring the person to reveal an interest in the matter¹⁴."

The Declaration of Rio, held in 1992 marked a crucial turning point in advancing the right to access environmental information. This principle has since been incorporated into all subsequent international environmental agreements, which aimed to uphold the provisions of Principle 10 of the declaration. For instance, the 1992 Framework Convention on Climate Change necessitates countries to offer access to information on climate change and its impacts while also fostering public participation in efforts to address this global issue¹⁵.

Similarly, the Convention of United Nations on Biological Diversity of 1992 enshrined the right to access environmental information, highlighting the significance of information exchange and raising public awareness. It also emphasized the obligation to share information from all publicly available sources associated with the protection and sustainable use of biodiversity, while considering the specific circumstances of developing countries¹⁶.

Furthermore, the Convention of Rotterdam, held in 1998¹⁷ affirmed the right of parties to access information about dangerous chemicals and pesticides, as stipulated in Articles 11 and 14. Likewise, the Convention of Stockholm held in 2001 on persistent organic pollutants reinforced the public's right to access information about the hazardous properties of chemical products. This is outlined in its preamble and detailed in Articles 9 and 10 of the convention.

At the regional level, several regional texts and declarations have highlighted the right to access environmental information. For example, the First European Conference on the Environment and Health in 1989 affirmed the right of every citizen to be informed and consulted about plans, decisions, and activities that may affect the environment and public health, as well as to participate in the decision-making process. Moreover, the Council of the Organization for Economic Cooperation and Development adopted Recommendation No. 41 (96 G) in 1996 on the emission and transfer of pollutants. This recommendation affirmed every individual's right to access environmental information held by public authorities and to participate in decision-making processes, thereby promoting the effectiveness of environmental policies and ensuring broad public participation¹⁸.

The Convention of African Countries on the Conservation of Nature and Natural Resources, adopted in 2003, also included a clear provision recognizing the public's right to access environmental information¹⁹.

¹⁴ Tayeb Brahim, "The Role of the Media in Building Environmental Awareness Among Algerian Individuals," *Journal of Scientific Research in Environmental Legislation*, Faculty of Law and Political Science, University of Ibn Khaldoun, Tiaret, Algeria, Issue 1, October 2013, p. 163.

¹⁵ See Article 04 of the United Nations Framework Convention on Climate Change of 1992, ratified by Algeria under Presidential Decree 93/99, dated 10/04/1993, Official Gazette of the Algerian Republic, Issue 24, issued on 21/04/1993.

¹⁶ See Articles 13 and 17 of the United Nations Convention on Biological Diversity of 1992, ratified by Algeria under Presidential Decree 95/163, dated 06/06/1995, Official Gazette of the Algerian Republic, Issue 32, issued on 14/06/1995.

¹⁷ Rotterdam Convention of 1998 concerning the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which entered into force on 24/02/2004.

¹⁸ Ben Mehra Nassima, *Op. Cit.*, pp. 35-36.

¹⁹ Article 16 of the 2003 Convention on the Conservation of Nature and Natural Resources states: "The parties shall adopt the necessary legislative and regulatory measures to ensure the following in a timely and appropriate manner: a) the publication of environmental information, b) the public's access to environmental information, ...".

The Right to Access Environmental Information as a Human Right

Therefore, the most important international text enshrining the right to access environmental information is the Aarhus Convention. This convention addresses access to information, public participation in environmental decision-making, and access to justice in environmental matters. Signed in 1998 and entering into force on October 30, 2001²⁰, the convention has significantly contributed to encouraging the adoption of national legislation to recognize this right and establish the methods, mechanisms, and regulations necessary for its exercise. This topic will be examined in greater detail in the second chapter of this study.

Second Chapter: The Aarhus Convention as a Specific Foundation for the Right to Access Environmental Information

As environmental reservation has become a priority and an obligation for both developed and developing countries, this convention emerged as a continuation of international efforts to offer the necessary protection for the environment, which has suffered several violations over the years that have directly impacted natural resources and their sustainability. This has led to the development of environmental awareness and sensitivity among all segments of the international community.

Therefore, this convention which addresses access to information, public participation in environmental decision-making, and access to justice, stands as one of the most important regional international agreements that tackles the right to access environmental information. This is apparent in its adoption of an expanded definition of environmental information, covering the types of information that public authorities are required to make available to the public. The convention also outlines the mechanisms and regulations necessary to uphold the right to access environmental information.

First Section: Environmental Information According to the Provisions of the Convention of Aarhus

An examination of the provisions of this convention demonstrates that it explicitly and unequivocally recognizes the public's right²¹ to access environmental information within states. This right is deemed fundamental and non-derogable. Furthermore, the convention highlights the significance of protecting this right by linking it to public participation in environmental decision-making and ensuring access to legal remedies when the right is violated.

Article 2, paragraph 3, of the convention defines environmental information as "any information in written, visual, audible, electronic, or any other material form." Notably, this

²⁰ The countries belonging to the United Nations Economic Commission for Europe were among the first to ratify the Aarhus Convention. Due to the importance of this convention and the great success it achieved, it was ratified by many countries, reaching 47 countries in 2016, including the European Union. Furthermore, some countries that are not members of the United Nations Economic Commission for Europe have expressed their willingness to join the convention. See: Hocine Boutheldja, The Role of the Aarhus Convention in Environmental Protection, Journal of Scientific Research in Environmental Legislation, Faculty of Law and Political Science, Ibn Khaldoun University, Tiaret, Algeria, Volume 6, Issue 1, 2019, p. 23.

²¹ According to Article 02, paragraph 4 of the Aarhus Convention, "the public" refers to "any natural or legal person, in accordance with national laws or practices, including associations, organizations, or groups associated with them." See the Aarhus Convention on Access to Environmental Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters, available at: <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , accessed on 20/12/2024 at 22:20, p. 05.

article not only provides a definition but also specifies the types and subjects of environmental information, which include the following:

- **The State of Environmental Components:** This category includes essential elements such as air, water, soil, landscapes, natural sites, biodiversity, and its components, encompassing genetically modified organisms. Offering environmental information about these components is of significant importance, as it relates to the overall condition of the environment and ecosystems that directly affect individuals' lives and health²².

- **Factors that affect or are likely to affect environmental elements:** These factors encompass substances, energy, radiation, noise, activities, and measures such as administrative actions, legislation, plans, and environmental programs that may, or are likely to, affect the aforementioned environmental components. This provision underscores the potential negative effect of these factors on the environment, requiring the disclosure of their effects. Doing so enhances the right to access environmental information and promotes public environmental awareness.

- **Human Health and the Condition of Cultural Sites and Installations:** This involves all information associated with human health and safety, as well as details regarding cultural sites and installations that may be, or are likely to be, impacted by the state of environmental components and associated factors.

Second Section: Regulations for Exercising the Right to Access Environmental Information under the Aarhus Convention

Ensuring the effective realization of the right to access environmental information requires the establishment of regulations and mechanisms to facilitate its exercise. Under the Convention of Aarhus, these regulations can be summarized as methods for accessing environmental information and the limitations on exercising this right.

First Subsection: Available Methods for Accessing Environmental Information

Referring to Articles 4 and 5 of the convention, these provisions specify the methods for obtaining environmental information as follows:

First: Accessing Environmental Information Upon Public Request

Pursuant to Article 4 of the convention, public authorities in the parties to the convention are required to review and respond to requests for environmental information within one month of submission. This period may be extended to two months if the nature of the requested information necessitates additional time. In such cases, the requesting party must be informed of the reasons for the extension²³.

Second: Accessing Environmental Information through Information Collection and Publication

²² Salah Khairy Jaber, The Position of the Aarhus Convention on Accessing, Collecting, and Disseminating Environmental Information, Journal of Al-Anbar University for Legal and Political Sciences, Iraq, Volume 2, Issue 13, 2017, p. 96.

²³ See Article 04, paragraphs 1 and 2 of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , *ibid.*, p. 7.

The Right to Access Environmental Information as a Human Right

Article 5 of the convention emphasizes the possibility of making environmental information available through proactive collection and publication by the state, without waiting for public requests. Under this provision, the state takes the initiative to ensure the right to access environmental information, independent of formal public requests²⁴.

Thus, public authorities are required to publish all information they possess regarding any imminent threats to human health or the environment. This ensures that the public can take necessary measures to mitigate or prevent potential harm as effectively as possible²⁵. Such transparency is fulfilled through mechanisms like establishing lists and records of environmental information and making them freely and transparently accessible to the public, including through electronic means, in line with technological advancements²⁶. Similarly, the convention adopted the protocol of Kiev established in 2003 on Pollutant Release and Transfer Registers, which facilitates public access to environmental information and encourages public participation in reducing pollution by contributing to environmental decision-making processes²⁷.

Notably, European Directive No. 1367/2006, specifically Article 4, paragraph 1, underscores the significance of encouraging national institutions and organizations within European countries to organize environmental information into electronic databases. These databases are to be made accessible through commonly employed communication tools, such as computers and other electronic means²⁸.

Furthermore, the convention mandates the publication and spread of a national report on the state of the environment every three to four years. It also necessitates the publication of all documents associated with environmental policies, plans, and programs, as well as international agreements and accords with an environmental focus. These measures seek to uphold the transparency required by the public²⁹.

Second Subsection: Limits on the Exercise of the Right to Access Environmental Information

Although the convention grants the public the right to access environmental information through facilities that public authorities in a state must provide, it also outlines exceptional cases where this right may be restricted.

²⁴ Hocine Boutheldja, *ibid.*, p. 29.

²⁵ See Article 05, paragraph 1 - c, of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf>, previous reference, p. 9.

²⁶ See paragraphs 2 and 3 of Article 05 of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf>, previous reference, pp. 9-10.

²⁷ Salah Khairy Jaber, previous reference, p. 103.

²⁸ REGULATION (EC) No 1367/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters to Community institutions and bodies, available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:264:0013:0019:EN:PDF> , Viewed on: 22/12/2024 at 19:40.

²⁹ See paragraphs 4 and 5 of Article 05 of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , previous reference, pp. 10-11.

First Exception: Denial of Requests for Environmental Information Due to Their Connection with Public Authorities

This exception includes various instances detailed in Article 4, paragraph 3 of the convention, which can be summarized as follows:

- Access to environmental information may be denied if the information is not available to the public authority in the state, if the request is unreasonable, or if it is presented in an imprecise or unclear manner.
- Requests may also be rejected if the information pertains to material still under preparation or relates to internal communications of public authorities, as stipulated by national laws or established practices. However, when applying this exception, the public interest that could be served by disclosing the information must be taken into consideration³⁰.

Second Exception: Denial of Environmental Information Requests When Disclosure Impacts the Confidentiality of Procedures and Rights

The convention addresses the possibility of refusing environmental information requests in specific cases outlined in Article 4, Paragraph 4, as follows:

- Requests for environmental information³¹ may be denied if national laws stipulate the confidentiality of procedures involving public authorities, or if the requested information pertains to international relations, public security, or national defense. In such cases, the request cannot be granted.
- A request for environmental information may be rejected when it concerns criminal or disciplinary trials and investigations, or in cases involving intellectual property rights, as well as legally protected industrial and commercial confidential information. Furthermore, requests may be denied when they involve confidential data and files of a natural person who has refused to disclose this information that is protected by law³².
- If the matter concerns the environment itself, especially sites associated with rare or endangered species, public authorities may withhold the public's right to access environmental information³³.

Based on the above and in reference to the provisions of the Aarhus Convention, public authorities must always offer a justification for rejecting submitted requests. A response must be given within one month from the date of submission, with the possibility of an extension to a maximum of two months, provided the applicant is notified of the extension. Moreover, in cases where their request is rejected, the public has the right to seek judicial recourse in accordance with the provisions of Article 9 of the same convention to assert their right to access environmental information.

³⁰ See Article 04, paragraph 3 - C of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , previous reference, p. 7.

³¹ See Article 04, paragraph 4 – A and B of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , previous reference, p. 8.

³² See Article 04, paragraph 4 – C, D, E, F, and G of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , previous reference, p. 8.

³³ See Article 04, paragraph 4 – H of the Aarhus Convention, available at <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43arabic.pdf> , previous reference, p. 8.

The Right to Access Environmental Information as a Human Right

Conclusion:

This study clearly reveals that the Aarhus Convention is one of the most transparent and comprehensive agreements in ensuring the right to access environmental information. While earlier international law addressed numerous texts that guaranteed the right to access information in general, as well as environmental information specifically, this convention stands out by establishing binding rules. These rules govern the right to access environmental information, specifying mechanisms for collecting and spreading this information in accordance with the technological and electronic developments in each country.

On the other hand, this convention also ensures that the right to access environmental information is restricted when it does not align with the exceptions outlined in the agreement. It is crucial to note that such restrictions are not a new concept; previous international and even national texts have acknowledged them, particularly when the right to access information could infringe upon the rights of others or compromise state secrets. In all cases, the texts, including this convention, require that the reasons for refusal be interpreted and justified.