

**Format for the Aarhus Convention implementation
report in accordance with Decision IV/4
(ECE/MP.PP/2011/2/Add.1)**

**The following report is submitted on behalf of
CYPRUS [name of the Party or the Signatory]
in accordance with decisions I/8, II/10 and IV/4.**

Name of officer responsible for Anastasia Priki
submitting the national report:

Signature:

Date: 31/1/2025

Implementation report

Please provide the following details on the origin of this report

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I. Process by which the report has been prepared

Provide a brief summary of the process by which this report has been prepared, including information on the type of public authorities that were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account, as well as on the material that was used as a basis for preparing the report.

Answer:

The report has been prepared by the Department of Environment, which is the competent authority for the implementation of the Aarhus Convention. The preparation process included a review of relevant legislations & procedures, as well as two consultation stages.

Firstly, the 2021 report had been forwarded with an official letter through email to a number of relevant public authorities, judicial authorities, academic institutions and environmental organizations in Cyprus, requesting for their input and suggestions as regards the new report. Comments have been received from several relevant authorities (e.g. different sectors within the Environment Department, Water Development Department, Energy Service, Ministry of Education, the Public Works Department, the Law Office and the Cyprus Bar Association). Comments as well as recommendations have also been received from a number of local NGOs and academic institutions (e.g. the Cyprus Marine and Maritime Institute, Terra Cypria – The Cyprus Conservation Foundation, the Law School of the University of Nicosia). Comments received have then been either incorporated into, or at least taken into consideration for developing the first official draft.

Secondly, the official draft has been uploaded on the Department's webpage for public consultation, inviting comments from the public, NGOs and other bodies. The results of the public consultation have been used to develop the final version of the report which follows below.

The final report, as well as the overall process of consultations with authorities & the public, provide, at a minimum, a valuable insight into the future strategy to be followed regarding access to information, public participation and access to justice in environmental matters in Cyprus.

II. Particular circumstances relevant for understanding the report

Report any particular circumstances that are relevant for understanding the report, e.g., whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have direct effect upon its entry into force,

or whether financial constraints are a significant obstacle to implementation (optional).

Answer:

Cyprus has a central decision-making structure and any laws and policies are applicable to the whole country, as well as a central authority responsible for implementation. Such a centralised approach can facilitate uniformity in the application of environmental laws across the country but may also limit local community involvement in environmental decision-making. The provisions of the Convention have been applicable since its ratification in 2003. This means that the rights and obligations under the Aarhus Convention transposed into the national legal system and are enforceable in domestic courts. Cyprus has incorporated part of these provisions into its national legislation, especially the ones referring to the provisions of article 4 (access to environmental information) and article 5 (collection and dissemination of environmental information) of the Convention, through the Law on Public Access to Environmental Information (119(I)/2004). Provisions of article 5, 6 (public participation in decisions on specific activities) and 7 (Public participation concerning plans, programmes and policies relating to the environment) are included and implemented through a number of sectoral laws such as the Environmental Impact Assessment (EIA) Law, which mandates public participation and access to information for projects with significant environmental impacts.

III. Legislative, regulatory and other measures implementing the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8

List legislative, regulatory and other measures that implement the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8, of the Convention.

Explain how these paragraphs have been implemented. In particular, describe:

- (a) With respect to **paragraph 2**, measures taken to ensure that officials and authorities assist and provide the required guidance;
- (b) With respect to **paragraph 3**, measures taken to promote education and environmental awareness;
- (c) With respect to **paragraph 4**, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection;
- (d) With respect to **paragraph 7**, measures taken to promote the principles of the Convention internationally; including:
 - (i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7,

of the Convention and the Almaty Guidelines, indicating whether the coordination measures are ongoing;

(ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which access to information was provided;

(iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g., inviting non-governmental organization (NGO) members to participate in the Party's delegation in international environmental negotiations, or involving NGOs in forming the Party's official position for such negotiations), including the stages at which access to information was provided;

(iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;

(v) Measures taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums;

(e) With respect to **paragraph 8**, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed

Answer:

Paragraph 1: A Clear, transparent and consistent framework to implement the Convention

The legislation has been gradually enacted over the years, has increasingly facilitated the establishment of a clear and consistent framework which enables access to information and enhanced participation in decision-making processes, in accordance with the provisions of the Convention, while recent amendments and planned revisions of existing laws will further strengthen the existing provisions. The national law on public access to environmental information governs the provision of environmental information, while the rights of the public to participate in decision-making processes affecting the environment are provided for under the majority of relevant environmental legislation and through increasingly uniform legal provisions relating to the availability of information and the participation of the public prior to the final decision. Access to justice to challenge government decisions, acts or omissions is provided for under article 146 of the Constitution. However, the Constitution of the Cyprus Republic recognizes only the right for omissions to persons or communities that are directly affected (non-implementation of *actio popularis*). As a result, the outcome in some of the court cases filed by active citizens or environmental NGOs is affected by matters of interpretation by judges.

Paragraph 2: Assistance and guidance to the public

The Public Service Law (No. 1/1990) lays down the fundamental duties of public servants among which is the duty of making every effort to serve the public in an objective, fair and impartial manner, something that is well established in the administrative procedures of the Environmental and other

authorities.

General administrative law: The Constitution provides that any person has the right, individually or jointly with others, to address written requests or complaints to any competent public authority, which must be examined within a period not exceeding 30 days. This supports the right of the public to request access to information in general, including environmental information. This was further reinforced through the law on access to environmental information.

Environmental law and practice: According to the provisions of the Law on Public Access to Environmental Information (No. 119(I)/2004), which implements the provisions of Articles 4 and 5 of the Convention, public authorities are required to make available the environmental information held by or for them to any applicant at his/her request and without him/her having to state an interest. Moreover, it states the obligation of public authorities to publish and disseminate certain types of environmental information. In implementing this, it is expressly stated that public authorities must ensure that their officials support the public in seeking access to information and that they publish information that should be disseminated to the public. Some sectoral environmental legislation (e.g. the EIA and SEA laws, Environmental Noise Law, Nature Conservation Law, Waste Management Law, Air Pollution Control Law, Industrial Emissions Law, Water Pollution Law, etc.) also lay down certain specifications regarding the way public can exercise their rights of access to environmental information, public participation in decision-making and (less commonly) access to justice, which can be used as a reference for assisting the public.

Practical measures & practices: Guidance to the public with regards to access to information, public participation and access to justice in environmental matters, is also provided through dedicated webpages within the website of the Environment Department (e.g. Aarhus Convention webpage, EIA & SEA webpages, etc.). The webpages provide guiding information regarding the Aarhus Convention and the rights of the public to environmental information, participation in decision-making, and access to justice. They also provide guidance regarding relevant National legislation and procedures that need to be followed for requesting or accessing information, or participating in the decision-making process (e.g. through the EIA procedure). Through the website, the contact details of the relevant officers are also provided to allow for further assistance through the phone or email when required. Guidance on requesting or accessing environmental information is also provided through other official websites, for example, of other relevant authorities, such as the Water Development Department, the Department of Labour Inspection, the Department of Fisheries and Marine Research and other portals, such as the national PRTR website, the National Open Data portal, the National Geoportal etc.

Paragraph 3: Environmental education and awareness raising

Environmental education and awareness raising has been increasingly pursued and applied at National level, across several environmental themes and by a number of entities (public sector and environmental NGOs).

The Department of Environment carries out and actively supports environmental awareness campaigns and educational programmes, on topics such as waste management, green products and resource efficiency, circular economy (including through targeted campaigns aimed at industry, businesses, the services sector and the general public on the EU Eco-management and Audit Scheme and the EU Ecolabel), climate change, pollution control, nature conservation, and environmental impact assessment.

In February 2024, the Department of Environment, in collaboration with the Office of the Cyprus Commissioner for the Environment and Animal Welfare and the University of Cyprus, have carried out a public seminar on Aarhus Convention and Environmental Defenders, with the aim to raise awareness among public authorities, the judicial sector, academic institutions, NGOs and the general public, but also to strengthen collaboration on the matter. At the seminar, we had the honor of having as one of the main speakers the UN Special Rapporteur for the Environmental Defenders, Mr. Michel Forst, who has been invited to raise awareness on his mandate. The Special Rapporteur also had the opportunity to have a number of high-level meetings with Ministers and other dignitaries, raising awareness and strengthening collaboration at a diplomatic level, while he also had a number of closed-door meetings with local NGOs and civil organisations, providing the opportunity for further insight into the local challenges of environmental defenders. The events have been further promoted and the outcome disseminated through press releases, announcements on the organisers' websites and through social media. Mr. Michel Forst has also published a public statement on his visit through his mandate's website ([https://unece.org/sites/default/files/2024-02/SR_EnvDefenders Aarhus Cyprus official country visit End%20of%20mission%20statement.pdf](https://unece.org/sites/default/files/2024-02/SR_EnvDefenders_Aarhus_Cyprus_official_country_visit_End%20of%20mission%20statement.pdf)). The whole attempt seems to have been greatly appreciated by both authorities and the public, as it opened the gateway to common understanding of the local efforts, challenges and opportunities with regards to environmental rights.

Furthermore, a number of seminars have been carried out up to now on the Environmental Assessment process (addressing the key stages of the process, including screening, scoping, the evaluation of the environmental assessment report, mitigation measures and subsequent monitoring), every time there was an amendment or a need identified to enhance awareness on specific aspects, for public authorities participating in the assessment process, environmental NGOs and local authorities. Some recent examples include seminars carried out within 2023 and 2024 on the EIA Law 2021

and 2023 amendments, on good practice & guidelines for public consultation during the EIA procedure, on guidelines for bird recording under the EIA procedure, on recent advancements in access to information, on nature-based solutions within developments, etc.

A series of educational and informative campaigns are also being organized by the Department to introduce new legislation, plans, programmes, schemes or actions. The two large LIFE programmes under the Department on nature and waste, also involve detailed communication strategies for disseminating knowledge and information to the public. Campaigns usually include promotion of informative material through physical events, info booths, dedicated websites, the social media, broadcast of radio spots, TV spots, online advertisements, etc. Some examples could be illustrated through the campaign websites of the 'Pay as you Throw', the 'Management of Hazardous Household Waste', the 'Zero Waste Cyprus' campaigns, the 'Pandoteira' Natura2000 project, etc. (web links provided in part VI).

At the same time, the Department of Environment actively supports, through financial assistance, a number of environmental awareness campaigns organized by non-governmental organizations, local authorities and schools.

Other authorities also contribute to environmental awareness raising efforts:

The Energy Service of the Ministry of Energy, Commerce and Industry (MECI) contributes to public awareness and training, through information campaigns, as regards energy saving. The aim of the campaigns is to strengthen the energy saving effort by encouraging citizens to implement simple energy saving measures and to invest in energy efficiency measures combined with renewable energy (RES) in homes and businesses through MECI's Grant Schemes. In 2022 and 2023, the Energy Service proceeded with the implementation of energy efficiency information campaigns for citizens, the cost of which was covered by national resources. The main activities of the campaign focused on the promotion of informative material through the websites of both the Energy Service and the Ministry, creation and broadcast of radio spots, creation and broadcast of TV spots, promotion of informative material through the Energy Service and MECI's social media (Facebook and Twitter), online advertisements through Google Ads, and finally advertisements on informative online platforms. In addition, through these campaigns, advice on a range of simple energy saving measures at home and in the workplace were published and promoted across media and webpages. The campaign will be repeated in 2024, with emphasis on promoting MECI's Grant Schemes even more. Moreover, the Energy Service supports (through financial assistance) and actively participates each year in the SAVENERGY exhibition, providing detailed information to the wider public on the MECI's Grant Schemes for energy efficiency and RES. The Energy Service also participates in events, workshops and seminars, tv and radio programmes providing targeted information on the benefits of energy efficiency and RES.

The Department of Forests in the context of information and education of the public for nature and forest protection organizes events and lectures on radio and television programs and publishes informative material.

The Department of Fisheries and Marine Research has also been actively engaged to environmental education and awareness raising through seminars and workshops at schools and universities, articles in newspapers and social media, video tv spots, seminars and presentations in various events and also publishes informative material that is also available through its website.

Furthermore, the Water Development Department has also been organizing information campaigns on water saving measures.

Environmental awareness campaigns by NGOs: A number of NGOs actively participate in environmental awareness raising through targeted campaigns and seminars. Over the past few years NGOs, such as Birdlife Cyprus, Terra Cypria, Friends of the Earth Cyprus, the Federation of Environmental Organisations of Cyprus, ICOMOS-Cyprus Section and CYMEPA, have been organizing information campaigns and educational seminars on key environmental issues like nature protection, species conservation, GMOs, marine and coastal protection, climate change, resource efficiency, civil society rights to environment and cultural heritage etc. Government has been supporting such activities through joint events and funding programmes.

Environmental education: The environment is at the heart of Cyprus Education System and a series of reforms have been promoted in Cyprus Education through the revised National Strategy for Education for Sustainable Development and Green Transition 2030. The Ministry of Education Sport and Youth is responsible for integrating the EE in Cyprus in formal, non-formal and in-formal level. The emphasis that Cyprus is giving to EE is reflected to the establishment of the Unit of Education for Environment and Sustainable Development (EESD), which is the permanent structure in Cyprus for monitoring, reviewing, and evaluating the implementation of the EE/ESD across formal, non-formal, and informal education. Some of the main reforms for strengthening Environmental Education (EE) in schools is the establishment of the Whole School Approach on EE, aiming to support schools to operate as living labs for the environment, to provide learning opportunities to teachers and students and the wider community on environmental protection and restoration, to learn about individual and collective measures for restoring and protecting our biodiversity, to aware them and motivate them for environmental actions. Cyprus is the only country that introduced a curriculum for EE/ESD in all education levels (pre-primary, primary and secondary education). Recently the curriculum has been revised taking into consideration the need to move

to curricula that are competence and skill based and allowing the students to undertake individual actions and engage in collective actions that will lead to change for the environment and sustainability. The curricula confronting environmental issues in a holistic and interconnected approach in light of the social, economic, political and cultural factors which influence them. The purpose is to gradually change the school area and the local community based on the principles of sustainable development and to shape environmentally conscious citizens, having the necessary knowledge and skills to actively protect their environment and quality of life. In non-formal education the Ministry of Education, Sport and Youth established the governmental network of Environmental Education Centers. The network includes 7 EECs and supporting schools to investigate environmental issues outdoors through experimentation, experiential learning, interaction with the environment and the local populations. More than 150 environmental programs are offered and more than 50.000 students, teachers, professionals etc. are participating annually at the programs of all the EECs. A series of Environmental Education Programs are integrated. A recently launched one is the Environmental Education Program “Greening the school-Greening the community”, established in 2024 and aiming to improve learning for environmental sustainability in schools by incorporating practical, hands-on activities that engage students directly with their environment. By involving students in tree planting, green space creation, and maintenance, the program provides experiential learning opportunities that deepen their understanding of ecological principles and sustainability practices. This active participation fosters a sense of responsibility and connection to the natural world, promoting environmental stewardship.

Paragraph 4: Support for environmental NGOs

Recognition of the right of association / legality of registration

NGOs are registered under the law on the establishment, operation and dissolution of associations and foundations (N.104(I)/2017) by the appointed Registrar, as associations, foundations, federations or unions. Although it is not mandatory for an NGO to be registered, it is necessary if it is to acquire legal standing. For the registration legal assistance is required for the preparation of the articles of association or act of incorporation, depending on the case and no charges apply for the actual registration.

Access to Justice

The right of recourse to an administrative court by NGOs is partly provided by article 146 of the Constitution as well as some environmental legislation, e.g. the industrial emissions law. ‘Partly’, as currently it is only provided for organisations whose founding document or articles of association state as its main purpose of establishment the promotion of environmental protection, and are therefore considered to have a legitimate interest, which may be adversely affected by a decision, act or omission of the Authority, in the context of the exercise of its powers.

Inclusion in decision-making

The importance and role of NGOs has long been recognized and their participation in the decision-making process has been ensured through the relevant environmental legislation. The Federation of Environmental Organizations of Cyprus, which represents several NGOs, is a permanent member, with a consultative role, in all major committees formed under environmental law, including the Scientific Committee for the Protection of Nature and Wildlife, the Committee for Genetically Modified Organisms, the Committee for Waste Management, the Committees for the Evaluation of Environmental Impact Assessment, and the Committee for the Evaluation of Strategic Environmental Assessments.

Moreover, NGOs are participating in the Technical Committees established under the National Governance of Green Deal and the public consultation, therefore they are actively involved in the procedure and discussions on the policies and measures to be included in the revised national Energy and Climate Plan.

Direct support

Financial support & support in activities:

Government in general supports NGOs either through supporting their activities, through joint events and/or through funding programmes.

The Department of Environment has budgetary allocation for financial support to the Federation of Environmental Organizations of Cyprus on a yearly basis. Moreover, it generally provides support to environmental NGOs with respect to co-organising and financing events for environmental awareness and activities.

Paragraph 7: Promoting the principles of the Convention internationally

Cyprus has hosted the 9th “Environment for Europe” Ministerial Conference in October 2022, where, with the support of UNECE – CEP, a significant effort has been placed to accommodate the principles of the Convention into the organisational procedures of the Conference. Particular attention was given to ensure effective access to information prior, during and after the event, as well as to promote wide participation by different groups of the public.

Access to information was made possible, free of charge, through a number of means, including electronic information tools, with an aim to enhance accessibility and understanding of information and reach out to a broad range of the public. Namely, a dedicated Conference website, where the Conference’s official documents (agenda, organizational of work, speeches, interventions, policy documents and Ministerial Declaration / Statement) were made available in all official languages. An interactive calendar within the website, with active links of the sessions and side-events, gave access to

live webcasted events allowing also for remote participation. A mobile-phone app was also developed with similar functionalities. Moreover, the events were promoted and information disseminated through press releases & conferences, local news programmes on television, the Press Office & local and international press, and a number of social media: Facebook, Twitter, YouTube. Finally, a Host Country Secretariat was appointed for providing further information.

While the Conference was open to the public, the organisers also proactively sought for participation of relevant actors, sending invitations to international NGOs / CSOs with diverse capacities, and providing funding for their participation. An effort was also made to ensure inclusion of vulnerable groups of the public, e.g. youth and participants with special needs. NGOs / CSOs had the opportunity to take part and make interventions in plenary sessions, comment on and finalise policy documents, during the SS CEP before the Ministerial Conference, as well as discuss with Ministers (in meeting rooms).

Paragraph 8: Measures against penalization, persecution, harassment

Invitation of UN Special Rapporteur on Environmental Defenders & Awareness raising on the matter

As mentioned above, the Republic of Cyprus has taken the initiative, as encouraged by Decision VII/9 of the Meeting of the parties to the Aarhus Convention, to invite the UN Special Rapporteur on Environmental Defenders for a country visit. This initiative constituted part of a wider effort to raise awareness for the Aarhus Convention, its article 3 (8), and its rapid response mechanism to protect environmental defenders through the SR's mandate. The overall initiative aimed at raising awareness among officials of relevant public authorities, law enforcement agencies, prosecutors, members of the judiciary, academic institutions, local NGOs and the general public, as well as to initiate collaboration among stakeholders towards better implementation of the Aarhus Convention and better protection of environmental defenders and their rights. Mr. Michel Forst's country visit took place between 5 – 9 February 2024, during which the Special Rapporteur had a series of high-level diplomatic meetings with Ministers, government officials, and members of Parliament, had closed-door meeting with environmental defenders, including NGOs, grassroot organizations, activists, and journalists, presented in a public seminar and had a press conference and press releases through local media.

Through the high-level meetings the Special Rapporteur had the opportunity to meet with the Minister of Agriculture, Rural Development & the Environment, the Minister of Justice and Public Order, officials of the Ministry of Foreign Affairs, the Commissioner for the Environment, as well as the Parliamentary Committee on Environment. Dignitaries in these meetings have been informed about the principles of the Aarhus Convention and the existence and role of the Special Rapporteur's mandate, while

diplomatic relations were built to enable more effective collaboration with the Convention's Compliance Committee and the Special Rapporteur.

In parallel, closed-door meetings with local NGOs and Civil Society groups, gave the opportunity to the local society to learn more about the mandate, as well as to share with the Special Rapporteur their concerns, testimonies and their point of view regarding the situation in Cyprus for environmental defenders.

A public seminar co-organised by the Department of Environment, Ministry of Agriculture, Rural Development & the Environment, the Office of the Commissioner for the Environment, the Law Department of the University of Cyprus, and the Federation of Environmental Organisations of Cyprus, also took place during the visit. The seminar was attended by a range of representatives from public authorities, the Parliament, the Law Office of the Government, private law offices, Civil Society Organisations, academia, and the general public. Attendees had the opportunity to be informed about the Aarhus Convention and its implementation in Cyprus, the mandate and role of the Special Rapporteur on Environmental Defenders, as well as engage in discussions regarding specific legal cases and experiences of environmental defenders in practicing their rights. The public seminar provided a unique opportunity for constructive discussion and information exchange among the different groups of stakeholders and a kick-start for collaboration towards better implementation of the convention and environmental law in general, something that was greatly appreciated by both authorities, academia and the public.

Finally, all of the events have received further publicity through the local press and social media.

Whistleblowing law

In 2022 the Protection of Persons Reporting Breaches of Union and National Law of 2022 ('the Whistleblowing Law') has transposed Directive (EU) 2019/1937 ('the Whistleblowing Directive') into national law. In particular, the Whistleblowing Law affords protection to persons who report acts or omissions relating to the commission or potential commission of a criminal offence, in particular corruption offences, acts or omissions related to non-compliance with any legal obligation imposed on a person, infringements which endanger or are likely to endanger the safety or health of a person, and infringements that cause damage to the environment.

IV. Obstacles encountered in the implementation of article 3

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 3 listed above.*

Answer:

Paragraph 1

Inconsistent Implementation by Authorities: There are variations in how different public authorities apply the law on public access to environmental information and the principles of the Aarhus Convention in general. For example, in the EIA process in Cyprus, the engagement of the institutions involved in the procedure, from legislative drafting to the process of implementation and enforcement, is inevitable. For example, ministries competent for adjusting accidental pollution resulting from offshore activities are the Department of Environment, the MCIT and the Department of Labour Inspection (DLI). These play a crucial role in the environmental legal regime due to their competence to issue secondary legislation. The role of governmental institutions is elucidated under each environmental legal instrument. Application and enforcement of environmental law are usually entrusted to inspectors appointed by Ministers under environmental laws that also describe their duties and powers in great detail. Because of the similarity of the inspectors' duties and powers under these laws and the administrative sanctions they may impose, it would not be irrational to suggest the enactment of single legislation addressing these matters. The same could be suggested regarding the advisory committees established under environmental laws.

Furthermore, in some cases relevant legislation tends to be fragmented and piecemeal. Also, competent authorities involve multiple institutions. Perhaps, this leads to overlapping the institutions' competencies, which may cause inefficient and inadequate communication and cooperation. Thorough investigation should be conducted throughout the fragmented off-site sources of the government or directly contact the relevant Cypriot authorities to obtain the most accurate and up-to-date details regarding their structure. This research elicits the need for establishing a single competent authority regulating certain issues since the institutions' fragmented responsibilities often lead to gaps, lack of unified goals, laws overlap, and weak coordination.

Paragraph 2

Not all officials have the necessary training or capacity to provide effective guidance and support to the public. The above can result in inadequate assistance and a lack of understanding of the public's rights under the Aarhus Convention.

Paragraph 3

Although environmental education is part of the school curriculum, it may not be sufficiently integrated or prioritized compared to other subjects. This can lead to a lack of depth and continuity in environmental education and also to knowledge gaps concerning citizens' rights on environmental matters. Also, the reach and impact of educational programs in place, need continual assessment to ensure they are effectively raising awareness.

Moreover, budget limitations restrict the scope and frequency of

environmental education and awareness campaigns. These constraints can hinder the ability to reach a broader audience and sustain long-term educational initiatives. With regards to environmental education the following advancements could improve the situation but they currently still face obstacles in being implemented:

1. The establishment of monitoring and evaluation mechanisms for EE/ESD at the level of educational policies, programs, schools.
2. The implementation of holistic school approaches at all levels of education in matters of sustainability and Environment (contents learning, pedagogical approaches, upgrading building infrastructures based on the principles of sustainability, partnerships and collaborations between schools and society, etc.).
3. The further development of non-formal education (State Network of Environmental Education Centers, communities, local workshops, etc.) and the promotion of intergenerational communication programs, but also the preparation of trainees for the green transition.

Paragraph 4

The process of registering and operating NGOs can be complex and time-consuming, deterring some groups from becoming formally recognized. This complexity can limit the effectiveness and growth of environmental NGOs. NGOs often struggle with limited financial resources, which can constrain their activities and ability to participate in environmental governance. Ensuring all relevant NGOs have equal opportunities to participate in decision-making processes can be sometimes difficult. This financial insecurity can undermine the sustainability and impact of their work.

Regarding access to justice NGOs can have standing only under specific sectoral law (EIA, Integrated Pollution Prevention and Control – IPPC, Environmental Liability, etc.), otherwise they must prove their rights/interests. It can be difficult to challenge plans or programmes. An administrative review, if granted, will examine both the procedural and substantive legality of a decision/act/omission. A judicial review in the Administrative Court will, as in all cases, consider matters of procedural legality and competence of the offending executive organ, but also of substantive legality if the question refers to an error in law, a violation of the constitution, etc. The Supreme Court of Cyprus has the power to review legislation or regulations either upon request by the President of the Republic before enactment by Parliament, or on the basis of a legal recourse by an individual whose direct rights are affected under Article 146 of the Constitution as a result of an administrative act/omission emanating from such legislation or regulations. This applies to all legislation/regulations, there are no specific provisions for the environment. It can be concluded that there is a system of regular supervision of regulatory legally binding acts, but it is largely inaccessible to members of the public and NGOs, who can only flag cases to bodies or officials that are entitled to initiate an extraordinary supervision procedure. There is some information available on

access to justice, maintained by the government. However, it is usually only available in the official language of the country and it needs to be searched for. Information on access to environmental justice is published on the website of the Department of Environment, with reference to the specific (and limited) legislation that grants legal rights to NGOs. There is no specific site where national rules on access to justice are available. According to existing case law, the interpretation of standing for legality challenges is restrictive and would not grant access to Courts to Environmental NGOs or members of the public in accordance with Article 9 (3) of the Convention. In light of the Aarhus Convention and requirements of EU law, there is a pressing need for national courts to revise the previous interpretation and enable broad access to justice in line with the Convention's requirements. According to the EIR Country Reports on Cyprus, issued by the Directorate General for Environment of the European Commission, on 03/02/2017, 31/07/2019 and 22/09/2022 a priority action to be taken by the competent authorities of the Republic of Cyprus is to improve individuals' access to courts by the public concerned when challenging administrative or regulatory decisions and omissions, including during the planning phase, in particular on water, nature and air quality issues. Furthermore, another priority action to be taken by the competent authorities of the Republic of Cyprus is to take the necessary measures to ensure that the costs of legal challenges involving EU environmental law are not prohibitively expensive, and in line with the requirements of EU law as well as the Aarhus Convention.

Paragraph 7

Ensuring effective coordination within and between ministries to promote the Aarhus Convention principles can be challenging. This difficulty can lead to fragmented efforts and reduced effectiveness in international forums. Providing timely and comprehensive information to the public about international negotiations is challenging. Limited access to information can hinder public participation and transparency in these processes.

V. Further information on the practical application of the general provisions of article 3

Provide further information on the practical application of the general provisions of article 3.

Answer:

Paragraph 3

Education

Further measures considered by the Ministry of Education, Sport and Youth to further strengthen Environmental Education and awareness in Cyprus are:

- Create a comprehensive and holistic approach (WSA) for ESD in all education institutions formal and non-formal, aligning with the social,

pedagogical, and organizational aspects of environment and sustainability.

- Equip students with environmental and active citizen skills and competences, which will allow them to become active citizens and professionals for promoting environmental sustainability of our planet and society.
- Develop educational processes and mechanisms in which the global, systemic and interdisciplinary approach to environmental issues will be integrated.
- Build capacity for teachers and school leaders to empower them to efficiently implement EE/ESD and contribute towards transforming schools to environmental sustainability.
- Promote pedagogical approaches at all levels of education which will empower stakeholders within a school to tackle environmental issues) in their context.
- Connect formal, informal and non-formal education by strengthening the programs of the Governmental Network of EECs for example (new EE programs to families. environmental summer schools).

Paragraphs 3, 4, 8

There is a general lack of awareness among the public about the provisions available to them. Additionally, some individuals may distrust the system's ability to protect them, deterring them from exercising their rights fully. Further dissemination of informative materials through digital means, brochures and/or papers, may be necessary to improve public awareness. It may as well be possible to improve outreach efforts by partnering with local NGOs and community groups. In order to reach a wider audience, media channels, social media campaigns and press releases, could also be further utilized to share relevant national initiatives and references to the Aarhus Convention.

Paragraph 4

Reconsideration of article 146 of the Constitution, as regards the right of any citizen and NGOs, might be required to eliminate issues of variable interpretation of the article to Courts by judges.

VI. Website addresses relevant to the implementation of article 3

Give relevant website addresses, if available:

Websites providing assistance to the public in accessing information, participating, or accessing justice for environmental aspects:

https://www.moa.gov.cy/moa/environment/environmentnew.nsf/page57_gr/page57

[gr?OpenDocument](#)

https://www.moa.gov.cy/moa/environment/environmentnew.nsf/page57_en/page57_en?OpenDocument

<https://www.moa.gov.cy/moa/environment/environmentnew.nsf/All/5A6B4B55CB548DD9C225802F003C8DBD?OpenDocument>

<https://eia.moa.gov.cy/public/sea/>

<https://eia.moa.gov.cy/public/index.html#start>

https://www.moa.gov.cy/moa/wdd/wdd.nsf/index_en/index_en?opendocument

<https://geoportal-wdd.hub.arcgis.com/>

https://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument

<http://www.prtr.dli.mlsi.gov.cy/prtr/iweb.nsf/ContentDocsByCountry/English>

<https://www.data.gov.cy/en?language=en>

Environmental Campaign Websites/posts:

<https://pandoteira.cy/el/oikoselida/#>

<https://www.cyzerowaste.com/>

<https://epikindynaapovlita.com/>

<https://payasyouthrowcy.com/>

<https://youtu.be/cTVLt61dtzM?feature=shared>

Websites regarding environmental education:

<https://mepaa.moec.gov.cy/index.php/el/>

<https://peeaad.schools.ac.cy/index.php/el/>

VII. Legislative, regulatory and other measures implementing the provisions on access to environmental information in article 4

List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4.

Explain how each paragraph of article 4 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) Any person may have access to information without having to state an interest;
 - (ii) Copies of the actual documentation containing or comprising the requested information are supplied;
 - (iii) The information is supplied in the form requested;
- (b) Measures taken to ensure that the time limits provided for in **paragraph 2** are respected;
- (c) With respect to **paragraphs 3 and 4**, measures taken to:
 - (i) Provide for exemptions from requests;
 - (ii) Ensure that the public interest test at the end of paragraph 4 is applied;
- (d) With respect to **paragraph 5**, measures taken to ensure that a public authority that does not hold the environmental information requested takes the necessary action;
- (e) With respect to **paragraph 6**, measures taken to ensure that the requirement to separate out and make available information is implemented;
- (f) With respect to **paragraph 7**, measures taken to ensure that refusals meet the time limits and the other requirements with respect to refusals;
- (g) With respect to **paragraph 8**, measures taken to ensure that the requirements on charging are met.

Answer:

Law on Public Access to Environmental Information

The Law on Public Access to Environmental Information (119(I)/2004) implements the requirements of Article 4 of the Convention (and transposes the relevant EU Directive 2003/4/EC).

Definitions: Definitions are detailed in Article 2 of the Law, as follows:

Public Authority: In accordance with Article 2 of the Convention, public authority is defined to include

- Any government or other public administration (including municipalities and community councils, public utilities, public

bodies and public advisory bodies, at national, regional or local level)

- Any person performing public administrative functions under national legislation (including specific duties, activities or services relating to the environment)
- Any person exercising public responsibilities or functions or providing public services relating to the environment under the control of a body or person falling under the above.

Public: Public has been defined to include one or more persons, and their associations, organizations and unions.

Environmental information has been defined to include any information in written, visual, aural, electronic or other forms, concerning:

- The state of the elements of the environment, such as the air and atmosphere, water, soil, landscape and natural sites, including wetlands, coastal and marine areas, biodiversity and its components, including genetically modified organisms, and the interaction among these elements;
- Factors, such as substances, energy, noise, radiation or waste, discharges and emissions into the environment, affecting or likely to affect the elements of the environment;
- Measures, including legislation and administrative measures, such as policies, plans, programmes, environmental agreements and activities affecting or likely to affect the elements and factors, as well as measures or activities designed to protect these elements;
- Reports on the implementation of environmental legislation;
- Economic analyses and assumptions used within the framework of the measures and activities referred to above; and
- The state of human health and safety, including the contamination of the food chain, living conditions, sites and built structures, in as much as they are or may be affected by the state of the elements or through the factors or measures mentioned above.

Applicant: has been defined as any natural or legal person requesting environmental information,

Information held by a public authority: environmental information which has been produced or received by that authority; and

Information held for a public authority: environmental information which is held by a natural or legal person on behalf of a public authority.

Public access to environmental information & timeliness of responds (Article 3 of the Law): Public authorities are obliged to provide environmental information held by or for them to any applicant, without him/her having to state an interest. The information must be provided to the applicant as soon as possible and at the latest within one month after receipt of the application by the public authority, or within two months, in cases when the volume and complexity of the information requested is such that

the one-month period cannot be complied with. The applicant must be informed as soon as possible and before the end of the one-month period of any such extension and the reasons for it.

Clarifications (Article 4): When the request is formulated in too general a manner, the public authority asks the applicant, within the one-month time period, to specify the request and offers assistance, for example by providing information on the use of registers or lists of the environmental information held.

Requests for information in a specific form or format (Article 5): Where an applicant requests environmental information in a specific form or format, the public authority satisfies the request unless the information is already publicly available in another form or format which is easily accessible to the applicant, or it is reasonable for the public authority to provide this information in another form or format, whilst stating the reasons. Public authorities must endeavour to ensure that the environmental information held by or on their behalf is available in formats that are readily reproducible and accessible by computer telecommunications and other electronic means. In cases a request for the provision of information in a particular format (in whole or in part) is refused, the reasons for the refusal must be communicated to the applicant within one month from the date the request was made.

Assistance provided by public authorities (Article 6): Public authorities must ensure that officials support the public in seeking access to information and that their lists are publicly accessible. For this purpose, public authorities must define practical measures to ensure that access to environmental information is exercised effectively. This may include the designation of information officers, the establishment and maintenance of facilities for the examination of information, and the maintenance of registers or lists of environmental information held by public authorities with clear references to where such information is to be found. In practice, public authorities list the information available and points of contact on their websites, and are increasingly making databases available online.

Informing the public (Article 7): The public must be informed of their rights under the Law and provide, to the extent appropriate, information, guidance and advice to this end.

Exceptions (Article 8): Public authorities may refuse a request for environmental information if:

- The information requested is not held by or for the public authority to which the request is addressed. In this case, where the public authority is aware that the information is held by or for another public authority, it shall forward the request to that authority and inform the applicant accordingly or notify the applicant where to apply to receive the requested information.

- The request is manifestly unreasonable, formulated in too general a manner, concerns material in the course of completion or unfinished documents and data, or internal communications.

A public authority may also refuse requests for information if the disclosure of such information could adversely affect:

- The confidentiality of the proceedings of public authorities where such confidentiality is provided for by law.
- International relations, public security and national defence.
- The course of justice, the right of any person to a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature.
- The confidentiality of commercial or industrial information, where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy.
- Intellectual property rights.
- The confidentiality of personal data or records relating to a natural person, where that person has not consented to the disclosure of the information.
- The interests or protection of any person who supplied the information requested voluntarily, unless that person has consented to the disclosure of the information.
- The protection of the environment to which the information relates, such as the site of rare species.

Public authorities may not refuse a request for access to information on emissions into the environment. A refusal for the provision of information must be communicated to the applicant in writing, if the request was in writing or if the applicant so requests, within the time frames mentioned above, stating the reasons for the refusal and providing information on the appeals procedure. Where possible, the information may be made available in part, if the confidential information can be separated. The grounds for refusal are interpreted in a restrictive manner, taking into account the public interests served by the disclosure or refusal.

In cases when the information requested is not **held by the public authority**, the request is forwarded to the authority holding the information and the applicant is informed accordingly, or if available, directed to any accessible databases. In either case, the applicant must be notified within the one-month timeframe established by the law. The public authority holding the information is obliged to provide the information within one month from the day it receives the request.

In the case of a refusal, when a request is **formulated in too general a manner**, the public authority is obligated to assist the applicant in clarifying the request, for example by providing information on the use of registers or lists of environmental information or by explaining the fields and types of information available.

Furthermore, where the request is refused on the basis that it concerns **material in the course of completion**, the public authority must inform the applicant of the name of the authority preparing the material and the

estimated time of completion.

Commercial confidentiality, personal data and other confidential information:

Regarding materials that directly or indirectly serve as a basis for an administrative decision, these may be regarded as confidential if they concern internal communications or if they concern material in the course of completion. In each case the public interest served by disclosure will be taken into account accordingly. In the case of registers kept under specific laws, such as the environmental impact assessment legislation, waste management legislation etc., information considered as confidential under the law, is withheld.

Personal data protection is regulated by the Law providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018 (Law 125(I)/2018), where it is defined as any information relating to an identified or identifiable natural person ('data subject'). Under the same law, an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Regarding **commercial confidentiality**, a number of laws relate to the various categories of commercial or industrial information, such as the Law on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (164(I)/2020). Intellectual property rights are also protected under the Intellectual Property and Related Rights Law of 1976 (Law 59/1976).

Charges (Article 9): Access to public registers and lists compiled and maintained in accordance with this law is free. Public authorities may apply a charge for providing environmental information provided that charges do not exceed the reasonable costs of providing the information. When charges are made, public authorities must publish a schedule of charges and information regarding the circumstances under which charges may be levied or waived.

Most public authorities holding environmental data do not apply charges for supplying environmental information. Charges are made by certain departments only when supplying copies of planning permits, maps, including digital maps, and statistical publications which relate to the environment. Each public authority determines the charges to be applied for the provision of particular information based on the costs incurred for reproducing the information. No preferential rates are applicable. Additional charges may be imposed for the compilation of data. Detailed schedules of charges are always posted in the offices of the competent authorities and their websites, and applicants are informed when making an application if a

charge needs to be made and where detailed schedules can be found.

Access to Justice (Articles 10 & 11): An applicant has the right to an appeals procedure before the Minister or the Administrative Court if a public authority fails to respond to an information request within the established timeframes.

Provisions of Article 4 of the Convention in other National legislation:

Provisions for public access to environmental information upon request also appear in a range of other sectoral environmental laws like the SEA Law, EIA Law, Nature Conservation Law, Waste Management Law, Air Pollution Control Law, Industrial Emissions Law, Water Pollution Control Law, etc. Most of these laws include a reference to the Law on Public Access to Environmental Information, and specify the information that should be made available to the public, the means through which and the hours and place where these will be available, etc.

Moreover, the public's right to access official environmental information is also indirectly provided by the Right of Access to Information of the Public Sector Laws (2017-2018), through which any natural or legal person shall have the right to request access to information in the possession of a public authority, in accordance with certain provisions of these laws.

VIII. Obstacles encountered in the implementation of article 4

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 4.*

Answer:

One of the significant challenges is the inconsistency in how different public authorities implement the Law on Public Access to Environmental Information. The efficiency and responsiveness of authorities can vary widely, leading to unequal access to information for the public. The process of separating confidential information from the non-confidential information requested can be complex and resource-intensive. Ensuring that this separation is done correctly to provide as much information as possible without breaching confidentiality is challenging. (eg. Issue with hydrocarbons which are deemed as confidential).

Some Environmental NGOs claim that they are still encountering obstacles regarding access to information in environmental matters, particularly in cases of filing complaints and appeals on the violation of environmental legislation (e.g. violation of legally binding and substantial terms of environmental authorisations issued for certain projects, plans and programs, incorrect implementation of EU Directives and ongoing infringement procedures launched by the European Commission against the Republic of Cyprus, etc). It is noted that, in some cases, the Planning

Permits issued by the Town Planning Authority, regarding the projects that are subject to the EIA procedure, are also published. However, this is still not the case for all projects that are subject to the EIA procedure.

IX. Further information on the practical application of the provisions of article 4

*Provide further information on the **practical application of the provisions on access to information in article 4**, e.g., are there any statistics available on the number of requests made, the number of refusals and the reasons for such refusals?*

Answer:

Information on the practical application of the provisions, are included in the general text above.

Information requests: All public authorities keep official records of all correspondence and other documents, including information requests (as long as they were received in written format) and the responses provided. Only the basic correspondence data are officially required to enable the public authority to respond to information requests. Original providers of information may contact the competent authority in cases of misuse of information. Authorities will respond to such claims accordingly on a case-by-case basis. There are currently no statistics available however, on the number of requests or refusals and reasons given.

X. Website addresses relevant to the implementation of article 4

Give relevant website addresses, if available:

https://www.moa.gov.cy/moa/environment/environmentnew.nsf/index_gr/index_gr?OpenDocument

<https://www.moa.gov.cy/moa/wdd/Wdd.nsf/All/095EE6081FBAFCFEC225858A003F36DC?OpenDocument>

XI. Legislative, regulatory and other measures implementing the provisions on the collection and dissemination of environmental information in article 5

List legislative, regulatory and other measures that implement the provisions on the

collection and dissemination of environmental information in article 5.

Explain how each paragraph of article 5 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) Public authorities possess and update environmental information;
 - (ii) There is an adequate flow of information to public authorities;
 - (iii) In emergencies, appropriate information is disseminated immediately and without delay;
- (b) With respect to **paragraph 2**, measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible;
- (c) With respect to **paragraph 3**, measures taken to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks;
- (d) With respect to **paragraph 4**, measures taken to publish and disseminate national reports on the state of the environment;
- (e) Measures taken to disseminate the information referred to in **paragraph 5**;

- (f) With respect to **paragraph 6**, measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products;
- (g) Measures taken to publish and provide information as required in **paragraph 7**;
- (h) With respect to **paragraph 8**, measures taken to develop mechanisms with a view to ensuring that sufficient product information is made available to the public;
- (i) With respect to **paragraph 9**, measures taken to establish a nationwide system of pollution inventories or registers.

Answer:

Law on Public Access to Environmental Information

Article 5 of the Convention is also implemented through the Law on Public Access to Environmental Information (119(I)/2004). According to the law, public authorities are obligated to collect, possess and actively and systematically disseminate various types of environmental information to the public, in particular in formats that are readily reproducible and accessible and by means of computer telecommunications and/or electronic technology where available. Specifically, it implements the following provisions:

Informing the public (Article 12): All public authorities must organize the environmental information relevant to their functions which is held by or for them, for its active and systematic dissemination. According to the law, environmental information must progressively become available in electronic databases which are easily accessible to the public through public telecommunication networks. The information to be made available and disseminated includes the texts of international treaties, conventions, agreements, and environmental legislation; policies, plans and programs relating to the environment; progress reports on the implementation of laws and policies; reports on the state of the environment; data or summaries of data from the monitoring of activities affecting or likely to affect the environment; permits that have a significant impact on the environment; environmental impact studies and risk assessments. In the event of an imminent threat on human health or the environment as a result of human activities or natural causes, public authorities must without delay disseminate all information which could enable the public likely to be affected to take measures to prevent or mitigate harm arising from the threat.

In practice, all public authorities holding environmental information are progressively investing in building electronic databases for their collection and management, as well as making such information available in electronic format which is more easily accessible by the public and uploading it on their websites, including: national environmental legislation, policies, plans and programmes relating to the environment, links to international treaties and other agreements, state of the environment reports, spatial data, and monitoring data (e.g. air quality data) etc. The Department of Environment

website includes a range of environmental information, among which:

- texts or links to environmental legislation and international treaties
- environmental policies, plans and programs
- progress and state of the environment reports
- monitoring data & reports
- permits issued for industrial, livestock, waste treatment and other potentially impactful activities
- environmental impact studies and decisions issued on development projects, plans or programmes
- registers of licensed activities and operators
- announcements of emergency measures and actions

Moreover, authorities are increasingly making environmental information available through dedicated electronic platforms and data portals. Parallel data-processing systems are in operation by a number of public authorities, depending on their environmental responsibilities. Over the past few years significant efforts have been made to harmonize and link spatial data under the Inspire and Open Data Directives. Moreover, national datasets are to a great extent compiled in accordance with the requirements of the relevant EU Directives and international treaties with respect to format and methods of collection and analysis and thus their quality is progressively improving. Some good examples at national level include the following (relevant links are listed in part XIV):

- the Environment Department's EIA and SEA platforms, which include environmental impact assessment and strategic environmental assessment reports which have been submitted, decisions issued by the environmental authority and planning permits issued on development projects, plans or programmes falling under the scope of the EIA and SEA laws, information about projects under public consultation, the evaluation committees' meetings agenda, etc.
- The Cyprus PRTR online database, launched in 2011, which includes all required information on pollutant releases and transfers and has been developed in order to facilitate reporting processes for both operators and competent authorities, as well as to enhance public access to environmental information and participation in the permitting process (further described below).
- The Department of Labour Inspections' Air quality portal and mobile app providing real-time information on the air quality and the concentrations of air pollutants across the country
- The Water Development Department's geo-portal, which allows visualising on a map, as well as downloading some of the spatial data of the department (covering among others spatial data of the Water Framework Directive and the Floods Directive and other

environmental spatial data)

- The Cyprus Open Data Portal, developed and operated under the obligations of the Open Data Directive, has significantly improved public sector data accessibility and documentation. Data of most of the public sector institutions are made available for further use through the portal in open, re-usable formats. It allows the publication, dissemination, discovery and use of data. Most datasets can be accessed directly, while some can be accessed through links to websites or applications. Among other, it includes a range of official environmental data (and metadata) from several departments. During the last two years, specifically, in line with the obligations of the Regulation on High Value Datasets, efforts have been made to identify and document all spatial datasets required for the implementation of environmental law and prioritize their publication through the portal, so that they are more widely accessible.

Environmental meta-database: the Cyprus INSPIRE geo-portal, launched in 2016, has also been developed to provide a publicly available online catalogue and metadata database for all the official spatial data directly or indirectly related to the environment. Though it can be less straight-forward for the public to access data from the INSPIRE geo-portal, it can still serve as a metadata catalogue of public sector geospatial data.

Other databases providing environmental data at European and global level are also being used at national level by authorities to publish data and by the public to access data, including the European Environment Organisation's EIONET platforms, Eurostat, UNFCCC, EMODnet etc.

Quality of environmental information (Article 13): According to the law, public authorities must ensure, to the extent possible, that the information collected by or on their behalf is up to date, accurate and comparable. Upon request, public authorities must respond to requests for environmental information, indicating to the applicant where information (if available) can be found on the monitoring and assessment methods, including methods of analysis and standards used, sampling and pre-treatment of samples used in compiling the information, etc.

The information held by public authorities is to a great extent collected and compiled based on the reporting and monitoring requirements of the relevant European Directives and the related national legislation, on the basis of well-defined procedures and formats, which ensures that they are up to date, accurate and comparable. There has been no request so far about the method used, although in the case of monitoring data, the methods of sampling and analysis is usually explained when reporting on the data.

Flow of information to public authorities about proposed and existing activities which may significantly affect the environment: Proposed projects, as well as plans and programmes, which may significantly harm the environment are covered by the Law on the Assessment of the Impacts

on the Environment from Certain Projects (No. 127(I)/2018) and the Law on the Assessment of the Impacts on the Environment from Plans and Programmes (No. 102(I)/2005), respectively. They are therefore subject to the preparation and submission to the Environmental Authority of an environmental impact assessment report, prior to their approval, thereby ensuring that the competent public authorities are adequately informed about development activities which may harm the environment, and able to impose measures for the mitigation of impacts.

In addition, the Law on the Assessment of the Impacts on the Environment from Certain Projects (127(I)/2018), also provides that every government or public administrative body that holds information that could be considered relevant or necessary for the preparation or evaluation of an environmental impact assessment study or the preliminary environmental impacts assessment report has to make such information available to the developer, if it is requested, unless the information is considered to be of a confidential nature or it cannot be made available in accordance with the provisions of Law 119(I)/2004. The Law on the Assessment of the Impacts on the Environment from Certain Plans and Programmes (102(I)/2005) also provides that, in accordance with the provisions of Law 119(I)/2004, every public business, local authority or government service which holds information that could be considered relevant or necessary for the preparation or evaluation of an impact study is obliged to make such information available to the relevant authority, if this information is requested, unless it is considered to be of a confidential nature according to legislation. According to these Laws, the competent authorities must keep in public registers information on how the opinions of the public were taken into account in the decisions over the projects, plans and programmes examined under these Laws, as well as the reasons and assessments on which the final decisions were based. Similarly, the registers maintained under other environmental legislation are publicly accessible.

The Department of Environment actively promotes the voluntary EU Eco-management and Audit Scheme, which requires the preparation and annual update of a validated environmental statement which includes the environmental policy of the organisation and a description of the environmental aspects and impacts of the organisation, and which must be made available to the public.

Reporting requirements for operators:

In the case of waste, waste treatment facilities, waste collectors/transporters and waste dealers/brokers, provide information through the electronic database “Electronic Waste Registry” (ewr.moa.gov.cy) where the operators submit to the competent authority a yearly report on quantities, type, treatment and final destination of waste.

Moreover, information is provided through (a) the producers’ responsibility to submit a yearly report on the quantities of packaging, electrical and electronic equipment, batteries and accumulators and vehicle tyres they put on the market, (b) the individual and collective take back systems formed

under the producers responsibility principle, (c) independent studies carried out by the competent authority and (d) surveys carried out by the Statistical Service. An electronic data base is under preparation in order to facilitate this procedure.

Pollutant release and transfer registers (PRTRs): Cyprus has ratified the Kiev Protocol and has fully adopted the provisions of the European Regulation No. 166/2006/EC for the establishment of a European Pollutant Release and Transfer Register (E-PRTR Regulation). To this end, Cyprus has developed a national inventory containing key environmental data from industrial facilities operating in Cyprus, including information on the annual amounts of pollutant releases to air, water and land, as well as off-site transfers of waste (hazardous and non-hazardous) and pollutants in waste water from industrial facilities that fall within the scope of the Regulation (EC) No. 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (E-PRTR). Furthermore, in order to achieve the basic objective of the PRTR Protocol for improving and enhancing public access to environmental information, an online database has been created which includes all required information on pollutant releases and transfers. The database is available online in the website: www.prtr.dli.mlsi.gov.cy

The unique feature of Cyprus PRTR is the online system, which has been developed in order to facilitate reporting processes for both operators and competent authorities, as well as to enhance public access to environmental information and participation in the permitting process. It consists of a website dynamically linked with the database mentioned above. The operators within the provisions of the PRTR Protocol and the relevant European Regulation have the ability to submit electronically, via the internet, the environmental data which are then reviewed and approved by the responsible officers. Furthermore, through the online system, a geographical map of Cyprus is provided where facilities within the Protocol and information on pollutant releases and transfers are geographically displayed.

Environmental emergency information: Law 119(I)/2004 provides that in the event of an imminent threat on human health or the environment as a result of human activities or natural causes, public authorities must without delay disseminate all information that will enable the public likely to be affected to take measures to prevent or mitigate harm arising from the threat (Article 12(6)). Industrial establishments where dangerous substances are present fall under the scope of the Regulations on the control of major-accident hazards involving dangerous substances and, apart from the preparation of emergency plans, operators are obliged to provide all the information necessary for the competent authority to draw up external emergency plans. The objectives of the emergency plans are to contain and control accidents, to implement the measures necessary to protect human health and the environment, and to communicate the necessary information to the public and the public authorities concerned. For all establishments where significant quantities of dangerous substances are present, operators

must ensure that all relevant information is made available to the public, including information relating to the nature of major-accident hazards, including their potential effects on human health and the environment, control measures to address them and emergency plans, while all persons likely to be affected by a major accident receive regularly and in the most appropriate form clear information on safety measures and requisite behaviour in the event of a major accident. In the event of a major accident, the competent authorities must inform the persons likely to be affected, of the accident which has occurred and, where relevant, of the measures undertaken to mitigate its consequences.

In accordance with the Law on the Management of the waste from the extractive industries the competent Authority ensures that the public is informed on all measures taken in case of an accident. The external emergency plans for facilities in Category A extractive industries have special provisions to coordinate emergency information dissemination efforts by the competent authority and the police.

XII. Obstacles encountered in the implementation of article 5

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 5.*

Answer:

Para 1: Public authorities often face budgetary and staffing limitations, making it significantly challenging to continuously update and maintain accurate environmental information, especially as regards information other than the ones collected on the basis of the reporting and monitoring requirements of the relevant European Directives. This can sometimes lead to outdated or incomplete data being available to the public. Also, different departments may use varied methodologies, making standardization and integration of data, as well as its consistency and comparability, technically difficult.

Effective flow of information between various public authorities requires robust inter-agency coordination, which can sometimes be lacking. This results in delays or gaps in the information received by authorities.

Disseminating information quickly in emergencies requires well-established protocols and rapid response capabilities, which are not always in place. The effectiveness of emergency information dissemination is also dependent on public awareness and the public's ability to understand and act on the information provided, which may vary.

Para 2: Although a great effort has been made recently, ensuring that all relevant environmental information is available online and easily accessible can be hindered in some cases by outdated IT infrastructure and limited digital literacy among both public officials and the general public. Online platforms and databases need to be user-friendly and accessible to a broad audience, which requires significant investment in web development and maintenance. It is planned that in the following 1-2 years all governmental

websites will be upgraded to the new government portal outlook, therefore it is expected that such issues will be resolved.

Para 3: Availability of Electronic Databases- Keeping electronic databases up-to-date requires ongoing efforts and resources, which can be hindered by budgetary and human resource constraints in some cases.

Para 4: Publishing regular state of the environment reports requires consistent data collection and analysis, which can be delayed due to resource limitations and bureaucratic hurdles. There was an initial ambition to publish a report every two years, but it proved unfeasible, therefore it is being considered to change the publishing cycle to 4-yearly. The next report is under preparation and is expected to be published in 2025.

Para 5: Dissemination- Effectively disseminating specific types of environmental information, such as legislative texts, policies, and monitoring data, requires tailored communication strategies and platforms, which may not always be fully developed.

Para 7: Publishing and providing a wide range of environmental information necessitates effective coordination among multiple public authorities, which can be complex. Ensuring that published information is accurate and up-to-date is a continuous challenge, especially with limited resources. Also, in many cases, the documents are provided only in the official language of the state which is Greek.

Overall, there is still room for improvement in the technical and governance aspects of how relevant authorities collect, manage, and disseminate data on environmental issues. Even ensuring that all relevant authorities comply with the general obligation in the first place, can be challenging. Considering the potential of technological advancements of the era and the relevant expertise nowadays available among educated personnel, shall there be the appropriate investment and attention by the government to build dedicated teams and strategies for this purpose (currently not always in place), the public could benefit from a 'new generation' of environmental information dissemination.

XIII. Further information on the practical application of the provisions of article 5

*Provide further information on the **practical application of the provisions on the collection and dissemination of environmental information in article 5**, e.g., are there any statistics available on the information published?*

Answer:

Information on the practical application of the provisions, are included in the general text above.

There are no statistics available yet on the information published, even though the number of environmental datasets published through the government's official data portal (data.gov.cy) can roughly be estimated. In general, environmental information is published on other platforms too however, therefore, it would be more complex to draw the bigger picture of environmental information dissemination.

XIV. Website addresses relevant to the implementation of article 5

Give relevant website addresses, if available:

www.moa.gov.cy/environment
<https://eia.moa.gov.cy/public/sea/>
<https://eia.moa.gov.cy/public/index.html#start>
<https://ewr.moa.gov.cy/>
<http://www.prtr.dli.mlsi.gov.cy/prtr/iweb.nsf/ContentDocsByCountry/English>
<https://www.airquality.dli.mlsi.gov.cy/>
https://www.moa.gov.cy/moa/wdd/wdd.nsf/index_en/index_en?opendocument
<https://geoportal-wdd.hub.arcgis.com/>
<https://www.data.gov.cy/en?language=en>
https://eservices.dls.moi.gov.cy/geoportal_inspire/catalog/main/home.page

XV. Legislative, regulatory and other measures implementing the provisions on public participation in decisions on specific activities in article 6

List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6.

Explain how each paragraph of article 6 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed activities listed in annex I to the Convention;
 - (ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;
- (b) Measures taken to ensure that the public concerned is informed early in any environmental decision-making procedure, and in an adequate, timely and effective manner, of the matters referred to in **paragraph 2**;
- (c) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of **paragraph 3**;
- (d) With respect to **paragraph 4**, measures taken to ensure that there is early public participation;
- (e) With respect to **paragraph 5**, measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;
- (f) With respect to **paragraph 6**, measures taken to ensure that:
 - (i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure;
 - (ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph;
- (g) With respect to **paragraph 7**, measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions that it considers relevant to the proposed activity;
- (h) With respect to **paragraph 8**, measures taken to ensure that in a decision due account is taken of the outcome of the public participation;
- (i) With respect to **paragraph 9**, measures taken to ensure that the public is promptly informed of a decision in accordance with the appropriate procedures;
- (j) With respect to **paragraph 10**, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied, making the necessary changes, and where appropriate;

(k) With respect to **paragraph 11**, measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment.

Answer:

Decisions on whether to allow specific activities are subject to the provisions of the Law on Environmental Impact Assessment of Certain Projects (Law 127(I)/2018 - hereinafter the EIA Law). According to the EIA Law, the projects listed in Annex I (according to Annex I of the Aarhus Convention), are subject to environmental impact assessment. The projects listed in Annex II are subject to a preliminary environmental ASSESSMENT and SCREENING to decide whether to approve the project or whether an EIA report is required before a decision is made. Law 127(I)/2018 applies the provisions of Article 6 of the Convention regarding the participation of the public in decisions on whether to allow specific activities. By law, the "public" is defined as one or more physical or legal persons and their associations, organizations or groups.

In the light of the new Directive 2014/52/EU and after an assessment of the problems and shortcomings of the previous evaluation procedures, new legislation was drafted (Law 127(I)/2018) to replace Law 140 (I)/2005. This Law entered into force on 31/7/2018. Specifically, Article 38 of this Law sets the provisions for informing of the public through several means (website, public announcements, radio, etc). Article 39 sets the provisions for a public hearing of certain projects. Article 40 sets the provisions for an archive that is available to the public. Article 48 sets the provisions for access to justice and clarifies the procedure to follow. A more detailed analysis follows below.

Paragraph 1: Activities falling under Article 6

Law 127(I)/2018 applies to projects listed in Annex I or Annex II, which are expected to have significant effects on the environment, including the use of natural resources. The projects listed in Annex I are those that are expected to have a significant impact on the environment and are subject to a full environmental impact assessment study. The projects listed in Annex II are of a smaller scale and are subject to a preliminary environmental ASSESSMENT and SCREENING to determine whether a full environmental impact assessment is required or whether the project can be approved under the conditions and measures proposed by the Environmental Authority to minimize or eliminate possible negative impacts.

For other projects that do not fall within the scope of the EIA Law, the planning authority may consult the Environmental Authority as part of the consultation process carried out with all relevant services before approving a project. In such cases, the Environmental Authority proposes to include any conditions in the terms of the design permit to avoid adverse environmental effects during the construction and operation of the project.

Moreover, according to art.16 of the Protection and Management of Nature and Wildlife Law (153(I)/2003), projects located near, or within, a Natura 2000 site, that are not directly related to the site's management but may have a significant impact on it, or potentially be detrimental to maintaining the populations of species concerned, are subject to Appropriate Assessment. This is to ensure that any effects of the project on the area are duly assessed, taking into account the conservation objectives of that area and the public opinion on the project, and that they do not compromise the integrity of the area or cause a change in its character. Under the new EIA legislation (127(I)/2018), for projects listed in Annex I or Annex II, the results of this assessment are included in the Environmental Impact Assessment study of the project, while any conditions imposed on this basis are included in the final decision of the Environmental Authority.

Paragraph 2, 3 & 4: Notifying the public concerned, Sufficient timeframes & Early participation

Public participation is an integral part of the EIA process. The EIA process, including public participation, takes place prior to a development consent, i.e. before the decision on a planning permit, or in the case of projects not subject to a planning permit, before the final environmental permit.

Through the EIA process, the EIA Law sets an obligatory procedure by which the public concerned is both notified about and given the opportunity to participate in the decision-making process of proposed activities at several stages, starting from early stages. In general, the provision of information and public participation procedures have been significantly strengthened through the new EIA legislation and the EIA online platform that was launched in September 2019.

According to Directive 2014/52/EU and the new EIA Law, “public concerned” is defined as the public affected or likely to be affected by or having an interest in the environmental decision-making procedures, whereby for the purposes of this definition, non-governmental organizations promoting environmental protection are deemed to have an interest.

Prior to an EIA report submission

Under the new EIA law, public participation is mandatory during the preparation of the EIA report. At this stage, all options are still open with respect to the characteristics, siting and final approval of the project, while there is still opportunity for appropriate measures to be imposed to avoid or minimize adverse environmental impacts, whilst also taking into account public opinion. It is noted that the EIA report must include an analysis of the main alternatives considered by the developer and an indication of the main reasons for selecting the chosen option with respect to the resulting environmental impacts, which are accessible to the public to comment on.

The developer / project owner is required by law to conduct a public consultation and at least one public presentation before the completion of the report, in order for the local authority and public to give their views and submit comments and suggestions on the impact of the project. The results of the consultation are incorporated in the EIA report along with comments on the extent to which the views expressed were taken into account.

In addition, the new law allows the Environmental Authority to determine whether to hold another public presentation for Annex I projects depending on the project features and potential impacts, and sets out practical provisions for the hearing process. With respect to public hearings, the new law will provide a timeframe of 15 days for notifying the public and an additional 7 days, following the hearing, for the submission of additional written comments. These hearings are opportunities for the public to voice their opinions and concerns directly.

Excluded from the above are the studies concerning projects related to imperative reasons of overriding public interests of the Republic of Cyprus such as hydrocarbon activities within the exclusive Economic Zone of the Republic of Cyprus.

At the submission stage

According to Article 27 of Law 127(I)/2018, every person or public authority submitting an EIA report has to issue, at the same time, a public notice in at least two daily newspapers of the Republic, notifying the public of the practical arrangements for obtaining the relevant information and submitting opinions. Specifically, the public notice should be announcing the following:

1. The submission of the application for a planning permit.
2. That the project is subject to an environmental impact assessment procedure.
3. The date of submission and the name of the person or public authority submitting the report.
4. The nature of the possible decisions or the decision plan.
5. The nature of the proposed project and the area where it will be executed.
6. That the report can be examined during working days and hours at the offices of the Environmental Authority, the relevant local authority and the competent town planning authority or, where a public project is concerned, the offices of the public authority which has submitted it.
7. That any person may submit comments and opinions to the

Environmental Authority regarding the content of the report or the possible environmental impacts that could result from the project.

The examination of the EIA report by the Environmental Authority does not begin until the public notice has been issued.

As soon as the public notice is issued, the Environmental authority uploads the EIA report along with a basic description of the project on the dedicated EIA online platform, where it can be freely downloaded in pdf format. Simultaneously, anyone who has subscribed to the news feed service of the platform gets notified by email that the project is under public consultation. The public has 30 days thereon to submit to the Environmental Authority any comments or opinions regarding the content of the report or the possible environmental impacts that could result from the project.

At the evaluation stage

Activities that fall under Annex I of the EIA Law, undergo examination by the EIA Committee of experts (established under the EIA law for the assessment of the EIA reports submitted). Article 10 of the Law ensures that in the permanent members of this committee there is at least a representative of the Cyprus Federation of Environmental Organisations (CFEO) and a representative of an environmental NGO which is not a member of the CFEO. Also, Article 11 ensures that the local government authority within whose administrative boundaries the activity is proposed to be carried out, and any other local government authority likely to be affected by the project, shall be invited to attend the meeting of the EIA Committee and express its views on the likely effects on the environment. Moreover, it is provided that the public concerned shall also be invited to attend and express their views if they request to be represented at the meeting.

According to Article 12 of the Law, everyone participating at the meetings of the EIA Committee for the examination of a specific proposed activity is notified through email at least seven (7) days before the meeting of the date, time, place, web link and agenda. The invitation and agenda are also posted on and publicly available through the EIA online Platform.

In the event that a member of the Committee is unable to attend the meeting, he/she may express his/her views by paper or electronic means. Summary minutes are kept at every meeting and emailed to the participants thereafter. Minutes are also kept in the EIA printed and electronic Registry and are available to the public upon request.

At finalisation of an Environmental Decision

Article 29 of the EIA Law provides that as soon as the Environmental Authority finalises its opinion on the project, this opinion is published on its website (EIA Platform). The official Opinion of the Environmental Authority is posted on the project's page on the EIA platform and is

available for download in pdf format.

At finalisation of a Planning Decision

Article 32 of the EIA Law provides that, within fifteen (15) days after the Planning decision is communicated to the Environmental Authority by the responsible planning authority, the former informs (through email) the interested authorities that participated in the process, as well as any state with which any consultations were held and publishes the decision on the Environmental Authority website (EIA platform), notifying that the following information has also been entered in the EIA Registry and is available to be reviewed:

- (a) the content of the decision and the conditions and other documents that may accompany it
- (b) information on the public participation process that has taken place, including a summary of the results of the consultation and the information gathered during the process and the manner and extent to which the results were incorporated.

Throughout the procedure:

Article 38 of the Law provides that, to ensure the effective public participation in the decision-making process for a project:

- (1) the public is informed in a timely manner through the most appropriate means in each case, such as public announcements or other appropriate means, such as publications or announcements in newspapers or local television and radio stations, billboards in the area of the planned execution of a project, use of e-mail, posts on the Environmental Authority website, copies to the local authorities and posts on social media.
- (2) information and Studies must be available for inspection at least thirty (30) days from the date the documents are made available for examination.
- (3) A copy of the Study is available to the local authority for public inspection.

According to Article 40, the Environmental Authority maintains an **EIA Registry** in printed and electronic form, made available to the public, in which the following information is listed:

- 1. the Studies and information submitted
- 2. all project drawings and maps and photographs of the project location and the geographical area affected by the project
- 3. any document submitted by another state in the case of transboundary impacts
- 4. any public announcement issued by the Environmental Authority requesting public participation in the environmental impact assessment process

5. the views and opinions submitted by the Environmental Authority to the Planning Authority or to the developer or to any government agency in accordance with this Law
6. the opinions submitted by any organization, body or person to the Environmental Authority,
7. the Environmental Approval granted
8. the decision of the planning authority responsible for the project,
9. the minutes of the meetings of the EIA Committee
10. copies of the information referred to in Article 32 regarding the planning decision
11. copies of review and/or monitoring reports and inspectors' reports and references to enforcement measures taken and
12. any other information that the Environmental Authority deems relevant and useful.

Relating to the Environment Law, the Environmental Authority ensures the convenient access of the public to the printed form of the Registry, which can be inspected during working days and hours at the offices of the Authority. If information contains confidential information relating to commercial and industrial secrecy, including intellectual property, or national security and other overriding public interest, which may not be available to the public, the Environmental Authority acts accordingly to ensure the confidentiality of such information. Such cases include the studies concerning projects related to hydrocarbon activities within the exclusive Economic Zone of the Republic of Cyprus.

Paragraph 5: Encouraging prospective applicants to enhance public participation

Under the new EIA Law, it is the responsibility of the developer (consultants) to conduct a public consultation and at least one public presentation before the end of the report, which should include the results of the consultation and how the views expressed have been considered. During the evaluation process, the views of all local authorities affected by the proposed project, NGOs and competent public authorities should be considered and taken seriously by the consultants in the evaluation process. The opinions submitted should be included in the EIA report, together with the conclusions and recommendations on these views and how they have been taken into account. In the case of public works, the preliminary results of the EIA report must be presented at a public presentation.

Article 39 sets the provisions for a public hearing of certain projects. The competent public authorities provide to the public all information related to the decision-making.

Paragraph 6: Ensuring access to information relevant to decision-

making

With respect to public participation, the EIA Law includes detailed requirements for the provision of information relating to every environmental assessment report submitted for examination, the project in question and the practical arrangements for the submission of comments and opinions.

According to the EIA Law, the report should contain the following information:

1. A description of the project and in particular:

- a description of the physical characteristics of the project and its land use requirements during the construction and operational phases,
- a description of the main characteristics of the production processes,
- an estimate of the type and quantity of expected residues and emissions resulting from the operation of the proposed project.

2. An outline of the main alternatives studied by the developer and an indication of the main reasons for the chosen option, considering environmental impacts.

3. A description of the aspects of the environment likely to be significantly affected by the proposed project and its alternatives, including in particular, population, fauna, flora, soil, water, air, climate, material assets, including the architectural and archaeological heritage, landscape, and the interrelationship between these factors.

4. A description of the possible significant impacts of the proposed project on the environment resulting from the siting, construction and operation of the project, the use of natural resources, the emission of pollutants, creation of nuisances and disposal of waste, and a description of the forecasting methods used to assess the impacts on the environment.

5. A description of the measures proposed to prevent, reduce and, where possible, mitigate, or compensate for, any significant adverse impacts on the environment.

6. A non-technical summary of the information listed above, including a visual presentation with maps, drawings, diagrams, tables, photographs, etc., where necessary.

7. A description of the prediction methods used to assess impacts on the environment and the basic assumptions and hypothesis that have been adopted, as well as the data and measurements used, the models, and the calculations followed. An indication of any difficulties encountered in

compiling the required information.

8. Where relevant, a detailed monitoring and management programme, particularly addressing the serious or long-term environmental and social impacts that will be identified.

9. The results of the public consultation and at least a public presentation, with the views of the local authority and public and with comments on the extent to which they have been taken into account.

So far there have not been any cases where a complete set of EIA documentation was classified on the basis of commercial confidentiality or intellectual property rights. In some cases, part of the documentation was classified as confidential and only part of the information was made publicly available.

As previously mentioned, once the EIA report is submitted to the Environmental Authority, the public is notified of the submission and of the times and place where the study can be examined, while the report is also made publicly available, free of charge, through the online EIA Platform.

Information is currently disseminated mainly through the dedicated online EIA Platform of the Department of Environment, launched in 2019 with a vision to further strengthen participation. It has, since then, constituted an essential tool for the timely participation of the public in the planning and decision-making process, providing an online single access point for:

- a) all relevant information on submitted projects (EIA documents)
- b) information on the decision-making progress & results
- c) guidance on the EIA & participation process
- d) the submission of comments

allowing the Environmental authority to achieve broader public participation and transparency and better consider public views before making decisions.

Overall, all relevant information (that is not confidential) is made available, as soon as possible, either through the dedicated online EIA Platform (including the EIA reports, Environmental Authority's Opinions, Planning Authority's final decisions, projects under public consultation and EIA Committee agendas), through public announcements and email communication (information about the submission of an EIA and the start of public consultation, the summary notes of Committee's meetings and any decisions thereof to participants), and through the Environmental Authority's physical and electronic EIA Registries (all project information available for review upon request).

Paragraph 7: Submission of comments by public

Public comments and opinions regarding the content of the EIA report or the possible environmental impacts that could result from the project are received at three main stages for activities under Annex I of the EIA Law:

1. during the public consultation carried out by the project owner or consultant, usually done through a public presentation or public hearing, where views are described in the EIA report
2. after submission of the EIA report and within 30 days from the date of the notification of the submission through the online EIA Platform. Any person can submit their comments by downloading and completing a form from the Authority's website, and emailing it to the Environmental Authority. Any comments received by the public will be taken into account by the EIA Committee when evaluating the study and subsequently by the Environmental Authority when preparing its opinion.
3. during the meeting of the EIA Committee through minutes keeping or by subsequently sending written comments on the meeting discussions. These comments are included in the summary minutes and taken into account for the final decision of the Environmental Authority.

Paragraph 8: Taking due account of the results of public participation

According to the EIA Law, the comments and opinions expressed by the public during the consultation period are taken into account by the EIA Committee when evaluating the EIA report and subsequently by the Environmental Authority when preparing its opinion. Moreover, the opinions expressed by the local communities where the project will be executed and the Federation of Environmental Organizations, as the representative of environmental NGOs in the EIA Committee, are taken into account by the Environmental Authority and have an important weight in the decision-making process. The new EIA legislation provides that the opinion of the Environmental Authority will be accompanied by a summary about the way and the degree to which the results of the public participation were taken into account and the relevant information that was received as a result of the participation process.

Furthermore, the new EIA legislation includes provisions for public hearings to be held by the Environmental Authority in cases when it is deemed useful or appropriate given the characteristics of a project, the magnitude of its potential environmental impacts and the extent of the public interest shown for the project. The public hearing will allow the public to present their opinions and concerns, and an exchange of views. The opinions expressed will be recorded, summarized and forwarded to the developer, allowing his consultants to respond to the issues raised. The results of the public hearing will be taken into account during the decision-making.

Any opinions submitted are kept in the EIA registry which is accessible to the public.

Paragraph 9: Information about the decision

The opinion prepared by the Environmental Authority is made available to the public through the online EIA Platform, as soon as it is finalised, as well as kept in the electronic and physical EIA Registry. The opinion outlines the main reasons and assessments on which it was based, including information on the public participation process.

The final decision taken by the Planning authority is also made available to the public through the online EIA Platform, as soon as it is being received, and at the same time kept in the EIA Registry which is accessible to the public. It includes the terms accompanying the decision and the main reasons and assessments on which the decision was based, including information on the public participation process.

The final decision includes the opinion of the Environmental Authority, together with a description of the measures taken to minimize impacts, the main reasons and assessments on which the decision was based, and the way in which the summary accompanying the environmental opinion was taken into account.

Paragraph 10: Public participation in reconsidering or updating the decision

Any change to or extension of projects listed in Annex I, where such a change or extension in itself meets the thresholds set out in the Annex is subject to an EIA and the provisions outlined above regarding public participation will apply. Furthermore, any change or extension of projects listed in Annex I or Annex II, already authorized, executed or in the process of being executed, which may have significant adverse effects on the environment (change or extension not included in Annex I) is subject to a preliminary assessment to determine whether a full EIA is required.

Paragraph 11: Public participation with respect to decisions over GMOs

An amendment to the Aarhus Convention was adopted in 2009 which provides that the notification introduced to obtain an authorization for the deliberate release into the environment or the placing on the market of a GMO on its territory, as well as the assessment report where available and in accordance with its national biosafety framework must be available to the public in an adequate, timely and effective manner. It furthermore provides that all the relevant information relating to the decision-making process must be made available, including the nature of the possible decision, and the practical arrangements for participation. Account must be taken in the final decision-making of the outcome of the public participation procedure and the decision must be made available to the public, together with the

reasons and considerations on which it was based.

The Law on the deliberate release of GMOs into the environment (N. 160(I)2003) also includes provisions on public participation, according to which the Scientific Committee evaluating applications submitted for the deliberate release of GMOs must inform the public, including through the internet, of the application and the possibility of issuing a permit. The applicant must notify the public through at least two daily newspapers of the application, inviting the public to submit comments within 30 days from the date of the notification. Furthermore, the Scientific Committee must ensure that the public is appropriately informed through a public hearing process. A register is maintained which includes the applications submitted for the deliberate release of GMOs, the opinions of the Scientific Committee, any permits issued and all additional information submitted in relation to an application or permit.

XVI. Obstacles encountered in the implementation of article 6

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6.*

Answer:

Despite the mechanisms in place to make public participation a more viable & accessible process, it can be challenging to ensure that all members of the public are aware of their right and procedures to participate in environmental decision-making processes, and as a result public awareness and engagement levels vary. It can even sometimes be challenging to engage the wider public in meaningful environmental decision-making, unless it is for reasons geared by the NIMBY mentality. Efforts are needed to educate the public about their rights and the importance of their effective participation.

Moreover, ensuring timely and adequate dissemination of information through multiple channels can be challenging, particularly in remote or rural areas, where access to digital platforms, as well as digital and /or environmental literacy may be limited.

Ensuring that all relevant information is available and accessible to the public can be hindered by data protection and confidentiality issues. For example, certain projects, especially those related to national security (e.g. military installations) or critical infrastructure (e.g. critical energy infrastructure projects and offshore hydrocarbon activities), may have limited public participation and not undergo the same level of public scrutiny in order to protect sensitive information.

Also, some information on older projects may not always be available on the EIA Platform due to technical limitations of the previous record-keeping system, but it is usually available in the physical Registry available for

review upon request.

Furthermore, there have been suggestions and ideas for further improving the interface and functionality of the platform and its underlying database system, for example making the comment submission more user-friendly, updating the interface, and developing an automatic extraction of statistical information on the number of EIA and SEA processes and their outcomes, including information on the level of public participation and the extent to which public comments were taken into account in the final decisions, which are currently unavailable but being considered for the next upgrade.

Para 8: Transparency in Decision-Making - Demonstrating how public input has been considered in the final decision can sometimes be challenging, leading to public scepticism about the effectiveness of their participation.

Para 10: Effective monitoring and updating of project status and conditions require continuous resources and commitment, and the cooperation between various authorities, which can be sometimes difficult to sustain.

Lastly, improving the effectiveness and continuous improvement of public participation processes, might require further training programmes aimed at both relevant authorities and other stakeholders.

XVII. Further information on the practical application of the provisions of article 6

*Provide further information on the **practical application of the provisions on public participation in decisions on specific activities in article 6**, e.g., are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defence purposes.*

Answer:

Information on the practical application of the provisions of article 6 are provided in the main text above.

Regarding statistics on public participation in decisions on specific activities, there is no yet formal procedure for exporting specific information. However, since every EIA report assessment involves public participation, some basic statistics can be estimated based on the number of EIA reports submitted per year and the number of decisions published. This information is published on an annual basis through the annual report of the Department of Environment on the website of the authority. For example, in 2023 the Department of Environment has received 58 EIA report submissions and has published 64.

XVIII. Website addresses relevant to the implementation of article 6

Give relevant website addresses, if available:

The EIA Platform

<https://eia.moa.gov.cy/public/index.html#start>

Annual Reports of the Department of Environment

https://www.moa.gov.cy/moa/environment/environmentnew.nsf/page32_gr/page32_gr?OpenDocument

XIX. Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7

List the appropriate practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment, pursuant to article 7. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer:

Participation under the SEA Law (N. 102(I)/2005)

The Law on the Assessment of the Impacts on the Environment from Certain Plans and Programmes (N. 102(I)/2005) introduces environmental considerations in the preparation and approval of plans and programmes, ensuring the assessment of the impacts on the environment from those plans and programmes which could potentially result in significant adverse impacts on the environment.

“**Plans and/or Programmes**” are defined by the law as plans and/or programmes including those co-financed by the European Community, and their modifications, which:

- (a) are prepared and/or adopted by a competent authority at national, regional or local level or prepared by a competent authority with a view to their adoption by legislative procedure; and
- (b) required in accordance with the provisions of any legislation, including environmental legislation and/or any Community legislation, including Community environmental legislation.

According to the Law, an assessment of the impacts on the environment is required for every plan and programme:

- prepared for agriculture and animal husbandry, forestry, fishing, mining and quarrying, energy, industry, transport, waste management, water resource management, telecommunications, tourism, town and country planning and land use, and which sets the framework for future project authorisations; or
- which, because of the effects it may have on an area falling within a special conservation area or a special protection area, an Environmental Impact Assessment is required in accordance with art.16 of the Nature Conservation and Wildlife Management Law 2003 and art.7(5) of the Wild Birds and Game Conservation and

Management Law 2003.

The Law ensures public participation in the decision-making process, whereby "**public**" is defined as one or more natural or legal persons, as well as their associations, organizations or groups. Article 14 of the Law, specifically states that participating public shall include the public affected or likely to be affected or whose interests are affected or compromised by the decision-making process concerning a plan and/or programme and shall include non-governmental organisations, such as organisations promoting environmental protection.

As with the EIA Law, it also ensures the participation of environmental NGOs during the evaluation of the report, through the appointment of the Federation of Environmental Organizations of Cyprus as a permanent member of the SEA Committee, which examines the SEA reports submitted and advises the Environmental Authority in preparing its opinion on a proposed plan or programme.

The SEA report also becomes available for public scrutiny by the wider public once submitted to the Environmental authority, when it is uploaded on the dedicated SEA online Platform of the Department of Environment and also made available through the authority's physical SEA registry. According to Article 13 of the Law, when a competent authority submits an SEA report for a proposed plan or programme, it has to issue, at the same time, a public notice in the Official Gazette of the Republic, two daily newspapers and through the Internet with which to announce:

- the submission date of the study and the name of the competent authority which has submitted it,
- the nature of the proposed plan or programme and the area it concerns,
- that the report can be examined during the working days and hours at the offices of the Environmental Authority and the authority competent for the plan/programme,
- that any person may submit comments or opinions to the Environmental Authority regarding the content of the report or the environmental impacts likely to result from the approval of the plan or programme, within 35 days from the date of the notification.

During the evaluation of the study, the opinions and representations submitted to the Environmental Authority by any person, or the information and comments submitted during a public hearing procedure, if one was carried out, are taken into account by the SEA Committee and subsequently by the Environmental Authority when preparing its opinion.

The opinion of the Environmental Authority is filed in the Register kept in accordance with Article 23 of the Law and made available to the public through the SEA online platform. Before taking a decision regarding a proposed plan or programme, the competent authority must take into account the opinion of the Environmental authority and the results of the

public consultation. Once the decision is taken by the competent authority, the Environmental authority informs the public of the decision by issuing a public notice and through the Internet, and that the following information is available, specifying the time and place where it can be obtained:

1. A description of the plan or programme as this has been approved,
2. A summary statement regarding:
 - the way in which the environmental parameters were incorporated in the plan or programme,
 - the way in which the SEA report and the opinion of the Environmental Authority were taken into account,
 - any opinions expressed by the public,
 - the reasons why the particular plan or programme was chosen taking into account other alternative possibilities examined,
3. A description of the major adverse environmental impacts that will arise as a result of the plan or programme, and
4. A description of the measures to monitor and control the adverse impacts that may result from the implementation of the plan or programme.

The Environmental Authority keeps a Register of the following information:

- all the studies submitted,
- the opinions and comments expressed by the public,
- the opinions of the environmental authority,
- the information mentioned above, and
- the results from the monitoring of the environmental impacts that may result from the approval of the plan and/or programme.

The Register is available to the public and can be examined during working days and hours.

All the relevant documentation is also made available through the dedicated SEA platform.

Participation under the Law on the Control of Water and Soil Pollution

The provisions on access to information and public participation under the Law on the Control of Water and Soil Pollution (No. 160(I)/2005 as amended by Law No. 181(I)/2013) ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:

1. the preparation and modification or review of the plans or programmes, concerning the protection of waters against the pollution caused by nitrates from agriculture sources,
2. the granting of a Waste Discharge Permit.

In the above cases, the competent authority must inform the public through

notifications in the Gazette, two widely circulated newspapers and on the internet, about:

1. Any proposal for such plans or programmes or for their modification or review
2. Any application for a permit,
3. Details regarding either the proposal for a plan or programme, or the application for a permit,
4. Details of the competent authority responsible for taking the decision, from which relevant information can be obtained and to which comments or questions may be submitted,
5. An indication that the relevant information is available at the offices of competent authority during working hours,
6. An indication that any opinions or comments from the public concerned may be submitted within 35 days from the date of the notification.

The competent authority takes into account the comments and opinions expressed by the public before the final decision and makes available to the public, including through the internet, the following information:

1. The content of the decision, including a copy of the permit,
2. The reasons on which the decision was based,
3. The results of the public consultation and how these were taken into account in the decision.

Access to information and participation under the Industrial Emissions Law

The provisions for access to information and public participation under the Industrial Emissions Law (N. 131(I)/2016) ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:

1. The granting of a permit for new installations,
2. The granting of a permit for any substantial change to existing installations,
3. The granting or updating of a permit for an installation where a derogation on emission limit values may apply,
4. The updating of a permit or permit conditions for an installation, when the pollution caused by the installation is of such significance that the existing emission limit values of the permit need to be revised or new values must be included in the permit.

In the above cases, the competent authorities inform the public through a notification in the Official Gazette, in two widely circulated newspapers and via the internet, at the beginning of the decision making process or at the latest as soon as the information can reasonably be provided, about:

1. The application for granting or updating a permit or, as the case may

- be, the proposal for reconsidering a permit or permit conditions, including a description of the elements contained,
2. Where applicable, the fact that a decision is subject to a national or transboundary EIA or to consultations between Member States,
3. Details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions may be submitted, and details of the time schedule for transmitting comments or questions,
4. The nature of the possible decision or, where available, the draft decision,
5. Where applicable, the details relating to a proposal for reconsidering a permit or permit conditions,
6. An indication that the relevant information is available at the offices of the competent authorities during working hours,
7. An indication that any opinions or representations from the public concerned may be submitted within 35 days from the date of the notification,
8. Details of the practical arrangements for public participation and consultation, focusing mainly on the following: date and place of the public hearing, the deadline for submitting written views and positions, issues identified as essential by the competent authorities, etc.
9. The main reports and advice issued by or submitted to the competent authorities at the time when the public concerned is informed,
10. Other information relevant to the decision, which only becomes available after the time the public concerned was informed.

The competent authorities evaluate and take into account the results of the public participation when making a decision. When a decision has been taken, the competent authorities make available to the public, including via the internet, the following information:

1. The content of the decision, including a copy of the permit and any subsequent updates,
2. The reasons on which the decision was based,
3. The results of the consultations and an explanation of how they were taken into account in the final decision,
4. The title of the Best Available Techniques (BAT) reference documents relevant to the installation or activity concerned,
5. How the permit conditions, including the emission limit values, were determined in relation to the best available techniques and emission levels associated with the best available techniques,
6. Where derogation is granted, the specific reason for that derogation, based on the criteria laid down in Article 15(4) of the Industrial Emissions Directive,
7. Where applicable, relevant information on the measures taken by the operator regarding the cessation of activities,
8. Where applicable, the emission monitoring results, if required under the permit conditions.

Participation under the Waste Management Laws

The provisions on access to information and public participation, under the Waste Law, No. 185(I)/2011 (2011 to 2016), ensure that early and effective opportunities are given to the public concerned to participate in preparation and modification or review of the plans and/or programmes. According to Article 38 of the Waste Law of 2011 (185(I)/2011), the Environmental Authority ensures that stakeholders, the competent authorities and the general public have the opportunity to participate in the elaboration, amendment or review of waste management plans and waste prevention programmes. Specifically, the public is informed through a notification published in the Official Gazette, two widely circulated daily newspapers and the internet, about:

1. Any proposal for waste management plan or waste prevention programme or for their modification or review,
2. That details regarding the proposed plan or program can be examined during the working days and hours at the offices of the Environmental Authority,
3. That any person may submit comments or opinions to the Environmental Authority regarding the content of the proposal, within 35 days from the date of the notification.

The Environmental Authority informs the public through the internet of any proposals for plans or programmes or for their modification or review, as well as of any opinions and comments submitted by the public during the consultation period. During the evaluation of proposals, consultations are carried out with the public, including public hearings. The public with which the Environmental Authority carries out consultations includes the public that is affected or likely to be affected, or whose interests are at stake from the decision-making regarding a plan or programme and includes NGOs promoting environmental protection. The results of the public participation and consultation are taken into account for the decision.

The approval of the plan and/or programme, by the Council of Ministers is published through a notification in the Official Gazette of the Republic, two daily newspapers and through the Internet. The Environmental Authority keeps a Register of the following information:

- All the proposals submitted,
- The opinions and comments expressed by the public,
- Information on how the various opinions and suggestions were taken into consideration by the Council of Ministers in the final decision and the reasoning on which it was based.

The Register is available to the public and can be examined during working days and hours.

Participation under the Packaging and Packaging Waste Law

In accordance with Article 16A of the packaging and packaging waste law to participate in the elaboration of plans and programmes for the management of packaging and packaging waste. The public must be informed through a notification published in the Official Gazette of the Republic, two widely circulated daily newspapers and the internet about: Law 159(I)/2005 to 2019), the Environmental Authority must ensure that the relevant stakeholders, competent authorities and the general public have the

- The proposed waste management plan or waste prevention programme,
- The fact that the proposed plan or programme may be examined by the public during the working days and hours at the offices of the Environmental Authority,
- That any person can submit comments or opinions to the Environmental Authority regarding the content of the plans/programmes from the approval of the plan and/or programme, within 35 days from the date of the notification.

Participation under the Law on the Management of Waste from the Extractive Industries

The provisions for access to information and public participation under the management of waste from extractive industries Law, ensure that early and effective opportunities are given to the public concerned to participate in the following procedures:

1. The granting of a mining waste management permit,
2. The granting of a permit for any substantial changes,
3. The review of a mining waste management permit,
4. The granting of an approval for a mining waste management plan
5. The granting of an approval for any substantial changes to the management plan
6. The review of a mining waste management plan

In these cases, the competent authorities must inform the public through a notification published in the Official Gazette, two widely circulated newspapers and the internet, at the beginning of the decision-making process or, at the latest, as soon as the information can reasonably be provided, about:

1. The application for a permit or, as the case may be, the proposal for the review of a permit or permit conditions, including the description of the elements contained,
2. Where applicable, the fact that a decision is subject to a national or transboundary EIA or to consultations between Member States,
3. Details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained,

- those to which comments or questions may be submitted, and details of the time schedule for transmitting comments or questions,
4. The nature of the possible decisions or, where there is one, the draft decision,
 5. Where applicable, the details relating to a proposal for the review of a permit or permit conditions,
 6. An indication that the relevant information is available at the offices of competent authorities during working hours,
 7. An indication that any opinions or representations may be submitted within 35 days from the date of the notification,
 8. Details of the arrangements for public participation and consultation, and particularly on the date and place of the public consultation, the deadline for submitting written views and positions, the issues identified as essential by the competent authorities, etc.
 9. The main reports and advice issued to the competent authorities at the time when the public concerned are informed,
 10. Other information relevant to the decision, which only becomes available after the time the public concerned was informed.

The competent authorities evaluate and take into account the results of the public participation and consultation in reaching a decision. When a decision is taken, the competent authority must make available to the public, including through the Internet, the following information:

1. The content of the decision, including a copy of the permit and any subsequent reviews,
2. The reasons on which the decision was based,
3. The results of the consultations and an explanation of how they were taken into account in the decision-making.

Furthermore, for facilities in Category A, the competent authority must draw up an external emergency plan specifying the measures to be taken off-site in the event of an accident. The emergency external plan is intended to reduce the potential impacts of major accidents on health and the environment and ensure the restoration of the environment following an accident. The competent authority must provide for the participation of the public in the decision-making process. It must inform a public through a notice in the Official Gazette of the Republic, two widely circulated daily newspapers and through the Internet on:

- The proposed external emergency plans,
- That the proposals may be examined during the working days and hours at the offices of the Environmental Authority,
- That any person may submit comments or opinions to the Environmental Authority regarding the content of the plans from the approval of the plans, within 35 days from the date of the notification.

The Competent Authority keeps a Register of the following information:

- All the external emergency plans and their revisions,
- The opinions and comments expressed by the public,
- The final external emergency plans.

The Register is available to the public and can be examined during the working days and hours. The competent authority must also ensure that the public is effectively informed about all the measures taken in the case of an accident.

Participation under the Nature Protection Laws

According to Article 9(4) of the Law for the Protection and Management of Nature and Wildlife (N. 153(I)/2003 to 2015), the Environmental Authority maintains a publicly accessible database on Special Areas of Conservation, Sites of Community Importance, Special Protected Areas and areas that include priority habitats and species. Furthermore, according to Article 15(3), before the adoption of a Decree on the management and protection of a Special Area of Conservation, the public must be informed through a notification in the daily press of the proposed Decree and that comments may be submitted within 30 days from the date of the notification.

Participation under the Environmental Noise Law

The Department of Environment in Cyprus is the responsible authority for the implementation of the Environmental Noise Directive. Since 2007, and every five years, it develops strategic noise maps and action plans for agglomerations, roads, airports and industrial activities. Action plans address the priorities in those agglomerations and drawn up in consultation with the public. The information channels selected for these consultations are public presentation on a specific day and public consultation through a written procedure.

According to Article 9 of the Law on Environmental Noise, the Environmental Authority must ensure that the public is consulted on any proposals for the adoption of action plans and given early and effective opportunities to participate in their preparation and review. The results of the participation must be taken into account and the public informed of final decisions.

According to Article 10 of the Law, the competent authority must ensure that the strategic noise maps and action plans adopted are made available and disseminated to the public. The information must be clear, comprehensible and accessible.

The strategic noise maps and actions plans developed are available on the official website of the Department of Environment (in Greek): http://www.moa.gov.cy/moa/environment/environmentnew.nsf/page10_gr/page10_gr?OpenDocument

Participation for Climate-related plans

Initial and draft Update of the National Energy and Climate Plan (NECP):

All relevant stakeholders have been involved in the process of preparing the initial and revised NECPs in 2020 and 2023 through the activity of working groups and special meetings held with various social partners and civil society. More specifically these activities included:

- Press releases published on the website of the Department of Environment in which interested parties were given the opportunity to submit their comments/suggestions and/or observations in relation to the NECPs submitted in 2020, taking into account the new data and obligations regarding Climate Change impacts.
- Series of bilateral meetings were held with various environmental and ecological organizations and movements, including youth organizations, trade associations and the Cyprus Chamber of Science and Technology. During these meetings more details were given about the content of the NECPs
- The "official" presentations of the initial and draft update of the National Energy and Climate Plan 2021-2030 took place in day-long events where the proposed policies and measures were presented in detail, along with the impact assessment.
- The draft update of the NECP was also published on the new online public consultation platform of the Republic of Cyprus (www.e-consultation.gov.cy),

National Adaptation Plan:

Cyprus first adopted a National Adaptation Strategy in 2017. A Monitoring Strategy was developed to complement the National Adaptation Strategy where an annual report was produced by receiving feedback from all relevant stakeholders. The results of the Monitoring Strategy provide the basis for the preparation of the 2nd National Adaptation Plan that is foreseen to be completed in 2025 and will include increased ambition and catalyse further the implementation of adaptation policies and measures. For the revised National Adaptation Plan a large number of bilateral meetings and workshops have been completed with all relevant stakeholders, public and private. Furthermore, a public consultation is scheduled to present the draft revised Adaptation Plan to incorporate comments from the public before being finalized.

Grant scheme for the encouragement of reduction of greenhouse gas emission:

This is a grant scheme plan provided and managed by the Department of Environment, targeting private companies. A number of consultations and presentations were undertaken to better inform and attract interested parties

to participate.

Participation under the Water Framework Directive

During the review and updating of the River Basin Management Plans (RBMP) of Directive 2000/60/EK, the Water Development Department according to Article 14 of the Directive organizes public information and consultation campaigns with all interested parties (water user groups, citizens, Authorities, Universities, NGOs, industries etc). The information channels selected for these consultations are publications on the Department's website, announcements in the media, public presentations on specific days and public consultation through a written procedure (questionnaire). Information on the public consultation of the 3rd River Basin Management Plan can be found on the Department's website: https://www.moa.gov.cy/moa/WDD/wfd.nsf/page29_gr/page29_gr?opendocument

Strategic Environmental Impact Assessment studies were held and submitted to the SEA Committee as required under the Law N 102(I)/2005 for 1st, 2nd and 3rd River Basin Management Plan.

All River Basin Management Plans are available on the official website of Water Development Department and can be found following the link below (in Greek): https://www.moa.gov.cy/moa/WDD/wfd.nsf/home_gr/home_gr?Opendocument

XX. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7

Explain what opportunities are provided for public participation in the preparation of policies relating to the environment, pursuant to article 7.

Answer:

XXI. Obstacles encountered in the implementation of article 7

*Describe any **obstacles encountered** in the implementation of article 7.*

Answer:

- **Information provision:** The SEA Platform of the Department of Environment provides almost all relevant information on the evaluation process of plans & programmes to inform the public concerned, facilitates a more active and efficient participation in decision-making processes, includes access to documents, comment submissions, updates of the SEA Committee's agenda, the Opinions/Reasoned Findings of the environmental authority, as well as the plans and/or programmes that are currently under public consultation. However, due to limitations of some underlying IT infrastructures it is not yet possible to extract information on aggregated data on SEA processes, outcomes and the level of participation in decision-making processes.

Ensuring a more user-friendly experience in public participation through other means (e.g. authorities' websites) may also be hindered in some cases by outdated IT infrastructures and lack of resources for proper system upgrades & maintenance. It is in the future plans to pursue technological upgrades of communication systems however.

XXII. Further information on the practical application of the provisions of article 7

Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 7.

Answer:

The provisions relating to Articles 6 and 7 of the Convention have introduced uniform procedures for public participation in the decision-making process over plans, programmes and projects relating to the environment. The practical arrangements which are now in place have provided the public with the opportunity to be informed in a timely manner regarding a possible decision and have enabled concerned citizens to participate in the decision-making process more effectively. Through these arrangements, all information relevant to a proposed decision is now accessible and the public, including NGOs and other stakeholders, can express opinions which must then be taken into account when the final decision is taken. This has also enabled public authorities to evaluate and take into consideration public opinion on a specific project, plan or programme at a stage when it is still possible to introduce changes and measures to minimize any potential impacts. As a result, the decision-making process has become more efficient, the decisions taken meet the needs and concerns of the public concerned, and are more transparent and with added validity. In many instances, public participation has also increased public awareness on specific issues, such as waste management and energy production.

The major advantage is the involvement of the public from an early stage in the decision-making process. This allows the public the opportunity to

express their opinions and concerns regarding a possible decision, and the public authority to assess those opinions at a stage when it is still possible to change the parameters of a project, plan or programme to reduce impacts and increase public acceptance. Additionally, implementation has ensured a uniform approach to public participation by incorporating procedures already found in other legislation (EIA and SEA Laws) in the decision-making process.

Differences between plans, programmes and policies according to national legislation: According to the SEA legislation, plans and programmes include those subject to preparation and / or adoption by an authority at national, regional or local level or which are prepared by a competent authority for adoption through the legislative procedure, or which are required by any legislative provisions, including environmental and community legislation. Policies are not within the scope of the SEA legislation.

XXIII. Website addresses relevant to the implementation of article 7

Give relevant website addresses, if available:

www.moa.gov.cy/environment

The SEA Platform

<https://eia.moa.gov.cy/public/sea/>

XXIV. Efforts made to promote public participation during the preparation of regulations and rules that may have a significant effect on the environment pursuant to article 8

Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment, pursuant to article 8. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer:

In 2011 the Ministry of Finance, in cooperation with the Legal Service, published a Consultation Guide for public authorities providing guidance over the public participation procedures to be followed during the preparation of legislative and regulatory acts. The Guide forms part of the Impact Assessment Questionnaire that must accompany a draft bill when submitted to the Legal Service for legal vetting and, following this, the Council of Ministers and the House of Representatives for adoption. One of

the central aspects of the questionnaire is the public dialogue conducted with interested parties, and the Guide provides assistance to public authorities in this respect. The Guide covers the types of consultations that need to be carried out when preparing a new legislative act or amending an existing one, ways to identify and engage interested stakeholders in the participation process, the preparation of the information necessary for the participation process, and ways of evaluating the contributions made, while setting timeframes for the participation process.

The Guide covers two types of participation procedures which may be followed – informal and formal participation. During the informal procedure there is a preliminary exchange of opinions with affected parties and an initial evaluation of responses to the proposed legislation. Based on this it is then decided whether it is necessary to conduct a formal participation procedure, which involves the notification of information material to interested parties, the submission of written comments and, where necessary, public hearings, meetings campaigns, public enquiries and expert committees. Stakeholders are informed as to how their opinions have been utilised.

An informal participation procedure must be concluded within a 4 weeks' period. In the case of formal participation procedures, the consultation period must take at least 4 weeks and be concluded at a maximum of 8 weeks. The precise timeframes for informing stakeholders and the public and for the submission of opinions is determined by the competent body preparing the legislation and depends on the precise methods chosen for participation. Invitations to participate in public consultations must be sent to interested parties at least 2 weeks prior to the onset of the consultation period. To ease access to relevant information, consultation documents must be made available through the Internet.

The participation procedure is carried out at the initial stages of the legislative procedure, when a draft legislative proposal is prepared, allowing for a first exchange of views between interested parties and a first evaluation of responses to the proposed legislation. The contributions received and the analyses made must be made available through the internet within 2 weeks after the consultation period. The results of the public consultation are submitted as part of the Impact Assessment Questionnaire which accompanies the proposed legislation.

e-Consultation platform

In the context of achieving the objective of strengthening citizen and stakeholder participation when drafting legislation or a regulatory framework, as well as to enhance consultation with all stakeholders through the statutory public consultation process, a functional and user-friendly online public consultation platform (<https://e-consultation.gov.cy/>), accessible to all stakeholders, has recently been developed and launched. This online platform is designed to host all stages of public consultation (invitation, comments, results) in real time, as well as maintain a record and

provide the possibility of indexing all completed procedures. The development and operation of this platform contributes to the creation of channels of communication and dialogue between the private sector/other stakeholders/the public and public bodies in the process of shaping legislation through public consultation on the basis of the principles of transparency and accessibility.

Consultation is required when drafting new legislation where the Competent Authorities (Ministries/Departments/Agencies/Independent Service) should identify the main stakeholders and gather their views in relation to the new legislation.

Exceptions to the consultation procedure include legislation that relates to:

- the annual budget and the financing of the State
- the direct application of EU Regulations
- the Criminal Code
- excise duties
- the adoption of measures in cases of emergency, e.g. in cases of force majeure, natural disasters, etc., as well as matters of an urgent nature relating to the health and safety of citizens
- the defensive armoured and operation of the Army of the Republic of Cyprus and the National Guard
- the regulation of a matter relating to the national interests and/or external relations of the Republic (e.g. cooperation of the Republic on issues concerning the exclusive economic zone, search and rescue, etc.).
- the regulation of an issue which is advanced as a direct consequence of a judicial decision and leaves no discretion to consider alternative options for regulation and/or does not allow for any meaningful consultation
- regulation that is proposed for purely remedial purposes without bringing about substantive changes to the subject matter, purpose and application of an existing regulation that has already been subject to consultation (e.g. a technical amendment to existing legislation)

Examples of public consultation for the preparation of Environment-related legislation/regulations:

Participation for Climate-related regulations

Public consultations for legislation Amendments:

Due to legislation amendments to enable the application of the “Fit for 55

package” set of proposals, a number of public consultation and presentations to the wider public were undertaken for the following:

- Emissions and removals from land use, land use change and forestry sector
- Inclusion of the maritime, building and transport sectors in the scope of the emission trading system directive
- Carbon Border Adjustment Mechanism Regulation
- Definition of measures to reduce Air Pollutants and Greenhouse Gases from Road Transport

Furthermore, for other national legislation amendments press releases were published on the website of the Department of Environment so that interested parties could comment on the new draft legislation before this was finalized.

Participation during the preparation of the legislative framework for the Establishment and Operation of a Coordinating Body on the Waste Prevention and Management Law of 2024

For the preparation of the draft of the Legislative Framework of the Coordinating Body in question, opinions from stakeholders, including environmental NGOs, were recorded through four regional consultation workshops (June 2023) and one central consultation workshop (September 2023). The bill entitled "Establishment and Operation of a Coordinating Body on the Waste Prevention and Management Law of 2024", was also put into public consultation from 13 May 2024 until 11 June 2024, on the electronic consultation platform e-consultation.gov.cy.

Participation under the National Fisheries Legislation

When there is an amendment proposed regarding the Fisheries Law and Regulations, it goes through public consultation.

XXV. Obstacles encountered in the implementation of article 8

*Describe any **obstacles encountered** in the implementation of article 8.*

Answer:

Despite efforts to promote public participation, awareness levels among the general public remain inconsistent. Due to it being a relatively new concept in the local society, many citizens are unaware of their right to participate in legislative processes. Respectively, a number of officials may still be unaware of their obligations towards the public.

The Consultation Guide prepared to promote public participation during the preparation of regulations and rules that may have a significant effect on the

environment pursuant to article 8 has in some cases limited application among competent authorities.

XXVI. Further information on the practical application of the provisions of article 8

Provide further information on the practical application of the provisions on public participation in the field covered by article 8.

Answer:

The government has developed online platforms to facilitate public access to consultation documents and submission of comments. For instance, the Department of Environment's website regularly updates ongoing consultations and invites public participation, but further facilitation of the website may be needed for a broader reach.

XXVII. Website addresses relevant to the implementation of article 8

Give relevant website addresses, if available:

www.moa.gov.cy/environment

<https://e-consultation.gov.cy/>

XXVIII. Legislative, regulatory and other measures implementing the provisions on access to justice in article 9

List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

Explain how each paragraph of article 9 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
 - (i) Any person who considers that his or her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law;
 - (ii) Where there is provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law;
 - (iii) Final decisions under this paragraph are binding on the public authority holding the information, and that reasons are stated in writing, at least where access to information is refused;
- (b) Measures taken to ensure that, within the framework of national legislation, members of the public concerned meeting the criteria set out in **paragraph 2** have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6;
- (c) With respect to **paragraph 3**, measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment;
- (d) With respect to **paragraph 4**, measures taken to ensure that:
 - (i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;
 - (ii) Such procedures otherwise meet the requirements of this paragraph;
- (e) With respect to **paragraph 5**, measures taken to ensure that information is provided to the public on access to administrative and judicial review.

Answer:

Provisions under the Constitution

Access to justice against decisions, acts or omissions of public authorities is provided for under Article 146 of the Constitution. Article 146 provides that:

1. The Supreme Constitutional Court has exclusive jurisdiction to adjudicate finally on a recourse made to it on a complaint that a

decision, an act or omission of any organ, authority or person, exercising any executive or administrative authority is contrary to any of the provisions of the Constitution or of any law or is made in excess or in abuse of powers vested in such organ or authority or person.

2. Such a recourse may be made by a person whose any existing legitimate interest is adversely and directly affected by such decision or act or omission.
3. A recourse may be made within seventy-five days of the date when the decision or act was published or, if not published and in the case of an omission, when it came to the knowledge of the person making the recourse.
4. Upon such a recourse the Court may, by its decision –
 - confirm, either in whole or in part, such decision or act or omission; or
 - declare, either in whole or in part, such decision or act to be null and void and of no effect whatsoever, or
 - declare that such omission, either in whole or in part, ought not to have been made and that whatever has been omitted should have been performed.

5. Any decision given under paragraph 4 of this Article shall be binding on all courts and all organs or authorities in the Republic and shall be given effect to and acted upon by the organ or authority or person concerned.

6. Any person aggrieved by any decision or act declared to be void under paragraph 4 of this Article or by any omission declared thereunder that it ought not to have been made shall be entitled, if his claim is not met to his satisfaction by the organ, authority or person concerned, to institute legal proceedings in a court for the recovery of damages or for being granted other remedy and to recover just and equitable damages to be assessed by the court or to be granted such other just and equitable remedy as such court is empowered to grant.

Access to justice related to the provisions of Article 4 – Law 119(I)/2004

The Law on Public Access to Environmental Information (119(I)/2004) includes provisions on access to justice. According to Article 10 of the Law, any person who thinks that his request for environmental information was:

- unjustifiably ignored or wrongfully refused, whether in full or in part,
- was answered inadequately, or
- was not dealt with in accordance with the provisions of the Law,

has the right within 30 days from the notification of the decision or the end of the one-month (or two-month when warranted) period to appeal to the Minister to review the actions or omissions of the public authority in question. The Minister examines the matter and makes a decision, which is

then notified to the interested person and the public authority.

Independently of the provisions of Article 10, Article 11 gives the applicant the right to a review procedure before the Supreme Court, in accordance with Article 146 of the Constitution.

Access to justice related to the provision of Article 6 - Law 127(I)/2018

Law 127(I)/2018 on the assessment of the impacts on the environment from certain projects, provides that any legal entity created with the purpose of promoting environmental protection, is considered to have sufficient interests that may be affected by a decision taken under the law and has the right to appeal before the court against the decision, in accordance with Article 146 of the Constitution.

According to Article 146 of the Constitution, the decision of the Supreme Court is binding. In cases of an annulment of a decision the public authority must ensure the environment is restored to its prior condition.

Information to the public on access to administrative and judicial review procedures

1. Law 119(I)/2004 on access to information: When a refusal for the provision of information is communicated to the applicant the competent authority must state the reasons for the refusal and provide information on the appeals procedure.
2. Law 127(I)/2018 on the assessment of the impacts on the environment from certain projects: According to Article 48(1) the environmental authority must ensure that practical information on the procedures for administrative and judicial review communicated to the public through notices in the daily press and the internet.

XXIX. Obstacles encountered in the implementation of article 9

Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 9.

Answer:

NGOs can have standing mainly under specific sectoral law (e.g. EIA, IPPC217, ELD218), otherwise they must prove their rights/interests, in which respect it can sometimes be difficult to challenge projects, plans or programmes. An administrative review, if granted, will examine both the procedural and substantive legality of a decision/act/omission. A judicial review in the Administrative Court will, as in all cases, consider matters of procedural legality and competence of the offending executive organ, but also of substantive legality if the question refers to an error in law, a violation of the constitution, etc. The Supreme Court of Cyprus has the power to review legislation or regulations either upon request by the President of the Republic before enactment by Parliament, or on the basis of a legal recourse by an individual whose rights are affected under Article 146 of the Constitution as a result of an administrative act/omission emanating from such legislation or regulations. This applies to all legislation/regulations, there are no specific provisions for the environment. It can be concluded that there is a system of regular supervision of regulatory legally binding acts, but it is largely inaccessible to members of the public and NGOs, who can only flag cases to bodies or officials that are entitled to initiate an extraordinary supervision procedure. (Source: *EIR Cyprus 2022*)

There is some information available on access to justice, maintained by the government, even though it is usually only available in the official language of the country and it needs to be searched for. Information on access to environmental justice is published on the website of the Department of Environment, with reference to the specific (and limited) legislation that grants legal rights to NGOs. There is no specific site where national rules on access to justice are available. (Source: *EIR Cyprus 2022*)

Since 2019, there has been substantial progress on improving access to justice in terms of reducing prohibitive costs, but not so much regarding information and standing. It is also suggested that individuals' access to courts by the public concerned when challenging administrative or regulatory decisions and omissions, including during the planning phase, in particular on water, nature and air quality issues, be further improved. (Source: *EIR Cyprus 2022*)

Founded upon the continental prototype, Article 146 of the Constitution makes the judicial review a permanent feature of Cyprus' judicial system and the governmental system, in general. Article 146 stipulates the right to judicial review in cases where a person is prejudicially affected by an act or omission of administrative authorities. So far, the Court has interpreted Article 146 stringently. In practice, the access of public and environmental

NGOs for challenging acts contrary to environmental law is significantly narrowed. The Administrative Court's jurisdiction focuses on the review of a decision on both points of law and fact. Also, it can examine the legality and not the correctness of administrative decisions.

Access to justice in environmental matters is a set of guarantees that allows citizens and their associations to challenge acts or omissions of the public administration before a court. Among other things, it covers the right to access practical information, the right to protection against prohibitive costs and the right to bring a challenge (legal standing).

The right to provide practical information on access to justice

The rules on access to justice in environmental matters in Cyprus are considered as clear. For example, Environmental NGOs that are registered as Associations / Foundations / Federations have the right of access to justice in environmental matters, particularly in the framework of EIA and SEA procedures and environmental authorisations. However, the competent authorities do not provide adequate online practical information on access to justice in environmental matters. There is some information available on access to justice, maintained by the government. However, it is usually only available in one of the official languages of the country (Greek), and it needs to be searched for. Information on access to environmental justice is published on the website of the Department of Environment, with reference to the specific (and limited) legislation that grants legal rights to Environmental NGOs. There is no specific site where national rules on access to justice are available.

The right to protection against prohibitive costs

The cost risks related to bringing cases to court in Cyprus are often an obstacle for individuals and Environmental NGOs, while there is no financial support nor specific exemptions from court fees for such matters.

The right to bring a challenge (legal standing)

Another difficulty faced by potential litigants is the lack of timely procedures, which additionally increases the costs. Environmental NGOs have in principle legal standing, but case law of the Supreme Court of Cyprus introduced restrictions in the late 1990s, which might contravene the objective of granting a wide access to justice in the context of the Aarhus Convention (e.g. the requirement of a geographical proximity). Cyprus has an interest-based and restrictive approach to legal standing, which would make it difficult for ENGOs to bring cases to court. Environmental NGOs can have standing only under specific sectoral law (e.g. EIA, SEA, AA, Environmental Liability, etc.), otherwise they must prove their rights / interests. It can be difficult to challenge plans or programmes. An administrative review, if granted, will examine both the procedural and substantive legality of a decision / act / omission. A judicial review in the Administrative Court of Cyprus will, as in all cases, consider matters of procedural legality and competence of the offending executory organ, but

also of substantive legality if the question refers to an error in law, a violation of the constitution, etc. For secondary EU legislation with specific access-to-justice provisions, there is corresponding Cypriot legislation. However, there is no Cypriot case-law to date to show how Cypriot courts might deal with air pollution and nature cases that fall outside the scope of this secondary legislation.

In May 2023, for the first time, the Administrative Court of Cyprus recognized Environmental NGOs' right to file public interest claims in environmental matters. In October 2023, the Administrative Court also recognized for the first time Environmental NGOs' right to access official documents of infringement cases between the Cypriot authorities and the European Commission. However, these decisions were appealed by the Attorney General of the Republic of Cyprus and the final judgements of the Court of Appeal are pending on both cases. The Supreme Court of Cyprus has the power to review legislation or regulations either upon request by the President of the Republic before enactment by the Parliament, or based on a legal recourse by an individual whose rights are affected under Article 146 of the Constitution, because of an administrative act / omission emanating from such legislation or regulations. This applies to all legislation / regulations, there are no specific provisions for the environment.

Recommendations:

As per the latest Environmental Implementation Review report prepared by the European Commission for the Government of Cyprus (EIR 2022), it is recommended to improve individuals' access to courts by the public concerned when challenging administrative or regulatory decisions and omissions, including during the planning phase, in particular on water, nature and air quality issues.

Moreover, some NGOs suggest the need to take the necessary measures to ensure that the costs of legal challenges involving EU environmental law are not prohibitively expensive, and in line with the requirements of EU law as well as the Aarhus Convention.

Simplify and streamline procedures for public participation and access to justice to make them more efficient and accessible. This includes reducing bureaucratic barriers and ensuring timely responses to public inquiries. Invest in capacity building for public authorities to better handle public participation and access to information requests. This includes training for government officials and providing adequate resources.

XXX. Further information on the practical application of the provisions of article 9

Provide further information on the practical application of the provisions on access to justice pursuant to article 9, e.g., are there any statistics available on

environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?

Answer:

Access to justice in environmental matters: Cyprus

https://e-justice.europa.eu/300/EN/access_to_justice_in_environmental_matters?CYPRUS&member=1

Access to justice at Member State level

https://e-justice.europa.eu/300/EN/access_to_justice_in_environmental_matters?CYPRUS&action=maximizeMS&clang=en&idSubpage=1&member=1

Access to justice falling outside of the scope of EIA (Environmental Impact Assessment), IPPC/IED (Integrated Pollution Prevention and Control (IPPC) Industrial Emissions Directive), access to information and ELD (Environmental Liability Directive)

https://e-justice.europa.eu/300/EN/access_to_justice_in_environmental_matters?CYPRUS&action=maximizeMS&clang=en&idSubpage=2&member=1

Other relevant rules on appeals, remedies and access to justice in environmental matters

https://e-justice.europa.eu/300/EN/access_to_justice_in_environmental_matters?CYPRUS&action=maximizeMS&clang=en&idSubpage=3&member=1

XXXI. Website addresses relevant to the implementation of article 9

Give relevant website addresses, if available:

www.moa.gov.cy/environment

http://www.supremecourt.gov.cy/judicial/sc.nsf/home_en/home_en?opendocument

<https://www.cylaw.org/>

Articles 10-22 are not for national implementation.

XXXII. General comments on the Convention's objective

If appropriate, indicate how the implementation of the Convention contributes 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.

Answer:

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XXXIII. Legislative, regulatory and other measures implementing the provisions on genetically modified organisms pursuant to article 6 bis and Annex I bis

Concerning legislative, regulatory and other measures that implement the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, describe:

- (a) With respect to **paragraph 1 of article 6 bis** and:
 - (i) **Paragraph 1** of annex I bis, arrangements in the Party's regulatory framework to ensure effective information and public participation for decisions subject to the provisions of article 6 bis;
 - (ii) **Paragraph 2** of annex I bis, any exceptions provided for in the Party's regulatory framework to the public participation procedure laid down in annex I bis and the criteria for any such exception
 - (iii) **Paragraph 3** of annex I bis, measures taken to make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release or placing on the market of such genetically modified organisms, as well as the assessment report where available;
 - (iv) **Paragraph 4** of annex I bis, measures taken to ensure that in no case the information listed in that paragraph is considered as confidential;
 - (v) **Paragraph 5** of annex I bis, measures taken to ensure the transparency of decision-making procedures and to provide access to the relevant procedural information to the public including, for example:
 - a. The nature of possible decisions;
 - b. The public authority responsible for making the decision;
 - c. Public participation arrangements laid down pursuant to paragraph 1 of annex I bis;
 - d. An indication of the public authority from which relevant information can be obtained;
 - e. An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments;
 - (vi) **Paragraph 6** of annex I bis, measures taken to ensure that the arrangements introduced to implement paragraph 1 of annex I bis allow the public to submit, in any appropriate manner, any comments, information, analyses or opinions that it considers relevant to the proposed deliberate release or placing on the market;
 - (vii) **Paragraph 7** of annex I bis, measures taken to ensure that due account is taken of the outcome of public participation procedures organized pursuant to paragraph 1 of annex I bis;
 - (viii) **Paragraph 8** of annex I bis, measures taken to ensure that the texts of decisions subject to the provisions on annex I bis taken by a public authority are made publicly available along with the reasons and the considerations upon which they are based;

(b) With respect to **paragraph 2 of article 6 bis**, how the requirements made in accordance with the provisions of annex I bis are complementary to and mutually supportive of the Party's national biosafety framework and consistent with the objectives of the Cartagena Protocol on Biosafety to the Convention on Biodiversity.

Answer:

Law 10(III)/2009, which ratifies the Aarhus Convention, to incorporate Article 6 bis and Annex I bis.

The national legislation regarding the deliberate release into the environment and placing on the market of genetically modified organisms, Law 160(I)/2003, has an established procedure for providing the public with adequate information. Specifically, the Scientific Committee established by Law 160(I)/2003 to review and evaluate the applications for the release or placing on the market of GMOs, is comprised of both government departments and public organizations, including the Cyprus Consumers Association, the Cyprus National Bioethics Committee and the Federation of Environmental Organizations of Cyprus. Furthermore, Part IV of the Law includes provisions for record keeping and public notification, laying down the practical procedures for public participation. When the Scientific Committee receives an application for the authorization of the release or placement on the market of GMOs, the applicant has to publish a relevant notification in two daily newspapers and the public is given 30 days to provide written comments on the application. Regardless of this provision, the law also states that the Scientific Committee is obligated to carry out a public consultation, in the form of a public hearing. The records kept by the competent authority are available for inspection and include all applications submitted, all authorizations given, the Opinions of the Scientific Committee, the location where the GMOs were released and other relevant information.

Cyprus has so far not authorized the release of any GMOs and has kept a firm negative stance on the matter of GMO authorization.

XXXIV. Obstacles encountered in the implementation of article 6 bis and annex I bis

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6 bis and annex I bis.*

Answer:

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XXXV. Further information on the practical application of the provisions of article 6 bis and annex I bis

Provide further information on the practical application of the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, e.g., are there any statistics or other information available on public participation in such decisions or on decisions considered under paragraph 2 of annex I bis to be exceptions to the public participation procedures in that annex?

Answer:

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XXXVI. Website addresses relevant to the implementation of article 6 bis

Give relevant website addresses, if available, including website addresses for registers of decisions and releases related to genetically modified organisms:

Answer:

www.moa.gov.cy/environment

XXXVII. Follow-up on issues of compliance

If, upon consideration of a report and any recommendations of the Compliance Committee, the Meeting of the Parties at its last session has decided upon measures concerning compliance by your country, please indicate (a) what were the measures; and (b) what specific actions your country has undertaken to implement the measures in order to achieve compliance with the Convention.

Please include cross-references to the respective sections, as appropriate.

Answer:

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