

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY J.H. YOUNG OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 14th MAY 2013**

Question

Does the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters known as the Aarhus Convention, which was ratified by the UK in May 2005 according to their authorities to provide 'environmental democracy', have any status in law in Jersey and do any of the requirements of this convention have effect in Jersey legislation in whole or part, in particular;

- (1) a right of access to review procedures to challenge governmental decision and interactions between the public and the government Ministers on matters concerning the local, national and trans-boundary environment;
- (2) access to "fair, equitable, timely and not prohibitively expensive" procedures to be available for the public to challenge decisions relating to the environment, made by the Minister for Planning and Environment;
- (3) procedures which enable the Royal Court in appropriate circumstances, to make the equivalent to a UK Protective Costs Order in Judicial Review proceedings brought entirely in the public interest by third parties or Non Governmental Organisations in challenging a decision of the Minister for Planning and Environment on environmental grounds?

Answer

The Aarhus Convention has not been extended to Jersey and hence has no application in Jersey Law. As the answer to the first part of the question is in the negative then, in the premises, the numbered paragraphs do not fall to be answered.