

**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 PORTUGAL in
accordance with decisions I/8, II/10 and IV/4.**

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Signature:	
Date:	2017

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 preparation of the 5th report on the implementation of the Aarhus Convention under the coordination of Agência Portuguesa do Ambiente - APA, followed a participatory and transparent process. It was based on the previous report submitted in 2014, seeking to update the information already provided, but without losing the overall sense of the information.

Bodies of the central and regional State administration were consulted during the two periods of public consultation (15 May to 15 August 2016 and 1 September to 30 October 2016). Environmental non-governmental organisations (NGO) and advisory bodies such as the National Council for the Environment and Sustainable Development (CNADS) and the National Water Council (CNA) were also consulted in the latter period. In the first period of public consultation local government bodies were also consulted, by means of a questionnaire and through their coordinating bodies (namely ANMP - National Association of Portuguese Municipalities, and ANAFRE - National Association of Parish Councils). The contributions received are reflected in this report, when appropriate.

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:

The Portuguese Public Administration has undergone a profound reform resulting from the economic and financial adjustment programme of the last five years, which has led to the merger of several agencies and their aggregation into ministries responsible for multiple areas. This has been the case with the Ministry overseeing environmental policies - firstly it was integrated into the Ministry of Agriculture, Sea, Environment and Spatial Planning (MAMAOT) in January 2012, then the Ministry of the Environment, Spatial Planning and Energy (MAOTE) and Ministry of Agriculture and Sea (MAM), in August 2013. In 2015, in the context of the Organisational Law of the XXI Government (Decree-Law No. 251-A/2015 of 17 December), the ministries that oversee most of the sectors and thematic areas that mostly have to do with environmental policy are the Ministry of the Environment (MA), the Ministry of Agriculture, Forestry and Rural Development (MAFDR) and the Ministry of the Sea (MMar).

In this context, the oversight of some bodies, such as the Nature and Forests Conservation Institute (ICNF), the General Inspectorate of Agriculture, Sea, Environment and Spatial Planning (IGAMAOT) and the Portuguese Sea and Atmosphere Institute (IPMA) - was shared by several ministries, namely: ICNF by MA and MAFDR; IGAMAOT by MA, MAFDR, MMar and Deputy Minister; IPMA by MMar, MA and the Ministry of Science, Technology and Higher Education (MCTES). Also regional-level bodies, such as the Regional Coordination Commissions (CCDR), have their oversight shared by the Ministry

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:

Article 3, paragraph 2

The Aarhus Convention was adopted by the Portuguese Parliament in accordance with Resolution No. 11/2003 of 25 February, ratified by Decree No. 9/2003 of the President of the Republic. In Portuguese law there are different legal instruments which, in general, allow the guiding principles of this Convention to apply, as mentioned in the previous implementation reports: Constitution of the Portuguese Republic (CRP); Basic Law of Environmental Policy, Law No. 19/2014 of 14 April, Basic General Law of Public Policy

vis-à-vis Land, Spatial Planning and Urban Management, Law No. 31/2014 of 30 May, Code of Administrative Procedure (CAP), Decree-Law No. 4/2015 of 7 January, Law that defines the statute of Environmental NGOs, Law No. 35/98 of 18 July.

As far as more specific legislative and regulatory measures are concerned, the Aarhus Convention is applied in Portugal through the transposition of various EU Directives. Special mention should be made of Directive 2003/4/EC regarding public access to environmental information, implemented in national law by Law No. 19/2006 of 12 June, which regulates the access to environmental information (LAIA), complemented, in all aspects not specifically regulated, by Law No. 46/2007 of 24 August, amended by Decree-Law No. 214-G/2015 of 2 October, which regulates the access to administrative documents and their reuse (Law on Access to Administrative Documents - LADA).

The abovementioned LAIA establishes measures to be taken by public authorities to ensure access to information (Article 4) and measures for the dissemination of information (Article 5). Article 14 therein refers to the means of appeal that the applicant may use when the request for information is ignored, improperly refused (in whole or partially), when an inadequate response is obtained or when this law has not been complied with.

Also of note is Directive 2003/35/EC providing for public participation in preparing certain plans and programmes relating to the environment. This Directive is transposed into various legal instruments, particularly those relating to Environmental Impact Assessment (EIA) [Decree-Law No. 151-B/2013 of 31 October, amended by Decree-Law No. 47/2014 of 24 March and by Decree-Law No. 179/2015 of 27 August - repealing Decree-Law No. 69/2000 of 3 May, as well as amendments made by Decree-Law 197/2005 of 8 November and the Rectification No. 2/2006 of 6 January], Integrated Prevention and Pollution Control (IPPC) [Decree-Law No. 173/2008 of 26 August, repealed by Decree-Law No. 127/2013 of 30 August], Strategic Environmental Assessment (SEA) [Decree-Law No. 232/2007 of 15 June, amended by Decree-Law No. 58/2011 of 4 May] and the Water Law [Law No. 58/2005 of 29 December and Decree-Law No. 77/2006 of 30 March, amended and republished by Decree-Law No. 130/2012, of 22 June], and the Code of Administrative Procedure (CAP) [Decree-Law No. 4/2015 of 7 January].

It should be noted that from 1 October 2016, the legal scheme for access to administrative and environmental information and for the reuse of administrative documents is governed by the provisions of Law No. 26/2016 of 22 August, which repeals Law No. 19/2006 of 12 June as well as Law No. 46/2007 of 24 August. It is to be highlighted that the entry into force of this Law does not result in any decrease in rights or in any reduction of guarantees, as can be seen from reading the relevant provisions, in particular its articles 3 ("Definitions"), 4 ("Subjective scope"), 5 ("Right of access"), 6 ("Right of access restrictions"), 11 ("Active disclosure of environmental information"), 12 ("Access request"), 13 ("Form of access"), 14 ("Copying charges"), 15 ("Response to the access request"), 16 ("Right to complain") and, more specifically related to the right of access to environmental information, articles 17 ("Right of access to environmental information") and 18 ("Refusal of the access request").

The Portuguese Environment Agency - APA, had its powers extended in 2012 through the merger and closure of eleven entities of the Central Government, resulting from the implementation of the Plan for the Reduction and Improvement of Central Government (PREMAC), a process for which the XIX Portuguese Constitutional Government was responsible. (cf. Decree-Law No. 56/2012 of 12 March). APA, mindful of its responsibility in the action areas of the Aarhus Convention, has become accessible to communicating and making environmental information available as well as the implementation of active citizenship regarding the environment, which is reflected in the space on the APA website focused on how the Aarhus Convention is applied in Portugal (cf. <http://www.apambiente.pt/index.php?ref=16&subref=142&sub2ref=726&sub3ref=727>).

From a practical standpoint, many of the Ministry bodies responsible for the environmental policy as well as many other public bodies have centres of information and documentation with staff with appropriate training and experience to provide users all the help and guidance in the search for information. In implementing the principles of e-government and

better access to environmental information, most of these bodies, whether at central and regional levels - Regional Development Coordination Commissions (CCDRs) and APA decentralised services for matters concerning the management of water resources (ex-ARH) - have websites through which information is made available within the scope of their duties, which have been improved in order to provide increased accessibility to citizens. Local authorities also have documentation centres and/or libraries, websites, newsletters, etc., geared to local or specific public interests, on which the environment is usually present due to its pervasive nature. All these levels of public administration also have procedures for answering requests received via e-mail. This correspondence has the same value as that received on paper. The relevant websites play a leading role where plans, programmes and projects on the environment subject to public consultation and participation are concerned, driving their disclosure and communication with all stakeholders. There has been growing openness and experimentation at the local level of new participatory means in the public administration, with the highlight being participatory budget initiatives organised by a growing number of municipalities, which comprise a new form of governance based on the direct participation of citizens in identifying local problems and needs, in the definition of priorities and the implementation and monitoring of projects. The implementation of processes of Local Agenda 21 has been a means of bringing the principles of Aarhus and environmental democracy to the local level and closer to the citizens. The ECO XXI award, promoted in Portugal by an environmental NGO, the Blue Flag Association of Europe, has contributed to this, with the support of numerous public entities with direct or indirect intervention in the environmental field <http://www.abae.pt/programa/ECOXXI/inicio.php>. Among the 21 indicators of sustainable development of the municipality that determine the award of the "green flag", many are related to information, education, citizenship and participation in environmental matters.

The nationwide "SOS Environment and Territory" line was created in 2002 to facilitate citizen participation in improving the environment. This telephone line receives complaints and reports of situations that may infringe environmental law, 24 hours per day every day of the year - by telephone on 808200520, fax on 213217007, by the online reporting system at http://www.gnr.pt/default.asp?do=5r20n/EF.qr070pvn5/s14z_5r20n, or by e-mail to sepna@gnr.pt. This service is currently under the responsibility of the Nature and Environmental Protection Service (SEPNA) of the National Republican Guard police force (GNR) - cf. Decree-Law No. 22/2006 of 2 February. It can be deemed as a form of participation and cooperation of citizens as "environmental police" caring for the welfare of all in the national territory, assuming the preservation, conservation and enhancement of natural heritage as a fundamental duty and right. The SEPNA missions are grouped into five major areas: nature, environment, forests, animal and health protection and environmental education. The complaints received by this service are analysed, recorded and investigated, and the complainant informed of the steps taken and the outcome. SEPNA, pursuant to Ordinance No. 798/2006 of 11 August is set up as a national environmental police, working in conjunction with several national entities involved in environmental policy and in cross-border operations coordinated by IGAMAOT, for which it has relied on collaboration with the Servicio de Protección de la Naturaleza of the Spanish Guardia Civil police force (SEPRONA). The Electronic Complaint System, general in scope and also managed by the GNR, resends to SEPNA complaints of an environmental nature, seeking their proper routing. IGAMAOT simultaneously receives complaints registered on a page specifically created for this purpose on its website and, like all other complaints received by e-mail and post, it ensures they are processed, always informing the complainants of the actions taken.

Also to be highlighted is the creation, in July 2015, of an official portal where all public consultation processes are made available by the Ministry of the Environment - the PARTICIPA.PT portal (cf. <http://participa.pt>).

Article 3, paragraph 3

The National Strategy for Sustainable Development (ENDS) 2005-2015, approved by

Council of Ministers Resolution No. 109/2007, published in the Official Gazette No. 159, Series 1, 20 August 2007, stresses as a strategic priority the promotion of environmental education and awareness raising in order to ensure the participation of citizens in environmental policies, particularly by the promotion of access to environmental information.

The Ministry responsible for environmental policy has, through APA, not only promoted but also additionally supported measures organised by civil society, namely Environmental NGO's, aimed at informing citizens about matters under the Aarhus Convention.

The powers of APA include the environmental education, participation and informing the public, as well as support for ENGOs. It has an active role in the dissemination of information and mobilising citizens on environmental issues. To achieve this it seeks to develop and monitor the implementation of policies to educate and train citizens in environmental matters (cf. <http://www.apambiente.pt/index.php?ref=16&subref=142&sub2ref=244>) promote and monitor forms of support to Environmental NGOs (cf. <http://www.apambiente.pt/index.php?ref=16&subref=142&sub2ref=181>), as well as promote and ensure access to information and public participation in decision-making on environmental matters (access on several items of the APA website menu). APA seeks, in a comprehensive manner, to directly and indirectly develop and support initiatives of formal and non-formal education, projects and other forms of transmission of training and informative content, whether of civil society organisations or from other State bodies.

APA is the national authority for the waste area and, in this field, the issue of waste reduction has been the specific focus for raising awareness among the general public during the European Week for Waste Reduction (EWWR), with support from the European Commission - Life Programme. In this regard, increased emphasis has been given to actions aimed at primary school pupils (cf. <http://www.apambiente.pt/index.php?ref=16&subref=84&sub2ref=106&sub3ref=269>). The actions taken by this initiative - and others that have been multiplied for various audiences - are encompassed in the Urban Waste Prevention Programme (PPRU), which has the primary objective of proposing measures, targets and actions for implementation and monitoring, to reduce the quantity and hazardousness of urban waste produced (cf. <http://www.apambiente.pt/index.php?ref=16&subref=84&sub2ref=106>). Although APA was not the national organiser of the EWWR in 2013 (which was not the case in 2012), it invited the Urban Waste Management Systems to become the regional organisers. APA also ensured the dissemination of the project by providing all the information on its website, as well as an online tool to support more sustainable choices by citizens (cf. <http://simula-residuos.apambiente.pt/>). Also noteworthy in this regard is the publication on the APA website of the video "Campaign to Reduce Consumption of Plastic Bags - European Waste Prevention Week 2014", as well as an information leaflet which aimed to raise citizens' awareness of this problem and induce changes in behaviour regarding the consumption of lightweight plastic bags.

The National Air Quality Strategy (ENAR 2020), approved on 8/06/2016, is of note in the field of ambient air quality. The aim is to achieve the air quality objectives proposed in the Clean Air Program for Europe and contribute to the Green Growth Commitment, in line with the national climate policy instruments, in particular measures with a co-benefit for air quality. It forms a reference framework for the development of air quality improvement plans, which is the responsibility of the CCDR, thus allowing effective integration between the measures of local, regional and national scope. The aim, in order to mitigate the effects of atmospheric pollution, is to establish a reference framework for information, knowledge and awareness-raising directed towards a wide range of stakeholders, such as professionals, non-governmental organisations and citizens in general, whose activities and behaviour may contribute, more or less directly, to mitigating the effects of air pollution. ENAR establishes a set of actions that include:

- Re-evaluate the air quality information systems (current QualAr) extending their scope to new data sources (e.g. private networks, sporadic monitoring under EIA)

and the new requirements arising from e-Reporting;

- Improve the national air quality information and forecasting system, particularly in relation to: inclusion of more pollutants, review of index classes, greater detail of spatial information;
- Improve the operational implementation of the public warning system on air quality, in particular the harmonization aspects at regional level and reinforcing synergies with air quality forecasting tools; Disclosure to key institutions of episodes of pollution associated with natural events;
- Promote effectiveness in the dissemination of information on air quality through new information technologies.

The Strategic Framework for Climate Policy (QEPiC) - adopted by RCM No. 56/2015 of 30 July - ensures the national response to the challenges of climate policy in the 2020-2030 horizon. One of its nine objectives is to involve society in the challenges of climate change, contributing to the increase of individual and collective action by recognising the dimension of communication and awareness as a fundamental element of climate policy. QEPiC advocates, considering that a change in behaviour is at the heart of the shift in paradigm on which the transition to a competitive, resilient and low carbon economy is based, that it is necessary to empower society and create skills that must be associated with the creation of green jobs, steering individual behaviour to making efficient resource management and low carbon decisions, and promote the active engagement of society in this transition, support the dissemination of good practices and participation in networks for the exchange of experiences. Lastly, QEPiC considers it fundamental to support the development, systematisation and dissemination of the information necessary for decision-making.

Also PNAC 2020/2030, adopted under the Strategic Framework for Climate Policy (QEPiC), acknowledges the importance of communication and raising awareness. The policies and measures of PNAC 2020/2030 are organised according to sectoral axes and transversal axes. The two transversal axes are "Research, Development and Innovation" and "Knowledge, information and raising awareness". PNAC 2020/2030 recognises that behaviour is one of the most influential aspects in combating and adapting to climate change, which will never be done without the involvement of society. In order for society to play this role it has to have knowledge, be informed and aware.

In the context of adaptation to climate change, the promotion of environmental education and awareness is ensured, on the one hand, by a thematic area dedicated to the topic in the National Strategy for Adaptation to Climate Change (ENAAAC 2020), and on the other, by the projects of the AdaPT Programme.

The work to be carried out under ENAAAC 2020, which was adopted through RCM No. 56/2015 of 30 July, is essentially ensured by thematic areas and sectoral working groups. The six thematic areas of ENAAAC 2020 present their main purposes, for which the sectoral working groups contribute to their implementation. The stand out thematic area under Article 3, paragraph 3 of the Convention is "Communication and disclosure", which focuses essentially on the following issues: i) development of a National Adaptation Platform for centralisation of the information in terms of adaptation; ii) promotion of the collection, systematisation and visualisation of knowledge; iii) making climate information and decision support tools freely available; (iv) adoption of communication plans intended to raise the awareness of climate change among the general public. The sectoral groups, on the other hand, must promote the inclusion of participants from civil society.

It is also important to highlight how the AdaPT Programme (<http://apambiente.wixsite.com/adapt>) was developed to finance climate change adaptation projects, falling under the European Economic Area Financial Mechanism (MFEEE/EEA-Grants) and additionally co-financed by the Portuguese Carbon Fund. The AdaPT Program was designed based on the needs and contributions of the ENAAAC coordination group. Two main results expected for the programme were defined: 1) Increase the capacity to assess the vulnerability to climate change; and 2) Increase awareness and education about climate

change.

Two important projects are set up for the purpose of increasing awareness and education - the Climate Portal (Portal do Clima) and Clima@EduMedia. The first one (<http://portaldoclima.pt/>) is developed by the Portuguese Institute of the Sea and the Atmosphere (IPMA) and aims to give the general public easy access to systematised information on climatic scenarios for Portugal, of a regional nature, including the processing of data of the 5th IPCC Assessment. Clima@EduMedia (<http://www.climaedumedia.com/>) is a project developed by the Faculty of Arts of the University of Porto (FLUP), which aims to integrate and complement environmental education on climate change through schools, in the areas of mitigation and adaptation in 33 pilot schools. One of the components of the project corresponds to three prizes (financing) for the best projects to implement measures related to climate change in the school environment.

Also of note is the fact that the AdaPT Programme has an important component of disclosure and dissemination of results through the projects. The outcome of the projects, which must necessarily be made available to the public, and the various seminars and workshops organised contribute to this. Some projects also put participatory methods into practice in order to stimulate and give impetus to the main stakeholders.

Since 2012, APA is also the national water authority. Its mission is to propose, monitor and ensure the implementation of the national water policy to ensure its sustainable management, as well as the effective implementation of the Water Law. The APA website, inheriting the work done by the Water Institute - INAG (a body made extinct in the PREMAC), provides some environmental education and awareness raising tools in the field of this important natural resource: <http://snirh.pt/junior/>. This area, as will be seen further on herein, also fosters public participation in decision-making.

The Water and Waste Services Regulator (ERSAR) is the entity which regulates the activities of public water supply, urban wastewater sewerage and urban waste management. It published in 2014, on its "Studies Series" editorial line - "An integrated regulatory approach (ARIT-ERSAR) for water and waste services" and organised the publication on the human right to water and sanitation "On the right track. Good practices in fulfilling the rights to water and sanitation" available on the ERSAR website <http://www.ersar.pt>. In the same scope of action, it also published a leaflet entitled "Find out about the water and waste services in Portugal", which aims to contribute to the dissemination of information and environmental awareness of the "major numbers" related to the sector in the Annual Report of Water and Waste Services in Portugal (RASARP), published by ERSAR.

In 2014, ERSAR, as the competent authority in mainland Portugal for the control and supervision of the quality of water for human consumption, organised the "Drink tap water with confidence!" competition, which aimed to reinforce the quality message of tap water among consumers and the environmental benefits arising from its use.

It has made the "ERSAR" application for mobile devices available since 2014. ERSAR annually collects more than 700,000 data elements on water and waste services. The ERSAR App provides all interested parties with easy access to relevant information on water supply, wastewater treatment and urban waste management services in Portugal. Information is available on the quality of the services provided, the quality of water for human consumption, news, tips and practical advice on the use of services, among others. The "ERSAR" app can be installed for free on iOS and Android mobile devices.

The Sea Literacy Project, which falls under the education, science and technology program area of the National Strategy for the Seas (ENM) 2013-2020, coordinated by the Directorate General for Marine Policy (DGPM), advocates educating future generations about the values of the Sea. It encompasses educational games to raise awareness of the sea, such as:

- Ruler - The Right Fish - Information on the minimum legal size of capture of the fish species most consumed in Portugal;

- Scientific toy "The Science of the Sea" - a kit with 10 scientific experiments that teach simple concepts related to marine science;
- Passport of the sea - access to associated institutions directly linked to the Portuguese natural and cultural marine heritage;
- Quiz about the sea – deck of cards with easy questions, making it easy to learn concepts related to the sea.

It also includes the following, as publicity initiatives for the sea, in which the DGPM was involved between 2014 and 2016:

- 2014 Forum of the Sea, held from 28 to 30 May 2014 at EXPONOR, in Matosinhos, organised by Oceano XXI and AEP.
- “About the Sea” Exhibition, in July 2014, in the windows of the Ministry of Education and Science building, at Avenida 5 de Outubro, in Lisbon.
- “Sea Space” Pavilion, as part of the Volvo Ocean Race, which ran from 25 May to 7 June 2015, at the Pedrouços dock in Algés.
- “DGPM Space” at Blue Week Lisbon 2015, held 3 to 6 June at FIL, in Lisbon.
- “About the Sea” Exhibition, in October 2015, in the windows of the Ministry of Education and Science building, at Avenida 5 de Outubro, in Lisbon.
- “Sea Space”, at the Portugal Atlantic Conference and Forum of the Sea, from 16 to 19 November 2015, organised by the Ocean Forum, at EXPONOR in Matosinhos.
- "Best Fish" Initiative and Guided Tour of the Abu Dhabi Yacht, from 15 to 18 December 2015, at the Pedrouços Dock, in a joint initiative of DGPM, APL, CML, DGE, IPMA, FOR-MAR, Docapesca, Ciência Viva, Urban Wind and Abu Dhabi Tourism.
- “DGPM Space” at Oceans Business Week, held 2 to 4 June 2016, at FIL.

APA joined the worldwide initiative to celebrate World Fish Migration Day, held in May 2014. It opened to the public the Fish Passage it built at Ponte Coimbra Weir, to raise public awareness of the general importance of the existence of healthy rivers, and the importance of migratory fish and their needs in particular.

In its dual role of national authority for nature conservation and biodiversity and national forestry authority, ICNF, which resulted from the merger in 2012 between the extinct Nature Conservation and Biodiversity Institute (ICNB) and National Forestry Authority (AFN), has developed a wide range of activities targeted at the dissemination, education and awareness raising of the agents and organisations in the nature and forests conservation field, in order to create a collective consciousness of the importance of natural values. Accordingly, 1,190 environmental education initiatives were held in 2014 and 2015, aimed at different school age audiences or other organised groups, involving about 46,382 people. These initiatives included guided tours conducted by nature officers and guards. Of note is the voluntary participation of citizens in nature and forestry conservation activities. In the same time interval a total of 7,275 volunteers were involved in initiatives as varied as the control of foreign species, the recovery of habitats and species or maintaining visitor infrastructures, just to name the most significant examples. There was also an increase in the use of reception infrastructures, which registered a total of 370,088 visitors, and an increase in the use of the accommodation units, with a total of 3,046 users. The assistance provided in events organised by or in which ICNF participated is also worth mentioning, where visitor numbers were more than 120,000 people. In addition to the referred initiatives are those intended to ensure public participation in specific processes such as the development of regulatory frameworks for forestry activities or the review of protected area management plans.

The Natural.PT brand is an initiative that aims to promote the land in protected areas, in particular the products and services existing there as well as in the immediate vicinity. The

main focus of this brand is the sharing, among members, and the dissemination of the values and principles of sustainability and promoting the value of nature and the resources of protected areas. Officially launched on 25 July 2014 in Sintra, it was nevertheless in 2015 that the Natural.PT brand began to effectively be applied. Since then, the necessary procedures have been developed for its operational implementation, namely the recruitment of members and launch of the website www.natural.pt. The Natural.PT brand has been present in more than 20 events in Portugal and Spain (MADBird 2015 and 2016) since 2015, of which 6 were internally and specifically organised by the brand. All of them promoted the National Network of Protected Areas as well as the products and services of the members, among general and specialised audiences, particularly professionals of the tourism sector. ICNF has organised, in parallel, decentralised meetings with more than 150 partners of local influence, such as municipalities, inter-municipal communities, regional tourism entities and local development associations. The accumulated experience has allowed the operational elements of the Brand, the Rules and the Brand Membership Management System - SIGAM to be identified and improved. It also brought to light a set of other situations that required clarification.

The ICNF website www.icnf.pt as well as the Portuguese Association of Nature Wardens and Keepers, includes relevant information aimed at raising public awareness in order to reconcile development and well-being with the conservation of nature and management of natural resources.

In terms of education and raising awareness, SEPNA/GNR annually undertakes several awareness raising initiatives, with particular emphasis on the school community and the population linked to agricultural and livestock activities. In relation to the protection of the forest against fires, an area where the GNR is responsible for prevention and awareness, SEPNA annually undertakes different initiatives with the aim of preventing the occurrence of fires, by conducting various awareness raising initiatives. 2,800 initiatives were carried out during 2015, attended by 75,763 people. The GNR website provides a range of information and advice on the protection of nature and the environment: <http://www.gnr.pt/default.aspx>, as well as on the Facebook social network page <https://www.facebook.com/GuardaNacionalRepublicana>.

In the Energy sector, the General Directorate for Energy and Geology (DGEG) has sought not only to raise the awareness of stakeholders and the general public about the importance of the role of energy efficiency and the promotion of renewable energy in combating climate change and ensuring safety and security of supply, but also to provide information on the various Community and national legislative updates concerning the areas within its competence. In this sense, DGEG has kept the content of its website www.dgeg.pt updated with varied information and tools relating in particular to the:

- Energy Efficiency Directive - Decree-Law No. 68-A/2015 of 30 April, resulting from the transposition of Directive 2012/27/EU of the European Parliament and of the Council, of 25 October 2012. In the context of Articles 12 and 13 (energy audits and consumption records for non-SME companies), a set of answers to the most frequently asked questions was made available regarding the application of the provisions of these articles, a circular on the delivery deadline for energy audits and the order of the Secretary of State for Energy, defining the minimum criteria for conducting said audits. Also in relation to this field, the non-SME Registration System was created on the DGEG Services Portal, as provided for in paragraph 1, article 13 of Decree-Law No. 68-A/2015;
- Ecodesign and Energy Label - general framework of these instruments, existing regulations and delegated regulations respectively for the ecodesign and energy label and the availability of several relevant links on these themes. Of note is the provision of the link to a calculation tool for the issue of energy labels of combined systems for ambient heating and wastewaters created by ADENE, under the Label Pack A + project, on which DGEG has collaborated;
- Build Up Skills FORESEE, funded by the Intelligent Energy Europe program, aims to put into practice the priority measures identified in the 2014-2020

Roadmap, under the scope of the Build Up Skills project in Portugal. It also has the aim of engaging the different stakeholders at national level in the training of workers of the construction, energy efficiency (EE) and renewable energy sources (RES) sectors;

- Buildings - Building Energy Certification System (SCE) - Decree-Law No. 118/2013 of 20 August and Law No. 58/2013, also of 20 August, which entered into force on 1 December 2013, and other diplomas subsequently published and related to the SCE;
- Energy Audits - in the context of the RGCE for the Transport sector, the SGCIE - Intensive Energy Consumption Management System and Decree-Law No. 68-A/2015.

Also in the scope of raising awareness and providing information among both citizens and the entities/institutions most closely linked to the energy sector, DGEG has participated in various seminars, workshops and explanation sessions, among others, making presentations on policies and priorities for energy efficiency; funds and incentives for the energy efficiency of buildings; energy audits; opportunities and challenges arising from the implementation of the energy efficiency directive; Intensive Energy Consumption Management System (SGCIE); ecodesign and energy labelling; Eco-Mobility/ECO.mob Programme); promotion of renewable energies and new energy technologies.

In terms of renewable energy, a policy of promoting this type of energy has been nationally followed within the framework of commitments made at EU level, aware of the need to respond to the challenges posed by climate change and to reduce the dependence on fossil fuels. In addition to the inventorying of endogenous renewable energy sources, as well as the monitoring and dissemination of the use of technologies for harnessing those resources, SCE.ER software was developed and made available for standardised calculations of the energy produced by solar thermal or photovoltaic systems.

In the transport sector, the Institute for Mobility and Transport (IMT) has been promoting the transition to a more efficient and sustainable mobility model that integrates behavioural changes, new business models, new digital instruments and vehicles that generate lower emissions. Notable in this context is the focus on raising awareness for the use of soft modes - an example of which is the U-Bike programme that promotes the use of bicycles among academic communities - and public transport.

IMT also intends to contribute objectively to the necessary technical/scientific and institutional clarification of the set of existing initiatives, giving them the due conceptual and methodological contextualisation and inserting them in an operational logic. Hence, a strategy for sustainable mobility was defined through a reference framework for addressing issues related to territory, accessibility, transport and mobility, based on the production of several framework documents, which were jointly called the Mobility Package. The documents that make up the Mobility Package are available at www.imt-ip.pt.

The National Energy and Geology Laboratory (LNEG) participated in about 35 geology dissemination initiatives of various forms, such as field trips, lectures, articles in newspapers or magazines, conducting study trips under school curricula or themed visits on nature tours. The highlights were:

- “The Health of Albufeira Lagoon” initiative, held under the 17th Edition of the Living Science in the Laboratory programme;
- Guidance and geological description of the themed visit “geology and vegetation – the Fórnea route” at PNSAC (Alvados/Porto de Mós), organised by the Gaia Biological Park;
- Description and disclosure of geology in protected areas in collaboration with Gaia Biological Park, in the protected areas of this municipality;
- Evaluation of the classification capacity of some outcrops existing in Gaia Biological Park for possible classification as places of geological interest;

- Making a video on the geodiversity of the Bragança region and Montesinho Natural Park, at the invitation of the Bragança Living Science Centre, published on the website <http://www.cienciabraganca.pt/index.php?pagina=nav/naturais-show&id=676>.

The Green Tax Reform and Law No. 82-D/2014 of 31 December, to which a number of institutions contributed, should also be mentioned. These changed the environmental tax rules in the sectors of energy and emissions, transport, water, waste, land-use planning, forests and biodiversity, introducing a taxation scheme for plastic bags and an incentive scheme for the scrapping of end-of-life vehicles. This environmental tax reform aims to improve the efficiency of resource use, reduce energy dependency from abroad and induce more sustainable production and consumption patterns. As a result of this new legislation, a contribution on lightweight plastic bags has been charged in Portugal since 15 February 2015, and APA has launched a wide campaign with direct repercussions on consumer behaviour (cf. <Http://apambiente.pt/sacosplastico/>).

An initiative of note at the regional level is that of APA-Algarve called "Environmental Volunteering for Water", in partnership with universities, the Regional Education Authority, training centres of school associations and NGOs. It covers the training of teachers and local government officers, fieldwork, enhancement activities in the freshwater and coastal area networks, etc. The aim is to raise awareness for water issues and mobilise people to take part in volunteer work (cf. <http://voluntariadoambientalagua.apambiente.pt/site/frontoffice/default.aspx?clear=yes>).

At the local level, 78% of the 36 municipalities that answered the questionnaire (out of a total of 308) on the implementation of the Aarhus Convention, claim to have a strategy or program of environmental education and sustainable development.

Article 3, paragraph 4

Since 1987, the date of approval of the Law on Associations of environmental protection (Law 10/87 of 4 April, later repealed by Law No. 35/98 of 18 July), Portuguese law provides a legal framework for intervention and support to environmental associations. The present situation is the same as that reported in 2011, and the website with relevant information is kept updated (<http://www.apambiente.pt/index.php?ref=16&subref=142&sub2ref=181>).

At the end of 2016 there were 106 active Environmental NGOs registered on the National Register of Environmental NGOs and similar entities.

A page on Facebook called "Citizenship and Environment" was created in 2010 harnessing the potential of Web 2.0, with the aim of disseminating the initiatives of environmental NGOs (cf. <http://www.facebook.com/pages/Cidadania-e-Ambiente/>).

Article 3, paragraph 7

Nothing to report on this article.

Article 3, paragraph 8

In this context, it is noted that Article 268, paragraph 4, of the CRP provides that "Citizens are guaranteed effective jurisdictional oversight of their rights and interests that are protected by law, particularly including the recognition of said rights and interests, the challenging of any administrative act that harms their rights and interests, regardless of its form, the performance of the administrative acts legally required, and the adoption of adequate provisional remedies."

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:

Nothing to report on this article.

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:

Following the national surveys undertaken in 1997 and 2000 referred to in the 2008 Report, and as referred to in the 2011 report, the Institute of Social Sciences (ICS), University of Lisbon, with the support of the APA, analysed the projects carried out in Portugal concerning environmental education and education for sustainable development and published the results in 2010: "Environmental Education: Results and prospects for a more sustainable agenda". Recently, at the initiative of the University Institute of Lisbon (ISCTE-IUL), a telephone survey of 1,200 people was conducted during the months of June and July 2013, on how sustainability issues are addressed by education (cf. <http://iddesign.ipapercms.dk/INDEGISCTE/SustainabilityKnowledgeLabSKL/KEEducaop-araaSustentabilidadeemPortugal2013/>). This survey indicates the importance given by the respondents to topics such as entrepreneurship, citizenship and sustainability, and that they should be compulsorily tackled in school curricula.

In the context of this Report, between June and July 2016 a questionnaire was sent for the first time to the 308 Portuguese municipalities through the National Association of Portuguese Municipalities (ANMP) on the implementation of the Aarhus Convention at local level. 36 municipalities answered the questionnaire. Although it cannot be considered a representative result, it is an indicative result. Regarding the universe of respondents, although only 50% state that they are aware of the Aarhus Convention, 94% consider that they are taking the necessary measures to maintain and promote good governance practices within their internal organisation and in terms of action in the field.

VI. Website addresses relevant to the implementation of article 3

Give relevant website addresses, if available:

www.cada.pt

www.provedor-jus.pt

www.portaldocidadao.pt

www.apambiente.pt

www.gnr.pt

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:

Besides the comments about Article 3 Paragraph 2, reference should be made to Law No. 19/2006 of 12 June, which governs access to environmental information - LAIA, and the legislation that repealed, in 2016, Law No. 26/2016 of 22 August, in force since 1 October of this year.

All matters not provided for in LAIA shall alternatively be governed by Law No. 46/2007 of 24 August, Law of Access to Administrative Documents (LADA), which repealed Law No. 65/93 of 26 August and transposes into national law Directive No. 2003/98/EC of the European Parliament and the Council of 17 November, on the reuse of public sector information.

Article 4, paragraph 1

Public authorities are obliged to make available to the applicant environmental information in their possession or held on their behalf, without the applicant having to justify their

interest (article 6, paragraph 1, of LAIA).

The information must be provided in the form or format requested by the applicant, unless already available or easily accessible in a certain form or format or the public authority considers it reasonable, with due grounds, to provide the information in another form or format (article 10, paragraph 1, of LAIA).

Access to information can be provided through consultation with the public authority (Article 6, paragraph 3, of LAIA).

The request for access to information must be submitted in writing on an application form setting out the key data for its identification, as well as the name, address and signature of the applicant (Article 6, paragraph 2).

Specifically with regard to the environmental impact assessment (EIA) of public and private projects likely to have significant impact on the environment, Decree-Law No. 151-B/2013 - amended by Decree-Law No. 47/2014 of 24 March - like the legal framework it repealed and which was in force until 31 October 2013, considers that all data and procedural documents relative to the EIA, for checking the environmental compliance of the performance project and post-assessment are, safeguarding due exceptions, public and to be made available by the EIA authorities. The exception to this rule are procedures covered by commercial or industrial confidentiality, including intellectual copyright, or which are relevant for the protection of national security or the conservation of natural and cultural heritage (cf. article 28). Notwithstanding this general rule, Decree-Law No. 151-B/2013 provides for the creation of an "electronic one-stop shop" that will enhance the availability of the most relevant documents in the context of the assessment procedures, as well as promote a greater exchange of information among the various stakeholders, particularly during periods of public consultation (cf. article 28-31). This "electronic one-stop shop" is still to be implemented, as well as the area envisaged on the Administrative Modernisation Agency's website (AMA) to centralise public consultations <http://www.ama.pt/>. The Ministry of the Environment, aware of the need to achieve greater involvement from citizens in the processes of public participation and, consequently, in decision-making regarding environmental issues that concern the general public, has made the PARTICIPA portal www.participa.pt available since July 2015. It is an innovative initiative where, for the first time, all public consultation processes are concentrated by this Ministry in a single place of consultation. PARTICIPA is the official portal where the processes in public consultation are available. It permits a simpler, more agile and more efficient participation. Under the law in effect until October 2013, the documents relating to the various stages of the processes are also available with the EIA authorities for consultation on paper. Copies can be made at a reasonable cost to the public (prices for Environmental NGOs and students are lower).

With regard to the system to prevent major accidents involving hazardous substances, Decree-Law No. 254/2007 of 12 July, amended by Decree-Law No. 42/2014 of 18 March, stipulates in article 24 that "(...) APA and other competent authorities shall ensure transparency and public access to information produced pursuant to this Decree-Law, without prejudice to the provisions of legislation applying to access to information on the environment". Accordingly, APA has demonstrated its availability to provide information requested by the public, in paper and digital format, whenever it is available.

Article 4, paragraph 2

The time limits established in LAIA are that the public authority to whom the request is directed must provide the requested information within 10 business days whenever, within their respective responsibilities and according to legislation, it should have collected and processed this information. In all other cases the time limit is one month. In exceptional circumstances the time limit for making the information available may be extended up to two months.

Article 4, paragraph 3 and 4

The request for access to environmental information can be refused when the public authority does not hold the requested information (Article 11, paragraph 1 of LAIA).

Pursuant to Article 8 of LAIA, if the request is formulated in general terms, the public authority shall invite the applicant to formulate it in a precise manner, providing assistance for such.

Pursuant to article 11, paragraph 2 of LAIA, when the application relates to processes in progress, unfinished documents and data or internal communications, access is deferred until the decision is made or the procedure shelved.

Article 11, paragraph 6 of LAIA establishes the situations in which the access request may be rejected for jeopardising the confidentiality of the process, international relations, public security or national defence, the confidentiality of any police investigation, business secrets, intellectual property rights, the confidentiality of personal data, the interests of those who may have provided the information and the protection of the environment.

Article 11, paragraph 7 of LAIA ensures that certain grounds for rejection may not be invoked when the request for information relates to environmental emissions, and paragraph 8 of the same Article states that the grounds for rejection must be restrictively interpreted.

Article 4, paragraph 5

Article 11, paragraph 4 of LAIA establishes that where a public authority is aware that the information is held by another public authority or is held on its behalf, it must immediately refer the request to that authority and inform the applicant.

Article 4, paragraph 6

Article 12 of LAIA determines partial access, i.e. "where it is possible to remove the information covered by paragraphs 2 and 6 of Article 11," relating to pending proceedings or subject to access restrictions, respectively.

Article 4, paragraph 7

Article 13 of LAIA states that within 10 business days of receipt of the application, the applicant is notified in writing of the total or partial rejection of the request for information, stating the reasons for rejection as well as information on the appeal mechanisms established by LAIA.

Article 4, paragraph 8

Article 16 of LAIA defines how the fees should be charged for access to environmental information, predicting a 50% reduction for ENGOs and equivalent entities.

LADA, which alternatively applies, also provides for this issue in its Article 12. The fees established by Order No. 8617/2002, of the Minister of Finance, published in the Official Gazette, Series 2, of 29 April, continue to be levied. Access to public registers or lists and looking up information held by public authorities is free of charge.

The fees payable for access to information in the GNR/SEPNA are governed by Ordinance No. 1334-C/2010 of 31 December.

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:

Nothing to report on this item.

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:

Nothing to report on this item.

X. Website addresses relevant to the implementation of article 4

Give relevant website addresses, if available:

www.cada.pt

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:

Articles 4 and 5 of LAIA (available in Portuguese, English and French on the CADA website <http://www.cada.pt/modules/news/index.php?storytopic=9&start=5>) with minor amendments, reproduce the wording of Article 5 of the Aarhus Convention and mould the general legal scheme regarding the collection and dissemination of environmental information.

The following appraisal of each of the paragraphs of Article 5 of the Aarhus Convention indicates the legal schemes beyond the provisions of Articles 4 and 5 of LAIA, where each of the paragraphs of Article 5 of the Aarhus Convention has a corresponding standard, casuistically applying to the collection and dissemination of environmental information related, for example, to environmental factors and data, to political, legislative and administrative measures and to the implementation of legislation.

Article 5, paragraph 1

The Portuguese authorities, based on the measures they have implemented and often as a requirement of Community law and international agreements, has been collecting and disseminating information on the environment for many years.

The practice of using indicators as a decision support base and public participation has become more widespread. The use of information and communication technologies, including databases and their dissemination via the internet, has become common practice.

Following the objectives established for the generalisation of electronic government (e-government), nearly all the public administration bodies of the State at central, regional and local government levels have websites and harness the potential of the internet and web 2.0 to better inform and raise the awareness of citizens and civil society organisations.

The implementation of the first pillar of the Aarhus Convention, whether strictly in the environmental field or in the sectors of activity interacting with it, has thus been facilitated.

Article 5, paragraph 2

The information made available is presented according to subject areas.

Climate

APA is responsible for proposing, developing and monitoring the implementation of environmental policies, particularly in the context of combating climate change. APA is also responsible for developing and ensuring the implementation of strategic options,

policies and measures conducive to a low carbon economy, in particular with regard to mitigation of greenhouse gas emissions and adaptation to climate change impacts, as well as to exercise the functions of the Competent National Authority in the framework of the European Emissions Trading Scheme (EETS), Administrator and Manager of the Portuguese Registry of Emission Allowances (RPLE) and the National Authority designated for the flexibility mechanisms of the Kyoto Protocol and the Competent Entity for the National System for Inventory of Anthropogenic Emissions by Sources and Removal of Atmospheric Pollutants by Sinks (SNIERPA). APA must also coordinate the National System of Policies and Measures (SPM) and ensure its functioning. APA is also the entity responsible for drawing up the various reports and communications arising from obligations under the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol (KP), as well as from the European Union (EU), in accordance with Regulation (EU) No. 525/2013 of the European Parliament and of the Council of 21 May 2013 (MMR) on the establishment of a mechanism for monitoring and reporting on greenhouse gas emissions and communication, at national and EU level, of other relevant information on climate change, which repeals Decision No. 280/2004/EC.

For the purposes of preparing reports and other communications, APA relies on the contribution of several public and private institutions of a sectoral nature, under legal mechanisms, protocols or voluntary agreements. The basic information provided is decisive for the adequate reporting to international institutions on matters of climate change.

The following are submitted under the UNFCCC:

- National Inventory of greenhouse gases - GHG (Article 4 of the KP) - prepared annually and submitted by 15 April;
- National Communication (Article 12 of the KP) – drawn up every four years (the 6th National Communication of Portugal was submitted in December 2013).
- Biennial Report under Decision 2/CP.17 of the Conference of Parties to the UNFCCC and Article 18, paragraph 1 of the MMR. The 2nd Biennial Report was submitted in December 2015.
- no.

The following reports are also regularly submitted, under the MMR Regulation:

- Low Carbon Development Strategies (Article 4): report submitted in 2014.
- National Inventory of Emissions (Article 7): report submitted annually to the European Commission by 15 March and to the UNFCCC Secretariat by 15 April.
- Approximate Greenhouse Gas Inventory (Article 8): report submitted annually, by 31 July.
- Policies and Measures (Article 13): most recent report submitted in 2014. Next report should be submitted in 2017.
- Emissions Projections (Article 14): most recent report submitted in 2014. Next report should be submitted in 2017.
- National Adaptation Actions (Article 15): most recent report submitted in 2014. Next report should be submitted in 2019.
- Financial and Technological Support to Developing Countries (Article 16): report submitted annually, by 30 September.
- Revenue from Auctions and Credit Projections (Article 17): report submitted annually, by 31 July.

Air

Improving air quality has been in Europe one of the great successes of European Community policy on the environment in recent decades, showing that it is possible to

decouple economic growth from environmental degradation. However, despite the action taken there are still problems that persist and that need to be addressed. The current climate of review of European policy for cleaner air has accelerated the development of ENAR 2020 in order to ensure consistency and adherence between emissions and air quality policies and measures, with a view to reducing the impact on health and ecosystems.

The existence of basic information about air quality and atmospheric emissions is a key tool to support the decision-making processes. APA gathers and publishes on its website <http://www.apambiente.pt/index.php?ref=16&subref=82> a vast range of information on which the estimates for reduction are drafted and the compliance with national commitments is monitored and checked (cf. Article 5, paragraph 3).

An operation to reinforce information and monitoring systems has been ongoing since the beginning of the 2nd half of 2016 - modernisation of the air quality system (QualAr 2020), integrated in ENAR 2020. This operation aims to improve the knowledge and communication of air quality information in compliance with Directives INSPIRE (Directive 2007/2/EC) and Air Quality (Directive 2008/50/EC), contributing to the reinforcement of the capacity of risk management by decision-makers and populations, enabling the achievement of the following objectives:

- Optimise the management and dissemination of information on air quality, exchange of information with the COM and AEA in line with the requirements and procedures set out in Directive 2008/50/EC and Decision 2011/850/EU establishing rules for the Directives 2004/107/EC and 2008/50/EC as regards the reciprocal exchange and reporting of ambient air quality;
- Provide appropriate indicators to decision-makers, enhancing policy-making capacity in relation to air quality, particularly where air pollution control measures are concerned;
- Increase the information provided by air quality forecasting and assessment models from a risk prevention perspective;
- Assess the contribution of the cross-border long-range transport of air pollutants on the levels measured in urban and suburban areas;
- Increase the understanding of specific pollutants, such as suspended particles and ozone, to ensure the development of appropriate policies and measures;
- Improve the knowledge of black carbon concentrations which, in addition to health effects, contribute to climate change,

and also foster the following opportunities:

- Create services with personalised content and more effective dissemination;
- Create warning and alert mechanisms for various entities, enabling them to initiate appropriate procedures to protect populations;
- Increase citizens' awareness of air quality and its effects on health.

Water

The APA website <http://apambiente.pt/index.php?ref=16&subref=7> makes available to the public reference information on water resources (inland surface waters, transitional and coastal waters and groundwater), on the licensing of their use and monitoring, including the preparation and public discussion of the respective management plans and programmes. The repository of all water-related information transferred from INAG to APA is found at <http://snirh.pt/> which has several searchable databases.

The LNEG geoportal <http://geoportal.lneg.pt/> makes available the database of Portuguese hydrogeologic resources and a glossary of hydrogeological terms – HIDROLEX.

The website of the Directorate General for Agriculture and Rural Development (DGADR), the Irrigation Information System (SIR) provides information on water reserves in reservoirs (cf. <http://sir.dgadr.pt/reservas>). The entry into force of the DGADR in 2015 meant that the available records of water plans and accumulated volumes in the reservoirs of the Group II Hydro-agricultural reservoirs, under the responsibility of MAM since 2005, began to be made publicly available in editable format.

Waste

APA, as the national waste authority, provides relevant information on its website <http://apambiente.pt/index.php?ref=16&subref=84> about the generation, production, management and prevention of waste, including:

- National annual reports from 2010 to 2014 on shipments of waste requiring notification to and from Portugal, under the powers of APA as National Competent Authority for the implementation of Regulation (EC) No. 1013/2006 of 14 June;
- The 2009 and 2010 Reports on the Monitoring of the Principle of Self-Reliance, on the performance of APA in its role relating to ensuring compliance with the Principle of Self-Reliance and Proximity, in accordance with the provisions of Article 4 of Decree-Law No. 178/2006 of 5 September, amended and republished by Decree-Law No. 73/2011 of 17 June;
- 2010 and 2011 update of the National Polychlorinated Biphenyls (PCB) Decontamination and Disposal Plan, in compliance with Decree-Law No. 277/99 of 23 July, rectified by Rectification No. 13-C/99 of 31 August, amended by Decree-Law No. 72/2007 of 27 March, particularly in relation to the updating of data concerning the disposal and decontamination of equipment containing or contaminated by PCBs and by PCB-contaminated oils, pursuant to the terms and deadlines set forth in Directive 96/39/EC of the Council of 16 September; and making available the 2010 Guide to Good Practices for the Management of Equipment with PCBs;
- Monitoring reports of the Strategic Plan for Urban Solid Waste (PERSU II), jointly prepared every year with ERSAR, between 2007 and 2010. Since 2011, APA has published an Annual Report on Urban Waste (RARU) that includes the monitoring under PERSU II and other items related to the activity of Urban Waste Systems Management. From 2014, and by means of the publication of the Strategic Plan for Urban Waste Management (PERSU 2020) repealing PERSU II, the RARU was reoriented to monitor the production and management of urban waste, in accordance with the Strategy set out in this new Plan. As of 2017 (referring to the 2016 data), a report will be made every two years by the Group to support the management of PERSU 2020, containing an analysis of the implementation of the Plan;
- Sectoral status reports of data concerning the generation and destination of the waste produced, as well as information on the processing infrastructure. The monitoring report of the 2009-2016 Urban Waste Prevention Programme (PPRU) was included in the Annual Urban Waste Report, which includes both the monitoring under PERSU II and the monitoring of the PPRU;
- "Rules and Procedures" - set of documents aimed at informing the general public about the stages of the licensing procedure, as well as clarifications, interpretation of the legislation and the understanding of APA regarding waste;
- Statistics on the production and management of waste covered by specific legislation.

The licences and a set of FAQs on the activities of the management entities licensed to manage specific waste stream management systems are still accessible, in particular waste streams such as packaging, batteries and accumulators, electrical and electronic equipment, mineral oils, tyres and vehicles at end of life.

With regard to industrial environmental liabilities, the Methodological Guide for the Identification of New Environmental Liabilities was published in July 2016, available at

http://www.apambiente.pt/_zdata/Politic/Residuos/Guias/2016-06-24_Guia%20metodolgico%20Novos%20Passivos%20Ambientais.pdf. The aim is to assist potential applicants for European Community funds, under the current Community framework - Operational Programme for Sustainability and Efficiency in the Use of Resources, applicable to the 2014-2020 horizon.

Soil

The PRoSolos legislative project was developed, which establishes the legal regime for the prevention of contamination and remediation of soils, with a view to safeguarding the environment and human health, establishing the process of quality evaluation and soil remediation, as well as accountability for contamination, based on the polluter pays principle and liability. This project, presented on 09/03/2015, was made available for public consultation on the PARTICIPA Portal between 04/09 and 04/11 of 2015, at the following address: <http://participa.pt/consulta.jsp?loadP=820>.

Environmental responsibility

As part of the implementation of Directive 2004/35/EC of the European Parliament and Council of 21 April, amended by Directive 2006/21/EC of the European Parliament and Council, APA has published on its website the report on the experience gained with the implementation of Decree-Law No. 147/2008 of 29 July 2013, and the 2011 Guide to the Assessment of Imminent Threat and Environmental Damage (cf. <http://www.apambiente.pt/index.php?ref=17&subref=157>).

Regulation of water and waste services

The Water and Waste Services Regulator (ERSAR) plays important roles in the context of Aarhus, such as analysing users' complaints and conflicts with the utilities providing public water supply services, urban wastewater sewerage services and urban waste management on mainland Portugal, promoting conciliation and arbitration between the parties and taking the measures it deems necessary and urgent. It provides a telephone and e-mail contact service for service users to monitor and clarify issues related to the management of complaints.

ERSAR regulates the service quality of 438 utilities, implementing an annual cycle of quality of service regulation for each one. This cycle begins in January based on predefined procedures and specifications: the utilities access the ERSAR portal by a code between 1 and 31 March and select the service quality module, uploading about 50/60 data elements for each activity (supply, sewerage and waste) relating to the previous year. They can then view the data and the resulting indicators and can extract data and results reports. ERSAR then begins the process of validating that data, initially in its backoffice and then through local audits of the utilities. ERSAR then evaluates the service quality using a set of indicators regarding the adequacy of the user interface, sustainability of the service management and environmental sustainability. It analyses the evolution over time of each utility compared to the baseline; evaluates contradictions by utilities and considers possible changes in the assessment; compares utilities with each other performing benchmarking by clusters and comparing with the reference values; evaluates the evolution over time of each service quality indicator for all the entities.

ERSAR coordinates and undertakes the collection and dissemination of information on the sector, assessing the quality of the public water supply and urban wastewater sewerage services, as well as the management of urban waste services through a set indicators on the adequacy of the user interface, sustainability of the management of the services and environmental sustainability. It promotes the comparison and public disclosure of the activity of the utilities for the public water supply and wastewater sewerage services, consolidating a culture of providing concise, credible information that is easy to interpret.

For this purpose ERSAR annually makes available to all stakeholders of the sector, including consumers, the Annual Report of Water and Waste Services (RASARP), available on its website <http://www.ersar.pt/website/>. The data in the databases that are the basis of this analysis are also immediately available to the public, free of charge. These data provide baseline information for the national statistical system for the monitoring and follow up of the sector's strategic plans (such as PEASAR and PERSU 2020).

Nature Conservation, Biodiversity and Forests

ICNF, as part of its mission to promote and develop information regarding the enhancement and public recognition of natural heritage, makes available on its website www.icnf.pt an extensive set of general and technical information in the field of nature conservation and biodiversity and sustainable forest management. The information available on this site is diverse, and it concerns in particular: land management plans (e.g. Protected Area Land Use Plans - POAP, Land Use Plans – POOC, or Regional Forestry Management Plans - PROF), the Natura 2000 network (geographic distribution, objectives, management models, etc.), protected flora and fauna species, regulations and guidelines for sustainable forest management (notably with regard to the Forest Management Plans - PGF), the annual information on areas burned by forest fires, different plans and initiatives to control forest pests and diseases, the phenomenon of desertification and how to minimise its impact, the "Business & Biodiversity" initiative, among others. Data collected from Google Analytics for the period between August 2014 and June 2016, a total of 23 months, shows a total of 1,614,629 users (about 70,200 per month), who used the portal in 2,816,265 sessions (about 122,500 per month), producing a total of 12,389,912 pages viewed (about 538,000 per month).

National Nature Reserve

The aim of the National Nature Reserve (REN), as set out in its legal system (Decree-Law No. 166/2008 of 22 August, according to its current wording), is to protect natural water and soil resources, safeguarding systems and biophysical processes associated with the coast and terrestrial hydrological cycle, prevent and reduce the effects of degradation of the resupply of groundwater resources, the risks of marine floods, flooding, soil erosion and mass movement of slopes (landslips) and contribute to the ecological coherence and connectivity of the Basic Network of Nature Conservation.

The legal system of the REN establishes in article 6 therein the right to information and participation in procedures for developing the strategic and operational measures of the REN (achieved through the definition of the boundaries of the REN at the municipal level).

The National Commission of REN (CNREN) was initially set up by the Ministry of Quality of Life, by Decree-Law No. 321/83 of 5 July, but it only started operating after the repeal of this decree by Decree-Law No. 93/90 of 19 March. Since then, its composition, constitution and competences have varied according to the changes in the REN legal scheme and compliance with the mandates of its members. Following subsequent legislative changes (in particular Decree-Law No. 166/2008 of 22 August, amended and republished by Decree-Law No. 239/2012 of 2 November, it was replaced in 2015 by the National Land Commission (CNT) through Decree-Law No. 80/2015 of 14 May, which approves the revision of the Legal Scheme of Territorial Management Instruments (RJIGT). The CNT partly succeeds the duties of the CNREN, wound up by Article 201 (cf. <http://cnt.dgterritorio.pt/>). The CCDR in the first instance and the Technical Secretariat of the CNT in second place answer questions addressed to it in writing, by phone or by e-mail, from the general public or from public or private entities, providing information regarding the REN. In addition to the information provided by the CNT, the CCDR provide information on the boundaries of the REN at municipal level published in a Council of Ministers Resolution, usually accompanied by online tools on its webpages (cf. Infrastructure of Spatial Data of the Algarve IDEAlg <http://idealg.ccdr-alg.pt/ren.aspx>; georeferenced files of CCDR Alentejo at <http://gismapas.ccdr-a.gov.pt/ren/viewer.htm>;

etc.). Some CCDR also provide answers to frequently asked questions (FAQs) on their websites, which seek to clarify doubts regarding the application of the RJREN, in particular the procedures therein, as well as any prohibitions, restrictions and compatible uses or action.

Agriculture

The Policy and Planning Office (GPP), under its mission to support the definition of strategic guidelines, priorities and policy objectives, and to coordinate, monitor and evaluate their implementation, integrating the environmental component and guidelines for sustainable land management and planning, makes available on its website www.gpp.pt sector-relevant information in terms of dissemination and support to citizens.

The DGADR, with the mission of promoting the enhancement, competitiveness and sustainability of agriculture and rural areas, has on its website www.dgadr.pt a wide range of information about the different areas it governs, which can be viewed by any citizen. An answer is always provided by letter, fax or e-mail to the public or any organisation that requests it. This website makes available information on Cartography of Soils and Land Use Capability as well as other thematic charts available in analogue and digital format. The information on the following is also of note:

- New legal scheme for engaging in livestock activities (NREAP);
- Irrigation areas and the use of water from reservoirs (SIR) (cf. <http://sir.dgadr.pt/reservas>), as well as the Strategy for Public Irrigation 2014-2020 which, in addition to defining concepts and the guiding bases to be followed in the development of public irrigation, identifies some of the priority interventions, but is not a works plan;
- Soils, highlighting the Portuguese Partnership for Soil (cf. <http://parceriaptsolo.dgadr.pt/index.php>) and the International Year of Soils 2015-2015 (cf. <http://www.fao.org/soils-2015/en/>);
- Structuring of land, with emphasis on the National Pool of Land (cf. <http://www.bolsanacionaldeterras.pt/>), Thematic and irrigation cartography;
- Diversification actions in rural areas (handicrafts and micro-enterprises, tourism in rural areas, mycological resources and rural heritage, providing the Guide for the Observation of Rural Heritage (see http://www.dgadr.mamaot.pt/images/docs/div_meiorural/i010464.pdf);
- 2014 International Year of Family Farming (cf. <http://agriculturafamiliar.dgadr.pt/>);
- Water needs of crops. Origins of water for irrigation and environmental action 7.1 for water saving;
- Implementation of the Nitrates Directive (Directive 91/676/EEC of the Council of 12 December 1991), with information on the Vulnerable Areas of mainland Portugal, Action Programme and Code of Good Agricultural Practices, the respective quarterly reports published since 1996 and the Public Participation Report in the Action Plan, as well as Information Note No. 1/2014 on the calculation of the amount of nitrogen supplied by irrigation water (Na);
- Use of animal by-products (SPOA) and derived products (PD) as organic fertilisers or organic soil improvers (FOCOS), subject to the health rules laid down in Regulation (EC) No. 1069/2009 of the European Parliament of 21 October;
- The scheme for the use of sewage sludge on agricultural land, transposing into national law Directive 86/278/EEC of the Council of 12 June;
- Means of sustainable production and enhancing quality, with reference to means of production - integrated protection (IP), integrated production (PRODI) and

organic production (MPB). The "traditional.pt" brand is to be highlighted, a collective brand of registered certification that aims to differentiate traditional Portuguese food products (agricultural products, foodstuffs or prepared dishes) as a form of protection and appreciation of their genuineness. The Quality Certification Scheme stands out because it is the process by which an independent entity attests that a product meets certain standards, regulations or specifications, making it a guarantee for third parties of compliance with those requirements;

- Other certification schemes and good practices, in the case of voluntary certification schemes for agricultural products and foodstuffs intended to provide guarantees regarding certain aspects of the product or its production method, in accordance with established standards (cf. <http://www.dgadr.mamaot.pt/sustentavel/outros-sistemas-de-certificacao>);
- Traditional products and PDO / IGP / ETG (cf. <http://tradicional.dgadr.pt/pt/>), as well as reference to labelling, marketing standards and quality terms;
- Genetic resources, considering the increasing concern of consumers with the preservation of the environment and the quality of the agricultural products, having defined strategic lines of enhancement in terms of the quality policy (cf. http://www.dgadr.mamaot.pt/images/docs/val/Recursos_Geneticos/planos_recurso_s_geneticos_set_2014_final-1.pdf);
- Mediterranean diet (cf. <http://dietamediterranea.net/>);
- Guide to Aid Farms (cf. <http://guiaexploracoes.dgadr.pt/>);
- Agricultural Advisory System - Council Regulation (EC) No. 1782/2003 of 29 September (cf. <http://www.dgadr.mamaot.pt/saa/>);
- One-Stop Shop (cf. <http://www.dgadr.mamaot.pt/balcao-unico>).

Coastal management

APA promotes, within its powers, the development and implementation of the integrated coastal zone management strategy and ensures its implementation at the regional level, ensuring the protection and enhancement of coastal zones.

The Coastal Resource Management System (SIARL) is an interactive tool for supporting decision-making which provides a global and local view, promoting the integration of entities and users, and favouring the continuous update of knowledge on coastal dynamics, with particular focus on coastal risks. It guarantees a closer relationship between the administration and the public, by providing updated information on this subject. It is expected that this tool, until now under the control of the General Directorate of the Territory (<http://www.siarl.igeo.pt/destaques.aspx>) will be transferred by the end of 2016 to APA, and that it is operational in its new domain during 2017.

APA is also responsible for managing the water domain in the river and maritime components. In this context, and in addition to the right to participation and information that is provided in the development of the coastal programmes, there is a support guide that aims to promote access to information by citizens within the scope of entitled ownership (cf. <http://www.apambiente.pt/index.php?ref=19&subref=139&sub2ref=693>).

Geology

LNEG, besides the activities of disclosure to the general public on its geoPortal <http://geoportal.lneg.pt/>, provides integrated geoscientific content of the national territory in digital format, streamlining its use and moving it closer to citizens as well as the support provided to decision-making centres. Several online databases related to energy, geology (including geo-sites), marine geology, groundwater and geothermal information are available at this Geoportal.

Chemicals

APA provides information on chemicals on its website <http://apambiente.pt/index.php?ref=16&subref=85>, in particular under the following EU Regulations:

- Regulation (EC) No. 1907/2006 of the European Parliament and the Council of 18 December, concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH); its implementation in domestic law was guaranteed by Decree-Law No. 293/2009 of 13 October;
- Regulation (EC) No. 1272/2008 of the European Parliament and the Council of 16 December, concerning the Classification, Labelling and Packaging of substances and mixtures (CLP); its implementation in domestic law was guaranteed by Decree-Law No. 220/2012 of 10 October;
- Regulation (EU) No. 649/2012 of the European Parliament and the Council of 4 July, concerning the export and import of hazardous chemicals (PIC).

To ensure the provision of advice to manufacturers, importers, downstream users and any other interested parties regarding the respective responsibilities and obligations under REACH and CLP, the National Assistance Service was created, coordinated by the Innovation and Competitiveness Agency (IAPMEI) with the collaboration of APA and the General Directorate for Health.

Limited use of Micro-organisms and Genetically Modified Organisms

APA makes available on its website <http://www.apambiente.pt/index.php?ref=16&subref=85>, detailed and updated information on the operations of limited use involving microorganisms and genetically modified organisms, within the scope of Decree-Law No. 55/2015 of 17 April.

Prevention of Serious Accidents

As regards the provision of information to the public under the scheme to prevent major accidents and Decree-Law No. 254/2007 of 12 July (amended by Decree-Law No. 42/2014 of 18 March), APA keeps detailed and updated information on its website for the general public and operators of establishments covered by this legislation, such as the establishments governed by this legislation and related obligations, as well as several guidance documents and forms supporting compliance with these obligations (cf. <http://apambiente.pt/index.php?ref=17&subref=304>).

APA has also held meetings, information sessions and seminars on this topic, in addition to always being available to provide explanations in writing or by telephone.

In transposing Directive 2012/18/EU of the European Parliament and the Council of 4 July (the "Seveso III Directive"), the operators and entities involved in the implementation of the law were invited to participate in the six-year assessment of implementation of the law, either by being present at the stakeholder consultation session held in September 2013, or by sending their contributions to the implementation process. As a result of this assessment, one of the points identified as positive was the interaction with stakeholders as well as the production of guidelines and guidebooks to assist operators in implementing the law.

APA does not, although it is provided for in law, disclose the safety reports through publication on the APA website. These documents are available on request, subject to the provisions of legislation concerning access to environmental information and the possibility of such being confidential. It should be noted that this way in which APA works is aligned with the provisions of the "Seveso III Directive", which stipulates in its Article 14, paragraph 2 that the safety report is made public on request.

The National Civil Protection Authority (ANPC) website also makes available to the public, under the Emergency Planning Information System, the external emergency plans of the establishments covered by Decree-Law No. 254/2007 (cf. <http://planos.prociiv.pt>).

When risk situations occur that may affect persons, property or the environment, the ANPC issues warnings to the general public and press releases disclosing the possible effects and the respective self-protection measures.

Moreover, the most important active occurrences in the area of civil protection and the respective history by district are recorded daily on the ANPC website (cf. <http://www.prociiv.pt/cnos/HAI/Pages/Junho2016.aspx>).

Radiological Emergency

APA is the competent technical authority in all situations of radiological emergency resulting or likely to result in risk to the population and the environment, including the situation arising from the former mining or previous mining practices related to radioactive ore, under Decree Law No. 174/2002 of 25 July. APA is also the contact point for the International Atomic Energy Agency (IAEA), as the Competent Authority for the Conventions of Rapid Notification of Radiological and Nuclear Accidents, and to the European Commission, at the level of the European Community Urgent Radiological Information Exchange (ECURIE).

APA also assures, under its own powers, the technical contact with the Competent Authority of Spain for radiological and nuclear emergencies of Spain, the Nuclear Safety Council (CSN).

In order to optimise bilateral relations with Spain in these matters, and to better protect the public in the event of an accident, APA, ANPC, Instituto Superior Técnico of the University of Lisbon, the Portuguese Republic, and the Nuclear Safety Council of the Kingdom of Spain signed on 30 July 2015 a Technical Protocol concerning nuclear and radiological emergencies and environmental radiation protection.

In this context, APA also includes the National Radiological Emergency Commission (CNER), which is chaired by the President of the ANPC and made up of national entities with powers in radiological and nuclear matters.

In the event of a radiological emergency, information is provided to the public in accordance with the provisions of Decree-Law No. 36/95 of 14 February, and Decree-Law No. 174/2002 of 25 July. This Decree-Law establishes the "prior information" that should ensure the population likely to be affected in the event of a radiological emergency is informed of the appropriate safety measures to take. The communication mechanisms in the event of accidents can follow various routes, with surveillance personnel 24 hours a day, 365 days a year. The response for this subject matter remains the same as that stated in the 2011 Report.

Portuguese cooperation

All relevant information about development cooperation, language and culture as part of Portuguese external policy is disseminated temporarily or permanently on the website of Camões, Instituto da Cooperação e da Língua, www.instituto-camoes.pt, including information on development cooperation programs, projects and actions, as well as the most important instruments and strategies in this field.

Noteworthy in this area is the information included in the National Development Education Strategy (ENED), approved in September 2009. The overall goal of ENED is the promotion of "global citizenship through processes of learning and raising awareness of Portuguese society to development issues in a context of growing interdependence, having social change as the goal." This goal is divided in four specific objectives, corresponding to the four areas of activity, namely: capacity building and institutional dialogue; formal

education; non-formal education; raising awareness and policy influence (advocacy and lobbying). It should be noted that ENED includes important references to environmental education and sustainable development education, when it comes to positioning Development Education in the group of "Education for...". In April 2010 the respective Action Plan was signed, involving public institutions and civil society organisations - including APA and the Portuguese Confederation of Environmental Protection Associations (CPADA). It is subject to annual assessment (cf. <https://www.instituto-camoes.pt/sociedade-civil/educacao-para-o-desenvolvimento>).

In accordance with the cooperation protocol signed between the Ministry of Foreign Affairs and the Portuguese Platform of Non-Governmental Organisations for Development Cooperation (NGO), a line of co-financing of NGO development education projects was created in 2005. More than 149 project/phase proposals were supported between 2005 and 2016, in a total amount of around EUR 5.9 million. It should be noted that a significant number of these projects wholly or partially refer to the overall dimension inherent to different environmental issues, sustainable development and responsible consumption. It is to be highlighted that some of these projects have been promoted in partnership with environmental NGOs.

The area of resilience/disaster risk reduction was incorporated into the protocol signed with several private Portuguese foundations (Calouste Gulbenkian Foundation, EDP Foundation, Luso-American Foundation for Development and Portugal-Africa Foundation), with funding from Camões, with the goal of promoting access by NGOs to international sources of funding. This support mechanism for the preparation of projects (<http://www.gulbenkian.pt/section65artId2916langId1.html>) also provides NGOs and other civil society organisations with relevant systematic information on sources of international financing, especially in the environmental field (<http://financiamentointernacional.wordpress.com>).

The institutionalisation of the Development Cooperation Forum from 2005 is also worth mentioning as well as the strengthening of this coordination mechanism, among others, in 2016. This takes into account, in particular, the new 2030 Agenda for Sustainable Development, which requires strengthening of the Coordination and Coherence of Policies. It is a space for promoting the coherence and complementarity of Portuguese cooperation, fostering reflection and dialogue between the State and civil society and providing for the emergence of joint projects, initiatives taken in partnership, proposals and opinions regarding cooperation policy, particularly in the context of sustainable development, involving agencies of central and local government and civil society.

In 2015, in the context of the European Year of Development, particular attention was given to public awareness and participation through a set of actions specifically devoted to the different dimensions of sustainable development and its link with the international negotiations that took place in that particular year. These negotiations have given a new dimension to environmental issues in the context of development cooperation.

The General Secretariat of the Ministry of Environment initiated an international exchange of awareness raising and access to environmental information with foreign primary schools. Special mention in this regard is to be given to Qufu City Primary School, Jining, Shandong Province, in the People's Republic of China. It set up, under the framework of the Community of Portuguese-Speaking Countries (CPLP) and together with the other CPLP Member States, and financially supports the "CPLP Environment and Territory Network" website. This site aims to support cooperation on environment and land-use planning among CPLP Member States. It will act as a facilitating and consultative instrument among the Portuguese-speaking countries for these matters, powering the regular exchange of all information on the environment and territory (cf. <http://www.cplp.org/>).

The Copenhagen Accord formalised a commitment on the part of developed countries to provide financial resources for "fast implementation measures", called "fast start", giving priority to the most vulnerable developing countries, in particular the least developed countries, small island states and Africa, amounting to approximately USD 30 billion for the period 2010-2012. Hence, the European Council held on 10 and 11 December 2009

agreed on a financing package to be made available by the EU amounting to EUR 7.2 billion for the period 2010-2012 and corresponding to EUR 2.4 billion per year. In this context, Portugal undertook to contribute to the fast start financing at national level, which was mostly assured by the Portuguese Carbon Fund. The main beneficiaries of the projects supported under this initiative were the partner countries of Portuguese cooperation, namely the PALOP (Portuguese-Speaking African Countries). The type of funded projects focused on institutional capacity building, transfer of practices, experiences and methodologies. Some of these projects have contributed to the development of climate policies and the establishment of objectives in those countries - and in others - have a more local focus which, depending on the project, are geared towards mitigation or adaptation. Thus, projects were established under Memoranda of Understanding in the field of cooperation with 6 countries (Mozambique, Angola, Cape Verde, Sao Tome and Principe, Guinea Bissau and East Timor). 8 projects are still ongoing and 1 was completed in 2013.

Regional information

Under the scope of their duties and responsibilities, the Regional Coordination and Development Committees - CCDR - generally provide updated information on:

- Environmental matters:

- Environmental Impact Studies (EIA) subject to public consultation and respective Non-Technical Summaries (NTS);
- Environmental Impact Statements;
- Environmental Impact Decisions;
- Monitoring Reports;
- Regional inventories of atmospheric emissions;
- Annual Air Quality Reports.

- Spatial planning matters:

Follow up of the preparation, modification, revision and monitoring of Plans:

- Regional Spatial Plans (PROT);
- Municipal Land Plans (PTM), which consist of
 - Municipal Master Land Management Plans (PDM),
 - Urban Development Plans (PU) and
 - Detailed Plans (PU);
- National Nature Reserve (REN);
- Opinions on Soil Use, Occupation and Transformation.

The CCDR Alentejo specifically provides updated documentary and cartographic information on the Regional Land Management Plan of Alentejo at <http://webb.ccdr-a.gov.pt/docs/ordenamento/>.

CCDR Algarve provides information through a spatial data infrastructure of Algarve IDEAlg - <http://idealg.ccdr-alg.pt> which adopts information and communication technology (ICT) and uses geographical information system (GIS) technology. The page for the PMOT contains features that provide for the interactive search of municipal master plans by municipality, by type, by the current status of such plans or by their location on the regional plan, as well as by the respective name. It also provides direct links to look up the legal instruments referred to in the information made available for each plan.

The stand out tools of the North Portugal CCDR are the Land Monitoring System

(GTS) for the Northern Region, with systematisation and availability of up-to-date territorial information; the Mapoteca Geographic Portal; the Alto Douro Wine Region (ADV) monitoring system; in addition to the database of sources of gas emissions and the Air Quality Measurement Network of the North Portugal Region.

The Computer System of the Legal System of Urbanisation and Construction (SIRJUE) is also of note. This tool was made available in 2008 on the Local Government Portal (cf. <http://www.portalautarquico.pt/pt-PT/servicos-on-line/sirjue/>), which cuts the red tape of the entire urban licensing process, making it accessible online to all stakeholders, allowing the final opinion of the municipality to be obtained in just one month.

Of note in 2013 in terms of administrative simplification is the fact that at the “One-Stop Entrepreneur Shop” <http://www.portaldaempresa.pt/CVE/pt/bde> a set of forms related to the application for licensing landfill projects was made available, with the collaboration of AMA, APA and the CCDR.

Local-level information

In the context of the questionnaire sent to the 308 Portuguese municipalities through ANMP regarding the implementation of the Aarhus Convention at the local level, about 90% of the 36 respondents consider that there is an effective "culture of transparency" and collaboration with the general public and with civil society organisations (especially those that defend the environment) by all the employees of the Municipality. The vast majority (97%) state that when citizens, individually or organised, request information on the environment existing at municipal level, it is the municipality's usual practice to provide this information under the conditions and within the period established by law (Law No. 19/2006 of 12 June). 58% of the respondent municipalities have environmental monitoring programs, and the collected data are usually made available to the general public whenever requested. Almost half of the respondents provide updated information on the state of the environment on their websites, in the form of reports, databases, etc.

Artigo 5, parágrafo 3

The information on the environment is progressively available online in easy to access databases. Many of them are geo-referenced and most often associated with digital platforms for participation and access to citizenship at national, regional and local levels. These tools are significant steps towards raising awareness and promoting civic intervention.

National Environmental Information System (SNIAmb)

APA developed the National Environmental Information System (SNIAmb) in 2010. It is an instrument that aims to optimise and streamline procedures for the collection, evaluation and communication of relevant and reliable information on the environment to support decision-making processes and the development and implementation of environmental policies and strategies and their integration into sectoral policies: http://sniamb.apambiente.pt/portalmetadados/index.php?option=com_content&view=article&id=14&Itemid=10&lang=pt

The SNIAmb currently includes three key tools: the Geographical and Documentary Metadata Portal, the Sustainable Development Indicators Portal and the Geographical Information Viewer.

National Water Resources Information System (SNIRH)

The National Water Resources Information System (SNIRH) is the national database and modelling system of the water resources monitoring network, which has been providing

information on water resources since 1996. The SNIRH, composed of three sub-systems: SNIRH-LIT (coastal), SNIRH-JUNIOR (youth) and SVARH (Monitoring and Alert System for Water Resources) - also provides thematic summaries, technical reports, cartography, legislative instruments (national, European and world) as well as documents and photographs related to water resources (cf. <http://snirh.apambiente.pt/index.php?idMain=>).

The geographical information has been managed since 2007 by InterSIG, which consists of an information system based on the guidelines of the INSPIRE Directive. InterSIG organises and provides rapid internal access to all geographical information. It includes topics and charts that, depending on the access privileges held, can be made available in a simple manner to all users (general public and other government agencies) providing access to the most updated version of cartographical topics and enabling the establishment of links of geographical components with other information systems (cf. <http://intersig.apambiente.pt/intersig/index.aspx>).

The planning made by extending the information systems to other areas (permits to use water resources, for example), as referred to in the 2011 Report, or the maintenance of others (like INSAAR - National Inventory of Water Supply and Wastewater Systems), has been affected by the ongoing budget constraints and the corresponding organisational adjustment resulting from the merger of entities. Although INSAAR was not maintained (it did not continue to be uploaded by the utilities), the information collected until 2010 is made available.

Information System on Environmental Impact Assessments (SIAIA / AIA Digital)

Decree-Law No. 151-B/2013 of 31 October, like the legal framework which it repealed, assigns to APA the role of the national EIA authority responsible for ensuring the coordination and technical support under the referred legislation. It is the responsibility of APA, as the national EIA authority, to organise and maintain a system of information on EIA. This agency, therefore, publishes on its website (cf. <http://siaia.apambiente.pt>) all information relating to EIA processes, both those in the public consultation phase (which have also been made available since July 2015 on the PARTICIPA portal - <http://participa.pt>), and those on which a decision has already been reached.

Integrated Environmental Licensing System (SILiAmb)

Administrative simplification and the computerisation of processes are key challenges to promote economic growth, competitiveness and quality of life of citizens. Environmental licensing involves several stakeholders, where users, citizens or corporate bodies stand out as agents interested in engaging in activities with an environmental impact. The State is also involved, which has responsibility that begins on receipt of requests to use, followed by its expert analysis based on multiple criteria and subsequent decision. The decisions of the State are based on legislation and factors related to planning and management.

The Integrated Environmental Licensing System (SILiAmb) placed this relationship between users and State on an electronic platform where, in addition to systematically steering the process data, it is possible to streamline the expert analysis and improve communication between the parties, reducing bureaucracy and enabling the provision of a better quality, faster and nationally harmonised service. It was developed to enable the reduction of red tape, standardisation, simplification and streamlining of licensing procedures for the different areas under the responsibility of APA - it currently includes the licensing of water resource uses with greater demand and the gradual integration of the Integrated Electronic Waste Registration System (SIRER), which already includes the report of Transboundary Movements of Waste (MTR), with regard to "green list" waste, reporting the "orange list" to MTR, the forms of the Integrated Registration Map for Waste (MIRR) and the Urban Waste Registration Chart.

It was presented on 23 October 2012, a date that also marked its public disclosure:

<https://siliamb.apambiente.pt>

The commissioning of this platform ensured a range of benefits in the licensing of water resources, which include:

- Easy access, easy to use and precise indications for each type of use in accordance with legal requirements, reducing the time private individuals and businesses spend on submitting applications;
- Standardisation of forms nationwide;
- Harmonisation of evaluation criteria of the licensing process, although allowing some flexibility to include regional specificities;
- Expert analysis supported by the environmental constraints report, automatically obtained by geoprocessing, with the consequent reduction of the analysis periods and issue of utilisation permits;
- Systematisation and management of the collection of self-monitoring data on a single platform;
- Greater transparency and consistency in the application of legal schemes in force;
- Easier data validation;
- Optimisation of APA's human and financial resources.

The current SIRER, supported on the Integrated Registration System of APA (SIRAPA) and on SILiAmb constitutes a uniform mechanism for recording and accessing data by the State about the various types of waste, replacing the previous paper-based record systems and charts. The registration requirement remains, for that purpose, the responsibility of waste producers and entities operating in the waste transport and management sector. Although the data recorded in SIRER does not become automatically available for inspection by the public, this system provides the data needed to build reports with data about waste or to answer specific requests.

The website <http://apoiiosiliamb.apambiente.pt/> was created in 2015 to make available support information for filling in the MIRR, to assist users in this task and ensure better data quality.

Decree-Law No. 75/2015 of 11 May, on the Single Environmental Licensing Regime (LUA) was also published in 2015, which applies to all licensing and authorisation procedures in the environmental field. This law establishes that the decisions of each of the environmental regimes are embodied in an electronic instrument - the Single Environmental Title (TUA) - that collects all the information related to the requirements legally applicable to the establishment or economic activity related to the environment. It is also envisaged that all requests for environmental licensing or prior checking are presented in a form of reduced bureaucracy through an electronic shop.

In this context, the LUA Module was developed on the SILiAmb platform, designed to ensure articulation with the electronic platforms provided for in the regimes applicable to the economic activities in which the LUA is involved.

The LUA Module in SILiAmb is composed of a dynamic simulator and an electronic form that is dynamically generated according to the simulator results and the request actually made. This tool aims to enable the electronic processing of all applications for licensing and authorisation, and the applicant is able to:

- Access the simulator, which determines the contextualisation of the activity, project or establishment under the various applicable environmental regimes, as well as the calculation of the corresponding sole environmental rate;
- Choose the integrated sole environmental licensing or include only one or more licensing acts;
- Submit the licence application after completing the electronic form;

- Accompany all procedural phases of the LUA;
- Obtain the TUA.

For management, the BackOffice component of the LUA module in SILiAmb aims to enable the consultation and analysis of licensing and authorisation applications covered by Decree-Law No. 75/2015. The BackOffice user may perform the following actions:

- Access all processes and respective information;
- View the updates made by the departments involved and their technicians;
- Request additional data elements from the applicant, with or without suspension of the deadline;
- Confirm the information to be made available in public consultation;
- Submit the process for public consultation;
- Propose a decision by regime;
- Terminate the process at the request of the applicant or for duly justified reasons.

Information System on Waste Management Operations Licensing (SILOGR)

The Information System on Waste Management Operations Licensing (SILOGR) is a computer application that aims to facilitate access to relevant data about companies licensed to develop waste management operations, with a view to the correct routing of waste and its adequate management. The data made available do not replace or take precedence over the licences/permits issued by the respective licensors.

Coastal Resource Management System (SIARL)

SIARL is a system that is based on geographical information, using a geoportal associated with a database (cf. <http://www.siarl.igeo.pt/destaques.aspx>).

It is organised into modules for the systematic registration of information, namely:

- Occurrences in the water domain (e.g. accidents);
- Coastal interventions, including actions that involve investment (such as coastal defence works and interventions in areas at risk);
- Soil use and occupation, through the centralising of access to decisions of central and local government relating to land management;
- Easements and restrictions;
- Documents of interest to knowledge about the coast and of geographical significance.

Air quality database (QualAr)

Air quality information has been made available daily on the APA website since 2001, and the online QualAr database (www.qualar.org) has been implemented. That database gives access, almost in real time, to the concentrations of various pollutants measured at all the stations of the mainland and islands, those exceeding the threshold for providing information to the public and/or the alert thresholds. It also gives access to the information archive concerning the characteristics of the stations and the statistical processing of the validated data.

The QualAR database includes an information processing and analysis component in order to provide the public with an easy to read air quality index (IQAR). IQAr has five grades, from "Very Good" to "Bad". It reflects the concentration values of different pollutants

measured at various monitoring stations in a particular zone/population cluster and, based on a classification matrix, assigns to these the grade of the pollutant with the worst score. The IQAR is continuously updated during any day and displayed graphically on the map of zones and population clusters.

QualAr also started to provide daily information on the rates and levels envisaged for inhalable particles and ozone since 2008, as these are the most problematic pollutants, due to the levels recorded in Portugal and their possible effects on human health. The publication of the forecast of air quality for the day is done via the envisaged scale, indicating the associated colour for the seven districts of the country.

With regard to information to the general public concerning values in excess of the information and alert thresholds, a procedure was established, besides the reporting through QualAR, making it the responsibility of the CCDR to send real-time faxes/e-mails to various local/regional/national agencies and media entities when such events occur, to better disseminate the occurrence among the public, technicians and decision makers.

Also published on the website of APA are reports of the results of continuous scrutiny of the self-monitoring of air pollutants, with information from the universe of sporadic sources that meet legal requirements, the analysis of non-conformities and the monitoring regime, as well as the assessment of trends.

National inventories of atmospheric emissions

APA is responsible for the coordination, annual preparation and online availability of national inventories of atmospheric emissions that include greenhouse gases (GHG) and respective carbon sinks, acidifying substances and other air pollutants. The CCDR are responsible for regional inventories of the area under their territorial jurisdiction and the dissemination of the results.

The National System of Air Pollutants Emissions and Removal Inventory (SNIERPA) includes an entire set of institutional and legal responsibilities and the definition of procedures intended to ensure the emissions estimate has a high level of confidence, its timely reporting in compliance with legal obligations on the matter, the archiving of all relevant information and access of the public to information related to inventories.

National Radioactivity in the Environment Warning Network (RADNET)

APA maintains a network of continuous measurement of radioactivity in the environment, so that situations of abnormal increases of radioactivity in the environment can be detected. RADNET consists of 14 fixed stations for measurement of the environmental radioactivity rate in the air, 1 fixed station for measuring the environmental radioactivity rate in the water (at Fratel Dam on the River Tagus), 1 mobile station, 1 portable station and 1 self-moving station for measuring the environmental radioactivity rate in the air.

The expansion of RADNET is underway with the aim of providing this network with 6 new stations and with the capacity to identify radioisotopes, through the acquisition of gamma spectrometers and the acquisition of mobile monitoring capability. Information on the results of online and real-time measurements of RADNET is permanently available to the public on the APA website <http://sniamb.apambiente.pt/Home/Default.htm>.

Information System on Natural Heritage (SIPNAT)

SIPNAT is created according to the legal scheme for the Conservation of Nature (Article 28 of Decree-Law No. 142/2008, republished by Decree-Law No. 242/2015 of 15 October), consisting of the inventory of biodiversity and geological heritage present in the territory and in waters under national jurisdiction.

The Information System on Natural Heritage (SIPNAT) is designed to provide information

on Biodiversity Inventory, Characterisation of Species and Natural Habitats, National System of Classified Areas, Land Use Planning, Landscape, Geological Heritage, National Register of Classified Natural Assets, among other topics, including descriptive and geo-referenced information. The recipients/beneficiaries of SIPNAT are the decision makers, the scientific community, the school community, reference institutions (such as State laboratories), public administration, companies, interest groups (such as environmental non-governmental organisations), private individuals and the general public.

National Forest Inventory (IFN)

The ICNF is responsible for the IFN. It is a process of a statistical and mapping nature that aims to assess the abundance, status and condition of national forest resources in mainland Portugal. The production of statistics in the IFN is based on sampling processes, which are performed at different stages that comprise the overall task of the Inventory.

The IFN, currently in its 6th edition, follows on from previous years, thus allowing the evaluation of the temporal evolution of the status and use of forest resources. The ICNF website (www.icnf.pt) provides information on this topic.

National ICNF Information System (SNI-ICNF)

With the entry into force, on 17 October 2013, of the legal scheme applicable to afforestation and reforestation actions (RJAAR) established by Decree-Law No. 96/2013 of 19 July, it is the responsibility of ICNF to ensure the authorisation and prior communication of actions procedures, establishing a system of control, assessment and information.

Until the implementation of the information system provided for in Article 8 of the said Decree-Law, the transitional regime provided for in Article 19 of the same Decree-Law was in force for the submission of requests for authorisation and prior communication.

On 1 September 2015, the information system of the RJAAR (SI ICNF - RJAAR module) entered operations, which was governed by joint ordinance of the Secretaries of State for Administrative Modernisation and of Forests and Rural Development, Ordinance No. 204/2014 of 8 October.

With the aim of conveying information that is as complete as possible of the afforestation (reforestation) action authorised for the mainland, the country has, for the first time, statistical data on the afforestation processes (technical and administrative aspects), which was impossible before the entry into force of the RJAAR - the figures presented in this report refer to the processes under this legal scheme, including the information available on afforestation and reforestation actions.

In 28 months of implementation of RJAAR (from 17 October 2013 to 25 January 2016), 15,001 (re)afforestation actions were submitted to ICNF for approval, corresponding to 37,131 ha, at an average rate of 18 processes per day.

During this period, 5,496 authorisation processes were approved and 5,267 prior communications were validated, corresponding to 26,538 ha, or 71% of the requested area.

National Geographical Information System (SNIG)

The General Directorate for Land (DGT) has existed since October 2012, following the merger between the General Directorate for Spatial Planning and Urban Development and the Portuguese Geographical Institute. The new Spatial Planning, Urban Planning and Geographical Information site became operational in 2013 <http://www.dgterritorio.pt/>.

In this context, the DGT is responsible for the coordination and development of SNIG http://www.dgterritorio.pt/sistemas_de_informacao/snig/, National Spatial Data Infrastructure (SDI) that aims to enable, from several points of access, the possibility to search, view and explore geographical information about the country. It is also a space of

contact that helps streamline, coordinate and organise the activities related to this topic in Portugal and also in the context of the INSPIRE Directive.

DGT is the national contact point for the INSPIRE Directive. In developing the SNIG and preparing the application of this Directive, networks of contact points and metadata managers were created that, actively participating and articulated, allow the establishment of harmonised bases of national metadata and the pursuit of the goals of SNIG and INSPIRE.

National Territorial Information System (SNIT)

The SNIT, in operation since 2008, includes all land management instruments in force that are registered or deposited in the DGT, which happened just before the end of the first year of operation. The improved functionality and expansion of the content of SNIT occurs continuously, following the developments of the latest technologies in these areas (cf. http://www.dgterritorio.pt/sistemas_de_informacao/snit/).

Irrigation Information System (SIR)

The Irrigation Information System (SIR) is a website under the responsibility of DGADR, the National Irrigation Authority, which has a compilation of information concerning national irrigation, particularly regarding its public part, i.e. the hydro-agricultural irrigation projects of the initiative of central government (cf. <http://sir.dgadr.pt/>). The SIR has available a set of useful information not only for farmers, but for all types of general public, such as:

- General Cartography
- Thematic Cartography concerning Irrigation
 - Irrigation vs. Aridity index
 - Irrigation vs. Nature Conservation Areas
 - Irrigation vs. Susceptibility to desertification
 - Irrigation vs. Burnt areas (2004-2006)
 - Irrigation vs. Less Favoured Areas (EAFRD)
 - Rehabilitation/modernisation needs
 - Water reserve in reservoirs
 - 2012 drought
 - Monitoring the irrigation campaign
 - Monitoring the water level of reservoirs
 - Change in the water level of reservoirs

National Rural Network (RRN)

The National Rural Network (RRN) is a structure linking agents with active roles in rural development, which aims to disseminate and share information, experience and knowledge with the objective of improving the implementation of programmes and measures for the development of rural policies and the qualification of the intervention of the agents involved in rural development. The RRN interacts with the European Network for Rural Development and with the rural networks of other Member States. It is operated under the DGADR, developed by a Technical Organisation (ETA) which includes a central unit (DGADR) and regional focal points (Regional Directorates of Agriculture and Fisheries, on mainland Portugal, and Regional Offices in the Autonomous Regions). Network activity

has a strong component connected with public access to information on Rural Development which, from the perspective of sustainability, includes the environmental dimension intrinsically linked to the economic and social dimensions. Hence, the Action and Communication Plans of the RRN predict the identification, analysis, sharing and dissemination of content on various topics, which also ties in with the environmental focus, namely the conservation of nature and wild and domestic biodiversity, efficient use of soil resources, water and energy and factors of production, waste management, mitigation and adaptation to climate change, marketing in small circuits, local products and quality systems, innovation and entrepreneurship, diversification of agricultural activities, rural tourism, the built, cultural, natural and scenic rural heritage, governance, etc. The content is posted on the RRN website (cf. www.rederural.pt) and then disseminated through the members and the general public. In terms of the environment, the RRN website has specific areas for the dissemination of good examples of national projects in rural areas, the disclosure of the RRN initiatives (approximately 10% of them directly related to environmental matters), marketing in small circuits, the European Innovation Partnership for Agricultural Productivity and Sustainability, as well as a Resource Centre (<http://www.rederural.pt/index.php/pt/centro-de-recursos>) organised by thematic areas, giving access to information related to rural development (products resulting from RRN initiatives, studies, reports, conclusions of seminars, manuals and methodological documents, etc.). The ETA is also responsible for publishing a thematic magazine and fortnightly publication of an electronic newsletter.

Geographic Information System for Tourism (SIGTUR)

Since tourism is an activity with widespread territorial expression, the implementation of a sustainable development policy for the sector requires permanent and up-to-date knowledge of the spatial distribution of the tourism supply, both in terms of existing tourism undertakings and in terms of commitments already made, or even defined investment intentions, as well as locations and infrastructure of interest to tourism. Turismo de Portugal (TdP) has developed the Geographic Information System for Tourism application (SIGTur), providing a wide range of features and which comprises a fundamental tool for the dissemination of information on tourism in mainland Portugal, cross-checking this information with the national network of protected areas, with the Natura 2000 Network, as well as with several coastal strips (500m, 2km and 5km). This information will soon be made available to users on the TdP website.

At the regional level, the CCDRC developed the Data Centre in 2010, the IT platform of the monitoring system and assessment of the situation in the Central region. This is an investment in a public information service, unique at region level, easy to use and aimed at a diverse target audience. It is organised by major fields (Central Region, NSRF, Economic, Europe and CCDRC), and integrates over 800 statistical indicators of different sources of information, which can be combined according to the needs of the user or accessed through predefined tables for different levels of geographical breakdown. The highlights of the environmental area are topics such as air quality, air emissions, projects subject to EIA and Assessment of Environmental Issues, surveys carried out in different contexts, issuing reports and permits, production of industrial and urban waste and waste treatment infrastructure. CCDRN also developed a Land Monitoring System (GTS) for the North Portugal Region, as a mechanism for systematizing and providing up-to-date territorial information, developed in an articulated way with the various processes and Organisational Units of CCDR-N which use this type of information. In this way, it makes it possible to provide online a set of statistical indicators organised by NUTS III and respective municipalities in terms of demography, economics, social issues and the environment.

Article 5, paragraph 4

State of the Environment Report (REA)

In Portugal, according to Law No. 11/87 of 7 April - Law on the Environment – a report is presented to Parliament, along with the Major Planning Options of each year, on the state of the environment in Portugal in the previous year. The annual preparation of the REA and a White Paper on the State of the Environment (every five years) is governed from 2014 by the new Law on the Environment (Law No. 19/2014 of 14 April).

This report is now published and disseminated by the Ministry responsible for the Environment and through APA, which ensures the collection, processing and analysis of environmental information, proceeding with the annual preparation and provision of the REA <http://www.apambiente.pt/index.php?ref=19&subref=139&sub2ref=460>

The national REA, produced for over 20 years, has slowly become a reference tool in this context. The first REA was published in Portugal in 1987 and, since then, these reports have been published annually, seeking to follow major international trends and practices in this field. In line with the effort made in recent years for the REA to reach a wider public, REA 2015 presents 36 different sets of environmental indicators and, summarising the main contents of these indicators, published infographics and related animations for each one of the published chapters.

Sustainable Development Indicators System (SIDS)

The SIDS arose to respond to the need to assess the country's progress in sustainability, permitting its connection with key strategic levels of decision - policies, plans and programmes – of the national, regional and sectoral level.

The work developed over the years in this area by APA, and reflections and comments received on the first edition of a proposal in 2000, resulted in the publication of "SIDS Portugal" in 2007.

SIDS Portugal is available on the APA website at <http://www.apambiente.pt/index.php?ref=19&subref=139&sub2ref=503>.

Following the recommendations resulting from the methodological review of the REA and SIDS Portugal conducted by APA in 2006, other material to disseminate sustainable development indicators has been produced, such as brochures with key indicators with the main findings of the REA. The Indicare quarterly newsletter was also produced between 2007 and 2012, which is still available online, although it has been discontinued.

Article 5, paragraph 5

The online edition of the Official Gazette - the official report of legislative acts in Portugal - is fully official and valid since 1 July 2006 and the publication of legislation in it is effective for all legal purposes: <https://dre.pt/>. APA, through the Documentary Information System on Environmental Law (SIDDAMB) - <http://siddamb.apambiente.pt> facilitates free consultation of national legislation on the environment published up to November 2008. It consists of a documentary information database on environmental law, full-text and relational structure, integrating national, EU and international law, national and European jurisprudence and doctrine, as well as the legal document analysis system. It was discontinued due to the fact that the electronic publication of the Official Gazette has been gradually providing many of these tools.

In general, all bodies of the State administration, at the level of their territorial and sectoral expertise, disseminate current legislation as well as the respective plans, programmes, strategies and policies. APA provides, regarding the plans and programmes that impact on the environment and land areas, and under the procedures provided for in the respective strategic environmental assessment scheme, online information of concluded processes at <http://sniamb.apambiente.pt/AAEstrategica/> supplemented by information provided by

DGT through SNIT <http://www.dgotdu.pt/channel.aspx?channelID=144EE72D-18A4-4CCA-9ABA-7303CDEAA0C6>.

The Office of Documentation and Comparative Law (GDCC), which operates under the responsibility of the Chief Public Prosecutor's Office (Ministry of Justice), makes available on its website TRATADOS, which is a compilation of bilateral or multilateral instruments concluded by Portugal with other States or with International Organisations, governed by international law, including those that fall within the field of the environment (cf. <http://www.gdcc.pt/siii/tratados.html>).

Article 5, paragraph 6

For an environmental policy to be effective it is necessary and even indispensable to support the mechanisms of voluntary membership, which advocate and rely on good sustainability practices - information, transparency, accountability; examples of this are ISO 14001 environmental certification, EMAS registration, EU Ecolabels or even awards such as the Blue Flag of Europe (for beaches, pleasure boat ports and marinas, and pleasure craft), ECO XXI (for municipalities), the Green Key (for hotel units), etc.

With regard to the ISO 14001:2004 standard, up to 1 March 2013, 903 certifications were awarded in Portugal by the eight existing certification bodies, accredited in the Portuguese Quality System.

Four registrations were made in Portugal under the EC Eco-Management and Audit Scheme (EMAS) in 2014. At the end of that year, 57 organisations were registered (which corresponds to a total of 116 registered activity sites). Only one registration was made in Portugal in 2015. At the end of that year, 58 organisations were registered (which corresponds to a total of 117 registered activity sites). At the end of July 2016, 54 organisations were registered in EMAS (which corresponds to a total of 113 registered activity sites). No new registration has been made. APA maintains updated information on organisations registered with EMAS on its website <http://apambiente.wixsite.com/emas>.

Of note in relation to environmental labelling is the EU Ecolabel System (Regulation (EC) 66/2010 of the Parliament and the Council of 25 November) as a market instrument, also voluntary, which aims to stimulate supply and demand for products and services with reduced impact on both the environment and health during their production and consumption, promoting products and services with high environmental performance. In Portugal, 18 ecological labels had been assigned to products of 16 different companies by 30 August 2013.

The ecodesign of products is an essential element of the EU strategy for the 'Integrated Product Policy', which is considered a preventive approach aimed at optimising the environmental performance of products while preserving their functional and safety characteristics, and cannot have negative impacts on health or increased costs for consumers. The Ecodesign Directive (Directive 2009/125/EC of the European Parliament and Council of 21 October) is a Framework Directive, which is considered a fundamental component of European policy to improve the energy and environmental performance of products in the domestic market not directly introducing mandatory requirements for specific products, but merely setting the conditions and criteria for the introduction of "Implementing measures". The Ecodesign Directive is complemented by Directive 2010/30/EU of the European Parliament and the Council of 19 May, on the indication of the consumption of energy and other resources by energy-related products, through labelling and standard indications concerning the products. In this context, the European Commission established a Work Plan for the 2012-2014 period, to improve the energy efficiency and environmental performance of products throughout their life cycle. It considers 18 priority products and has the main objective of the reduction of CO₂ emissions and reducing energy consumption.

Turismo de Portugal promotes its own initiatives, such as the Tourism Awards of Portugal for sustainability in tourism, and establishes partnerships with other entities, as is the case

of the Green Key award for tourism developments, integrating the National Commission of the Programme. The Green Key Programme, coordinated by the Environmental NGO Association Blue Flag of Europe (ABAE), aims to distinguish tourism developments that develop good environmental management and education practices. The award, when attributed, has a duration of 12 months, and its renewal is possible (cf. www.abae.pt/programa/chaveverde). The Turismo de Portugal Awards, in the Environmental Sustainability category, created in 2008, promote the best practices in the sector, rewarding them and publicly recognising them. To the present date, 2 prizes have been awarded (cf. <http://www.turismodeportugal.pt/português/areasatividade/desenvolvimentoenovacao1/boaspraticasetendencias/pages/turismoesustentabilidade.aspx>).

TdP, as part of its concern for quality and environmental sustainability - one of the most important resources for the development of tourism - participates in several activities related to the environment and its preservation, in particular:

- European Environment Information and Observation Network (EIONET), the Tourism Working Group (TOUERM);
- ISO/TC 228 - the highlight is the work related to WG 13 on Sustainability in Tourism Projects, and WG7, which is currently developing a Sustainability Standard for Adventure Tourism, with Portugal responsible for the proposal;
- National Strategy for Adaptation to Climate Change (ENAAC), in particular with regard to the specific working group on Tourism.

It should be emphasised that the system for setting the classification of tourism enterprises by TdP comprises several environmental sustainability requirements - such as the use of systems that promote efficient water consumption and reuse, systems that promote efficient energy consumption, including the use of renewable energies, energy or environmental certification by national or European standard, of high valuation, in order to promote the adoption of sustainability measures in tourism developments.

Regarding green public procurement, Council of Ministers Resolution No. 38/2016 of 29 July was published, approving the National Strategy for Ecological Procurement (ENCPE 2020), whose main purpose is to create a supplementary instrument for environmental policies, contributing to the goal of promoting pollution reduction, reducing the consumption of natural resources and, inherently, increasing the efficiency of systems. For this reason, it focuses on the definition of technical specifications for the set of priority products and services. The aim of ENCPE 2020 is also to stimulate the adoption of a green public procurement policy, thus constituting a repository of good practices and reinforcing the incentive for technological and product innovation, encouraging suppliers and service providers to benefit from the advantages of environmentally-oriented contracting, in a framework of effective transparency and shared responsibility.

A set of information initiatives are planned for the implementation of ENCPE 2020, namely:

- Development of a specific area for green public procurement on the APA website as a repository of information, dissemination of specifications and green, general and adapted criteria, using open standards, pursuant to Law No. 36/2011 of 21 June;
- Holding an annual conference aimed at the dissemination and diffusion of up-to-date knowledge on the various topics, as well as the communication of results related to the monitoring of objectives and goals pursued during the economic year in question;
- Carrying out training activities with entities covered by ENCPE 2020 and other stakeholders.

IGAMAOT, under the measures to encourage operators of facilities with environmental impact to improve the environmental performance of their activities or products, has

implemented risk analysis systems for planning inspection activities at IPPC installations and WWTP serving populations of more than 10,000 equivalent inhabitants. Also implemented is a risk analysis system for economic agents covered by the REACH Regulation in respect of some sectors in which this Regulation applies. Currently under way is the development of a system of global environmental risk analysis, a risk analysis system for operators covered by the Seveso directive and a system of risk analysis for operators managing electrical and electronic waste, thus widening the scope of activities in which the planning of the inspection activity is performed based on an analysis of systematic risk, to direct resources to areas that have a higher risk.

The use of the tool for informal conflict resolution and strategic communication with industry associations representing the sectors of activity that have been the subject of action by the IGAMAOT tool has permitted an increase in the awareness of operators to the environmental impacts associated with incorrect conduct, thus enhancing legal compliance. The activity of IGAMAOT is reflected on the website www.igamaot.gov.pt and in published documents.

IGAMAOT also has an ongoing multiyear objective to "improve the integration of companies and the population in environmental terms at the Sines Light Industrial Zone and Estarreja Industrial Zone", which aims to promote cross-communication involving the central authorities, companies, local authorities and the population, especially in the industrial areas in question, where the businesses and the surrounding community are geographically close to each other, and where there are several complaints about the respective activity. This project also aims to promote inter-company communication, which is beneficial - especially if they are located in the same geographical area - as it aids in identifying common hazards and measures for joint action, maximising and coordinating prevention measures to ensure the protection of the environment and human health. IGAMAOT is implementing two methods of the IMPEL network to develop this multi-year goal:

- Informal resolution of conflicts, constituting a methodology that is proven and effective in solving environmental issues of industry/population antagonism, which aims to achieve compromise solutions in a consensual manner;
- Assessment of the performance of companies based on their compliance management systems (SBS - based supervision system), which is an innovative approach in which the inspection authorities perform the supervision of the management systems implemented by companies through a methodology audit that assesses the quality levels of the internal control of the operator and its risk management, thus gauging the level of self-regulation and the degree of legal compliance achieved (goal-setting).

In the area of forest management, ICNF is the sector's standardisation body (ONS) for Sustainable Forest Management, according to the protocol of cooperation in the field of standardisation between the national standardisation body, Portuguese Institute of Quality, and ICNF. Accordingly, ICNF and in its capacity of ONS, is responsible for the coordination of the Technical Committee of Standardisation for Sustainable Forest Management (CT 145), an entity aimed at standardising the definitions and requirements for sustainable forest management in which individual and collective entities interested in these matters participate on a voluntary basis, organised into three areas: environmental, economic and social, and ensuring public participation in this topic.

Reference should also be made to the "Guidance on the labelling of foodstuffs produced according to the organic production method", which aims to facilitate the application of the provisions of Regulations (EC) 834/2007 and 889/2008, applicable since 1 January 2009, available on the DGADR website (cf. http://www.dgadr.mamaot.pt/images/docs/val/bio/Biologica/Guia_rotulagem_MPB.pdf).

Article 5, paragraph 7

The generalisation of online communication and information and the increasing penetration of the internet has facilitated the implementation of the objectives of the Aarhus Convention.

The APA website has a page exclusively devoted to the Aarhus Convention <http://www.apambiente.pt/index.php?ref=16&subref=142&sub2ref=726&sub3ref=727>

Article 5, paragraph 8

For more effective communication that makes it easier for consumers to make sound environmental choices, the General Directorate for Consumers institutionally promotes the consumer website at www.consumidor.pt which includes concerns for sustainability.

The civil society organisations include DECO, the consumer association, which also provides specific information on the environment: <http://www.deco.proteste.pt/>

Environmental NGOs have also performed extensive work in this field, such as Quercus (Eco-home project <http://www.ecocasa.pt/> and the daily media shows: on TV “Green Minute” and on the radio “One minute for the Earth”) and GEOTA (“Oceans Campaign”, with Greenpeace, aimed at retailers and consumers, with the goal of creating sustainable fish markets (<http://www.greenpeace.org/portugal/pt/O-que-fazemos/Campanha-Dos-Oceanos-Mercados-em-Portugal/>)).

Article 5, paragraph 9

In Portugal, the PRTR Protocol to the Aarhus Convention - Pollutant Release and Transfer Register applies through Community law: Decision 2006/61/EC of 2 December 2005, with implementation defined in Regulation (EC) No 166/2006 of 18 January 2006. In domestic law, Decree-Law No. 127/2008 of 21 July, amended by Decree-Law No. 6/2011 of 10 January ensures performance and compliance with the obligations of the Portuguese State under the PRTR Regulation.

On 31 March 2011, Portugal responded to the triennial survey of implementation of the European PRTR for the years 2007-2009. Note that the response sent only includes the mandatory part of the questionnaire related to PRTR Regulation; the optional part relates to the PRTR Protocol. More information is available on the APA website <http://www.apambiente.pt/index.php?ref=17&subref=156>

The integrated collection of environmental data in a context of simplifying the relationship between citizens and businesses with the State, and to facilitate the communication of environmental data by operators, is made on the SIRAPA Platform (Integrated Registration System of APA) through the Single Report (RU), established by Article 28 of Decree-Law No. 173/2008 of 26 August. The RU currently aims to ensure the collection of environmental information resulting from obligations under the PRTR and Integrated Pollution Prevention and Control (IPPC) legislation (cf. <http://www.apambiente.pt/index.php?ref=17&subref=156&sub2ref=350>).

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:

The constant evolution of the REACH and CLP regulations of the EU in the area of chemicals requires an additional effort in terms of disclosure by Member States, to ensure

that the public and especially businesses have access to permanently updated information.

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:

Nothing to report on this item.

XIV. Website addresses relevant to the implementation of article 5

Give relevant website addresses, if available:

ANAC - National Civil Aviation Authority - www.anac.pt
ANPC - National Civil Protection Authority - www.proteccaocivil.pt
APA - Portuguese Environment Agency – www.apambiente.pt
CADA - Committee on Access to Administrative Documents – www.cada.pt
Camões - Instituto da Cooperação e da Língua, I.P. - www.instituto-camoes.pt
CCDR Alentejo - Regional Development and Coordinating Committee of Alentejo – <http://webb.ccdr-a.gov.pt/index.php>
CCDR Algarve - Regional Development and Coordinating Committee of Algarve – www.ccdr-alg.pt
CCDR Central Portugal - Regional Development and Coordinating Committee of Central Portugal – www.ccdrc.pt/
CCDR LVT - Regional Development and Coordinating Committee of Lisbon and Tagus Valley – www.ccdr-lvt.pt
CCDR North Portugal - Regional Development and Coordinating Committee of North Portugal – www.ccdr-n.pt
CNA - National Water Council – <http://conselhonacionaldaagua.weebly.com/>
CNADS - National Council for the Environment and Sustainable Development - www.cnads.pt
DGADR – General Directorate for Agriculture and Rural Development - www.dgadr.mamaot.pt
DGAE – General Directorate for Economic Activities – www.dgae.min-economia.pt
DGC - General Directorate for Consumers - www.consumidor.pt/
DGEG – General Directorate for Energy and Geology - www.dgeg.pt
DGPJ – General Directorate for Justice Policy - www.dgpj.mj.p
DGPM - General Directorate for the Policy of the Sea – <http://www.dgpm.mam.gov.pt>
DGRM – General Directorate for Natural Resources, Maritime Services and Security – www.dgrm.min-agricultura.pt

DGS – General Directorate for Health - www.dgs.pt/

DGT – General Directorate for Land - <http://www.dgterritorio.pt/>

DR – Electronic Official Gazette - <https://dre.pt/>

ERSAR - Water and Waste Services Regulator – www.ersar.pt

GEE - Strategy and Studies Office - www.gee.min-economia.pt

GNR - Police - www.gnr.pt/

GPP - Planning and Policies Office – www.gpp.pt

ICNF - Nature Conservation and Forestry Institute – www.icnf.pt

IGAMAOT - General Inspectorate of Agriculture, Sea, Environment and Spatial Planning – www.igamaot.gov.pt

IMT - Institute for Mobility and Transport - www.imtt.pt

INE - National Statistics Agency - www.ine.pt

INPI - National Industrial Property Agency – <http://www.marcaspatentes.pt>

IPMA -Portuguese Sea and Weather Agency – www.ipma.pt

LNEC - National Civil Engineering Laboratory - www.lnec.pt

LNEG - National Engineering and Geology Laboratory - www.lneg.pt/

PJ - Justice Ombudsman - www.provedor-jus.pt/

SEPNA - Nature Protection and Environmental Service of the GNR police - www.gnr.pt/default.asp?do=5r20n/DD.0n674rCn/an674rCn

SGMAMB – General Secretariat of the Ministry of the Environment - www.sg.mamb.gov.pt

TP – Portuguese Tourism Board – www.turismodeportugal.pt

PARTICIPA PORTAL - <http://participa.pt>

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:

Article 6, paragraph 1

Environmental impact assessment

As mentioned in previous reports, it has been sought through the processes of EIA of certain projects to continue to ensure the effective participation of citizens in decision-making on specific activities and promote the right to consultation and access to information on the environment. The entities responsible for managing these public participation processes are APA and the CCDR, with various other public bodies participating depending on the type of project and its implementation location.

New legislation about EIA was published in 2013 (Decree-Law No. 151-B/2013 of 31 October - amended by Decree-Law No. 47/2014 of 23 March and Decree-Law No. 179/2015 of 27 August) which, in line with previous legislation, confirms that the public concerned holds the right to participate in public consultation (cf. article 28 - article 31), reviewing the time limits for such – making them of shorter duration. (cf. article 15).

Environmental Impact Assessment (EImpA)

EimpA is a process that requires periods of public consultation, which is legally framed by the following legislative instruments:

- Decree-Law 215-B/2012 of 8 October is applicable to power plants that use

renewable energy sources. In this case the EimpA is coordinated by the respective CCDR. In this context, the compulsory public consultation, provided for in point 5 of article 33 S of said diploma, is 20 days;

- Decree-Law No. 49/2005 of 24 February, which implements the first amendment to Decree-Law No. 140/99 of 24 April (subsequently also amended by Decree-Law No. 156-A/2013 of 8 November), establishes that “the actions, plans or projects not directly related to the management of a site on the national list of sites, a site of Community Interest, a special conservation area or a special protection zone, and which are not necessary for that management but likely to affect this area significantly, individually or in combination with other actions, plans or projects, should have their environmental impacts assessed in relation to the conservation objectives of the said zone”. According to Article 10(7) of the Decree-Law, this procedure is preceded, where appropriate, by public consultation.

Participatory Budgets (OP)

At the local level, there has been a generalisation of participatory processes and the involvement of the population at the initiative of municipalities and some parish councils, with the OPs being the stand out initiative of recent years. In the OP, interventions in the field are decided and determined by popular will. In the context of this Report, a questionnaire was sent for the first time to the 308 Portuguese municipalities through the National Association of Portuguese Municipalities (ANMP). 36 municipalities answered the questionnaire. Among these, 10 refer to the OPs as an example of participation and citizenship already implemented, in addition to the processes mandatorily established in legislation, i.e. instruments of land management, public meetings of the executive council, etc.

Chemicals

The REACH and CLP Regulations envisage, in many cases, the sharing of information among stakeholders and the European Chemicals Agency (ECHA), set in motion by the ECHA referring to proposals for:

- Testing on vertebrate animals for harmonised classification and labelling,
- The identification of substances of very high concern (SVHC),
- Recommendation of the inclusion of substances in Annex XIV (list of substances subject to authorisation),
- Authorisation requests and
- Proposals for restrictions (inclusion in Annex XVII).

Stakeholder consultation at national level under the REACH Regulation is also envisaged through the REACH Advisory Committee (CCREACH).

Prevention of Serious Accidents

The setting up and modification of facilities covered by Decree-Law No. 254/2007 of 12 July (amended by Decree-Law No. 42/2014 of 18 March) requires the approval of APA relative to the Assessment of Compatibility of the Location (ACL).

In the case of establishments subject to EIA, this procedure is integrated in the EIA procedure and public participation is made through public consultation, in accordance with EIA legislation.

For establishments whose projects are not covered by EIA, Decree-Law No. 254/2007 of 12 July (amended by Decree-Law No. 42/2014 of 18 March), states that the request for an

ACL opinion is presented to APA for review and decision within 30 days, and APA may, within that same period, undertake a public consultation. This procedure has not been implemented, notably for limiting the time period for issuing the opinion. It is being revised in the drafting of new legislation that will ensure the transposition into national law of Directive 2012/18/EU of the European Parliament and the Council of 4 July, the provisions of which shall come into force on 1 June 2015.

Article 6, paragraphs 2 to 6

The current legislation for EIA, SEA, IPPC, GMO, etc., provides that the public concerned is informed in an effective, timely and appropriate manner from the beginning of the decision-making process; that the deadlines are reasonable; that such run when all options are open, the public concerned is identified and it is provided the requested information free of charge. State Administration bodies at national, regional and local levels have been modernised in order to reach citizens more effectively and efficiently, who in some way, directly or indirectly, are expected to be affected by interventions with a territorial impact. In this sense it is customary to resort to traditional public notices, advertisements in newspapers and websites, more recently using "social media" and other forms of communication under the scope of Web 2.0.

The Ministry of the Environment, aware of the need to achieve greater involvement from citizens in the processes of public participation and, consequently, in decision-making regarding environmental issues that concern the general public, has made the PARTICIPA portal <http://participa.pt> available, since July 2015. The purpose of Participa is to (i) facilitate the access of citizens and stakeholders to consultation processes, (ii) encourage informed participation; (Iii) improve process management efficiency. It is an innovative initiative where, for the first time, all public consultation processes are concentrated by the Ministry of the Environment in a single place of consultation. The existence of this portal, where the processes in public consultation are available, permitted simpler, more agile and more efficient participation.

At the local level, the response to the questionnaire made among the municipalities indicates that, among the 36 respondents, almost all of them state that if there is any activity/intervention that has a significant impact on the environment - at the initiative of the Municipality, other public entities or the general public is informed and/or consulted duly in advance. The method of disclosure is based primarily on the respective websites and associated social media, in addition to the traditional public notices. The way to participate is based on the mechanisms for doing so at the municipal level: municipal parliaments, public meetings of the executive, in addition to traditional mail or e-mail.

Article 6, paragraphs 7 to 10

Nothing to report on these paragraphs of article 6. Compliance with the various specified requirements is confirmed (cf. for EIA <http://www.apambiente.pt/index.php?ref=17&subref=146&sub2ref=485>).

Article 6, paragraph 11

See Chapters XXXIII - XXXVII (Genetically Modified Organisms).

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:

Nothing to report on this item.

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:

Chemicals

The ECHA published in 2014 public consultations on 47 proposals for harmonised classification and labelling, 14 proposals for identification of SVHC, 38 proposals for decisions on authorisation requests and 7 restriction proposals. In 2015, public consultations were ongoing in relation to 42 proposals for harmonised classification and labelling, 9 proposals for identification of SVHC, 13 proposals for decisions on authorisation requests and 4 restriction proposals. A consultation on the recommendation for inclusion of substances in Annex XIV has been published per year. In 2016, up to July 2016, public consultations had been initiated in relation to 30 proposals for harmonised classification and labelling, 4 proposals for identification of SVHC, 13 proposals for decisions on authorisation requests and 2 restriction proposals.

Genetically Modified Organisms

In the period from 2014 to 2016, 3 notifications for deliberate release into the environment of GMOs were submitted to APA under Decree-Law No. 72/2003 of 10 April. The respective public consultations pursuant to Article 11 of the legislation in question had been taken into account. The 3 notifications were submitted in 2016).

XVIII. Website addresses relevant to the implementation of article 6

Give relevant website addresses, if available:

www.apambiente.pt

<http://participa.pt>

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:

The Strategic Environmental Assessment (SEA) is a tool to support decision making that seeks to promote sustainable development. In accordance with national and Community legislation it contributes to the integration of environmental considerations into the preparation and adoption of plans and programmes with the involvement of public and environmental authorities.

Portuguese SEA legislation, which arises from the transposition of Directive 2001/42 and dates from 2007, is very flexible, focusing on procedural transparency and the responsibilities of the entities that develop plans or programmes. The Ministry responsible for the Environment assumes a regulatory role, while APA's role is to monitor the implementation of legislation and disseminate information, ensuring dialogue with the European Commission.

Public participation in the preparation of plans and programmes is formally ensured by the corresponding national legislation. Decree-Law No. 232/2007 of 15 June, amended by Decree-Law No. 58/2011 of 4 May, outlines the institutional reference framework for SEA at national level. The option was taken in relation to land management instruments (IGT) to maintain the pre-existing procedures under the land management and urban planning policy, adjusting them to the requirements of the SEA through Decree-Law No. 80/2015 of 14 May, which establishes the legal regime of IGT, defines and regulates the public participation process for each type of instrument, as well as access to information under the policy of land and urban planning.

Participation is open to the general public, including - in addition to associations and NGOs - all citizens "who may somehow have an interest or be affected" by the approval of plans and programs or for future approval of projects encompassed by such.

The public consultation lasts at least 30 days and is advertised by electronic means of communication, including by publication on the website of the entity responsible for preparing the plan or programme and by publishing adverts in at least 2 successive issues of a regional or national newspaper, when the scope of the plan or programme warrants such.

During the duration of the consultation, the draft plan or programme and the respective environmental report are available to the public at the locations indicated by the entity responsible for its preparation and in the municipalities of the area covered, or the CCDR in the case of national plans. Electronic means of publication may also be used if this is standard practice.

Approved plans or programmes, accompanied by the respective Environmental Statements are available to the public on the web pages of the entities responsible for their preparation. The results of further evaluation and control are also available to the public in the same way, at least on an annual basis.

APA is responsible for the overall processing of information relating to the environmental assessment. It holds a primary position in the dissemination of information on SEA through the website <http://apambiente.pt/index.php?ref=17&subref=147>.

A Good Practice Guide for Strategic Environmental Assessment was published in 2007 <http://apambiente.pt/index.php?ref=17&subref=147&sub2ref=652>, which includes recommendations that the communication strategies adopted ensure active involvement by different target groups that may be strategic in the successful implementation of the plan or programme. This guide was revised and updated in 2012 based on the experience of the first years of implementation of the legal framework, having focused on presenting practical aspects to promote good practices in order to contribute to improving SEA quality.

The website <http://apambiente.pt/index.php?ref=17&subref=147&sub2ref=659> also

contains the Environmental Statements, other technical guides and examples of good practice.

The first assessment of the SEA in Portugal, published by APA in December 2010 <http://apambiente.pt/index.php?ref=17&subref=147&sub2ref=657>, highlights the strengths and weaknesses of the enforcement of the law and the implementation of the recommended good practices. The most interesting findings show that in environmental assessments conducted at the beginning of the enforcement of national legislation the concern was to meet the legal requirements, but this did not always translate into good practices. There is still some way to go until Portuguese society makes the most out of this tool, the potential of which is beginning to be traced out. In this field APA has been developing initiatives to promote good practices and improve articulation between entities.

The PARTICIPA portal (see reply to Article 6) also envisages public consultations under the SEA.

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:

Several examples of public discussions of strategies, plans and programmes in the period covered in this report are presented:

Strategies and plans in the areas of energy and climate change

In 2015, the political and institutional response on climate policy was updated and developed in a process marked not only by the involvement of relevant policy sectors but also by the participation of civil society and citizens. The proposals for the Strategic Framework for Climate Policy (QEPiC), the National Programme for Climate Change (PNAC 2020/2030) and the National Strategy for Adaptation to Climate Change (ENAAC 2020) were in public consultation in May and June 2015, and were subsequently approved by Council of Ministers Resolution No. 56/2015 of 30 July.

- The Strategic Framework for Climate Policy (QEPiC) establishes an articulated framework of climate policy instruments for the 2020/2030 horizon, of which PNAC 2020/2030 and ENAAC 2020 stand out. Portugal has established as an objective of its climate policy, within this framework, an emissions reduction path that aims to achieve a reduction between 30% and 40% in GHG emissions in 2030, compared to 2005 (reductions between 18-23% in 2020, compared to 2005). This objective is in line with the ambition of the EU and with that established in the Paris Agreement.

QEPiC also provides for the establishment of the Inter-ministerial Commission for Air and Climate Change (CIAAC), a political body for monitoring climate policy and sectoral policies with an impact on national air and climate change objectives, taking into account existing synergies between these two areas.

QEPiC envisages the creation of a National System of Policies and Measures (SPM), with a view to streamlining the assessment of progress in the implementation of sectoral mitigation policies and measures, enhancing involvement and reinforcing sectoral accountability in the integration of the climate dimension in sectoral policies. This system was created by Council of

Ministers Resolution No. 45/2016 of 26 August.

- PNAC 2020/2030 has the following goals:
 - i. Promote the transition to a low-carbon economy, generating more wealth and employment, contributing to green growth;
 - ii. Ensure a sustainable path to reduce national greenhouse gas (GHG) emissions in order to reach a target of -18% to -23% in 2020 and -30% to -40% in 2030 compared to 2005, thus guaranteeing compliance with national mitigation commitments and placing Portugal in line with European objectives;
 - iii. Foster the integration of mitigation objectives into sectoral policies (mainstreaming).

The preparation of the PNAC relied on the involvement of civil society in order to promote a coordinated response to climate change related issues.

- The National Strategy for Adaptation to Climate Change (ENAAC), approved in 2010 by Council of Ministers Resolution No. 24/2010 of 1 April, aims to promote the increase of the levels of awareness of the impacts of climate change, to enable the update and availability of scientific knowledge in this area and strengthen the measures to be taken by Portugal in order to control its effects. The first phase of ENAAC's work took place between 2010 and 2013 with the following four structural objectives:
 - i. Information and knowledge;
 - ii. Reducing vulnerability and increasing capacity to respond;
 - iii. Promotion of participation, awareness raising and dissemination; and
 - iv. Development of international cooperation.

The work of the various sectoral groups has been developed and a progress report produced highlighting the strategic nature of the work carried out and identifying constraints in the implementation of the strategy.

Intervention priorities have also been defined which have led to the design of the AdaPT Programme and its development guided by the terms set out in the Memorandum of Understanding between Portugal, Norway, Iceland and Liechtenstein under the European Economic Area Financial Mechanism (MFEEE/EEA -Grants). The operator of the programme is APA as manager of the Portuguese Carbon Fund (FPC), the financial instrument created by the Portuguese government to support climate policy. The partner of the donor country programme is the Direktoratet para Samfunnsikkerhet og Beredskap (DSB), a Norwegian body responsible for civil protection and climate change. The Programme started in 2013 with a total budget of EUR 3,529,412 (EUR 3,000,000 MFEEE + EUR 529,412 FPC) and it will last until 2017 after the completion of its eight projects of adaptation to climate change:

- Climate Portal - systematisation of information on climatic scenarios for Portugal;
- ClimAdaPT.Local - training of local administration agents for the development of Local Strategies for Adaptation to Climate Change;
- Climate@EduMedia - integration of climate change teaching in pilot schools;
- ACT - method for integrating adaptation to climate change in the tourism sector;
- AdaptForChange - improving the success of reforestation in semi-arid areas: adaptation to the climate change scenario;

- adaptIS - collaborative platform for adopting measures to adapt to climate change in the industrial and services sector;
- GestAqua.AdaPT - adaptation to climate change in the management strategy of reservoirs in Alentejo;
- SOWAMO - sowing water on the mountain of Monchique (refilling of aquifers).

Its revision was promoted based on the experience gained with ENAAC, filling the gaps and capitalising on the identified strengths and opportunities. Council of Ministers Resolution No. 56/2015 of 30 July approves ENAAC 2020, inserting it into the QEPiC, which establishes the vision and the objectives of the national climate policy for the 2030 horizon, reinforcing the focus on the development of a competitive, resilient and low carbon economy, contributing to a new paradigm of development for Portugal.

In this way, the ENAAC 2020 vision is taken as: "A country adapted to the effects of climate change, through the continuous implementation of solutions based on technical-scientific knowledge and good practices". The ENAAC 2020 defines a model of organisation where the link between the various sectors and stakeholders is clearly fostered, with a view to pursuing priorities in certain thematic areas and the three objectives of the strategy:

- Improve the level of knowledge about climate change;
- Implement adaptation measures;
- Promote the integration of adaptation into sectoral policies.

The Inter-ministerial Commission on Air and Climate Change (CIAAC) ensures the political follow-up of the ENAAC by the sectoral authorities and the regional governments of the Azores and Madeira.

The Thematic Areas (TA) promote coherent vertical integration of the different scales required for adaptation (from international to local) and horizontal integration (among the different sectors) through the coordination and development of specific multi-sectoral work. The six ENAAC 2020 TA have the following purposes:

- Research and innovation: promotes national science and knowledge in relevant areas for coherent implementation of ENAAC 2020.
- Finance and implement adaptation: focused on prioritising and pooling the funds and resources available for coherent financing of the options and adaptation measures needed to implement ENAAC 2020 and establishing effective reporting mechanisms, including those concerning international obligations.
- International cooperation: promote cooperative work with other countries on the topics necessary for the implementation of ENAAC 2020 and equivalent strategies in those countries and regions of the world, focusing on priority countries for Portuguese cooperation.
- Communication and disclosure (National Adaptation Platform): support the development, systematisation and dissemination of the information necessary for decision-making.
- Integrate adaptation into spatial planning: promote the introduction of the adaptation component in land policy and management tools, including the training of sectoral actors in the territorial integration of specific adaptation measures.
- Integrate adaptation into water resources management: promote the introduction of the adaptation component in the policy instruments,

planning and management of water resources, including the training of sectoral actors in the management of water resources.

Horizontal integration is fostered through the development of activities and specific work in nine priority sectors through sectoral working groups (WG). Each WG is chaired by the relevant central body(-ies) of the central administration which galvanize the involvement of the various sectoral agents. Taking into account the vision, objectives and TA of ENAAC 2020, each WG has the following responsibilities:

- Identify impacts, vulnerabilities and adaptation measures;
 - Integrate the adaptation into sectoral policies;
 - Identify knowledge needs and failures;
 - Promote sectoral studies, identify funding sources and monitoring mechanisms;
 - Prepare plans and activity reports;
 - Contribute to the work of the Thematic Areas; Articulate, when necessary, with the other WG.
- Council of Ministers Resolution (RCM) No. 20/2013 of 10 April approved the National Energy Efficiency Action Plan (PNAEE) for the period 2013-2016 (cf. <http://www.pnaee.pt>) and the National Renewable Energy Action Plan (PNAER) for the 2013-2020 period (cf. <http://www.adene.pt/programa/pnaer-2020-plano-nacional-de-acao-para-energias>), and it repealed Council of Ministers Resolution No. 29/2010, which adopted the National Energy Strategy (ENE 2020). Underlying the preparation of that Council of Ministers Resolution was the document "Strategic Guidelines for the review of the National Renewable Energy and Energy Efficiency Action Plans", which was under public consultation until 31 July 2012.

The 2016 PNAEE carries forward a good part of the measures established in the 2008 PNAEE, adding to or removing some of the actions envisaged, depending on their stage of implementation and potential cost. This Plan also includes measures established under the EU Energy Efficiency Directive. The main objective of the 2016 PNAEE is to plan new actions and targets for 2016, in conjunction with the 2020 PNAER, integrating concerns relating to the reduction of primary energy consumption in 2020, established by the Energy Efficiency Directive, based on three action areas:

- Adjustment of the energy efficiency measures to the current economic and financial context;
- Monitoring methods in accordance with European guidelines and the creation of a macro view of the impact of the National Energy Efficiency Programme;
- Redefining the governance model of PNAEE.

The 2016 PNAER includes six specific areas: Transport, Residential and Services, Industry, State, Behaviour and Agriculture. These areas encompass ten programmes that integrate various measures to improve energy efficiency, oriented at energy demand.

The 2020 PNAER seeks to match energy supply with demand and revise the goal of every source of renewable energy in the national energy mix, taking into account, in particular, the maturity of the technology and its competitiveness. It establishes the paths for the introduction of renewable energy sources (RES) in accordance with the pace of implementation of the measures and initiatives planned in each of these sectors: i) electricity, ii) heating and cooling and iii)

transport.

The lines of action of the 2020 PNAER focus on meeting the goal of 10% in the Transport field as well as identifying the technologies that should be given priority to supply the system if additional power is required to that from the RES.

Full implementation of the 2016 PNAEE will mean attaining the objectives of the Plan itself, as well as the goals set under the 2020 PNAER, namely 31% incorporation of RES in gross final energy consumption and 10% of RES in the Transport sector.

The current review of the PNAEE and PNAER takes into account the energy efficiency measures and promotion of renewable energy sources already listed in the National Climate Change Programme (PNAC), approved by Council of Ministers Resolution No. 104/2006 of 23 August, revised by Council of Ministers Resolution No. 1/2008 of 4 January.

- Portugal started a set of works in 2011 that have materialised in a National Low Carbon Roadmap (time horizon to 2050). This document was available for public discussion in 2012. This initiative seeks to undertake a serious and systematic reflection on the implications in the medium and long term of a path towards a competitive and low-carbon economy, exploring trajectories consistent with the long term objectives of the European Union in this area.

Strategy for Air

The National Air Strategy (ENAR 2020), approved by Council of Ministers Resolution No. 46/2016 of 26 August, aims to improve air quality for the protection of human health, the quality of life of citizens and the preservation of ecosystems.

During the ENAR 2020 drafting process, a number of consultations were held with entities with specific responsibilities, namely DGAE, DGEG, DGS, GPPA of the Ministry of Agriculture and the Sea, IMT, as well as the regional bodies with competences in the area of air (CCDR and DRA). In the phase for gauging measures, stakeholders were consulted on the ENAR 2020 proposal and on the set of actions that will contribute to Portugal achieving the objectives and targets for emissions and air quality by 2020. ENAR 2020 was publicly presented on 20/04/2015 and public discussion took place until 11/05/2015. The comments and suggestions collected during this period, included in the public consultation report, were analysed and considered in the corrections and improvements made to the final documents (cf. <http://www.apambiente.pt/index.php?ref=16&subref=82&sub2ref=1174>).

Waste plans and programmes

The drafting of the National Waste Management Plan (PNGR) <http://www.apambiente.pt/index.php?ref=16&subref=84&sub2ref=108> was accompanied by an environmental impact assessment procedure which resulted in an Environmental Report. Both documents were in public consultation for a period of about a month and a half. 11 contributions from individual citizens, associations, public and private entities were received, which are compiled and analysed in the Public Consultation Report. Opinions were requested of entities with specific environmental responsibilities in 2 separate stages of the environmental assessment, according to current legislation.

The PNGR is a tool for planning waste management policy setting strategic objectives of national scope and establishing the guiding rules to be defined by specific, necessarily more detailed, sectoral plans for waste management policy. The draft PNGR is presently being updated.

The specific waste management plans implementing the PNGR in each specific area of activity are, in the horizon under consideration, at the following phases of SEA:

- The Draft Strategic Plan for Hospital Waste (PERH 2011-2016), and the

Environmental Report were under public consultation which ran from 15 March to 26 April 2010. 10 contributions were received and prepared in accordance with the Public Consultation Report and the Environmental Statement, which culminated in the adoption of the Plan in 2011 (Ordinance No. 43/2011, of 20 January);

- The Strategic Plan for Industrial Waste Management (PESGRI), which defines the main strategy for the management of this type of waste in Portugal, is at the implementation phase.
- The National Industrial Waste Prevention Plan (PNAPRI) is also being implemented.
- The drafting of the Strategic Plan for Urban Waste 2014-2020 Waste (PERSU II 2020) was accompanied by an environmental assessment procedure. Both the draft Plan (PERSU 2020) and the Environmental Report underwent public consultation in 2014. The entities that constitute the plan's monitoring committee were asked for an opinion on the progress of the environmental assessment and the preparation of the draft Plan. PERSU 2020 was approved in 2014 and it can be viewed at:
<http://www.apambiente.pt/index.php?ref=16&subref=84&sub2ref=108&sub3ref=209>.
- The Urban Waste Prevention Programme 2009-2016 (PPRU), approved by Ministerial Order No. 3227/2010 of 22 February, was made available on the APA website in advance to collect opinions, in addition to direct consultation with various bodies holding responsibilities in the waste area. It was consequently reassessed after analysis. The implementation of the PPRU poses significant challenges for the Public Administration, as the entity responsible for fostering the implementation of policies and defining its legal and administrative framework, as well as other instruments necessary for its implementation, and also for the other actors in this process, whether these are entities responsible for waste management or other operators directly or indirectly active in the production-consumption chain. In this context, a Collaboration Agreement between APA, EGF, EGSR and the Urban Waste Management Systems was signed on 27 November 2009, establishing the contributions and obligations of each party in this area. This agreement aims to strengthen the prevention aspect in the implementation of the Action Plans of the Systems, comprising the first step towards the implementation of urban waste management, seeking to contribute to the reduction of waste generation and to minimise the negative impacts of waste management. Other avenues of collaboration and partnership will also be sought, such as protocols / voluntary agreements to be concluded between APA and other public and private entities - including NGOs - to achieve these goals. Cooperation agreements were signed in 2010 under the PPRU between APA and the General Directorate for Economic Activities (DGAE), the Portuguese Association of Distribution Companies (aped) and the Association for Consumer Protection (DECO).

The referred plans and programmes were subject, prior to their approval, to consultation with CAGER - Waste Management Monitoring Commission, which has the responsibility, among others, of monitoring the implementation and reviewing the plans for waste management.

All the environmental assessment draft plans, plans and documents are available on the APA website for viewing.

Water resources plans and programmes

The Water Law (Law No. 58/2005 of 29 December, republished by Decree-Law No. 130/2012 of 22 June), supplemented by Decree-Law No. 77/2006 of 30 March, and other regulatory instruments, transpose to national law Directive No. 2000/60/EC (the Water Framework Directive - WFD), governing the way in which the planning and management

of water resources should be developed <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=9>. The following programmes and plans are to be highlighted in the period covered in this report:

- The main goal of the National Programme for the Efficient Use of Water 2012-2020 (PNUEA) is to promote efficient water use in Portugal, especially in the urban, agricultural and industrial sectors, helping to minimise the risk of water shortage and to improve environmental conditions in water resources without jeopardising the needs and the quality of life of populations, as well as the socio-economic development of the country. It associates the improvement of water use efficiency with the consolidation of a new water culture through which this resource is increasingly valued not only for its relevance to human and economic development but also for the preservation of the natural environment, in a perspective of sustainable development and respect for future generations. It also aims to achieve the reduction of the pollutant loads returned to water resources and the reduction of energy consumption, aspects that are highly dependent on water use. Public consultation occurred between 13 June and 31 July 2012. 13 contributions were received <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=9&sub3ref=860>
- The River Basin Region Management Plans (PGRH) are tools for planning water resource management aimed at the environmental, social and economic protection and enhancement of water in river basins integrated into river basin districts under the responsibility of APA. The planning of water resource management is structured in six-year cycles, under the WFD and the Water Law. The first PGRH drafted under this framework are in force for the period 2009 to 2015. The programmes of measures should be reviewed and updated by 2015 and then subsequently every six years. <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=9&sub3ref=834>. At the end of December 2012, the 2nd cycle of development of the PGRH began, starting with the public consultation of the works calendar and plan. Council of Ministers Resolution No. 52/2016 of 20 September, republished by Council of Ministers Resolution No. 22-B/2016 of 18 November, approves the River Basin Region Management Plans of Mainland Portugal for the period 2016 -2021 <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=9&sub3ref=848>.
- Public Water Reservoirs Spatial Plans, Estuaries Spatial Plans and the Coastal Spatial Plans are special plans for land use planning. Public participation in their drafting is made according to the legal scheme of land management instruments (Decree-Law No. 80/2015 of 14 May). Throughout the preparation of the plans the relevant information is made available to all stakeholders through the APA website, and the current status of development of the different plans may be checked <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=10&sub3ref=96>, <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=10&sub3ref=95> and <http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=10&sub3ref=94>.

Internationally, the management of shared basins is governed by the Convention on Cooperation for the Protection and Sustainable Use of Water from Portuguese-Spanish River Basins, signed by the two countries on 30 November 1998, hereinafter called the Reservoirs Convention. The aim of this is to define the framework for cooperation between the two countries for the protection of surface and ground waters and the terrestrial and aquatic ecosystems directly dependent on them, and the sustainable use of water resources of the Portuguese-Spanish river basins (cf. www.cadc-albufeira.eu/pt). Four specific working groups were set up under the Commission for the Implementation and Development of the Convention (CADC). The most significant of these was Exchange of Information and Public Participation, due to its importance in the context of the Aarhus Convention, in addition to a secretariat for technical support.

The National Water Council (CNA) is the independent consultative body of the Portuguese Government for the planning and sustainable management of water, created by Decree-Law No. 45/94 of 22 February. The structure and operating means of the Council were redefined by Decree-Law No. 84/2004 of 14 April. Represented on the CNA are the Public Administration, the municipalities and the most representative national scientific, economic, professional and non-governmental organisations in the various uses of water, ensuring the involvement and coordination of the government and civil society (cf. <http://conselhonacionaldaagua.weebly.com/>). The main objective of the CNA is to rule on the preparation of plans and projects with special emphasis on the uses of water and water resources, providing a forum for discussion of the management of national water resources policy and the strategic options for its implementation, from an integrative perspective of the environmental values and the sectoral and territorial economic interests. The CNA discussed and approved in plenary, between 2014 and 2016:

- The action strategy for the Portuguese coast;
- PENSAAR 2020 - Strategic plan for water supply and wastewater treatment 2020;
- National Water Plan (PNA);
- River Basin Region Management Plans for the period 2016 -2021;
- Reorganisation of water services management systems.

Strategies, plans and programmes for the coastal zone.

- The National Strategy for Integrated Coastal Zone Management (ENGIZC) establishes the strategic framework for the global, integrated and participatory management of the coastal zone, in order to guarantee sustainability conditions for its development. Provides the framework for the development and implementation of plans, programmes and strategies with a focus on the coastal zone. Presents the vision for 2029 to achieve a harmoniously developed and sustainable coastal zone, based on a systemic approach and enhancing the value of its resources and identity assets based on scientific knowledge and managed according to a model that articulates institutions, coordinates policies and instruments and ensures the participation of the different actors involved. The strategy development process started in 2006 with the preparation of the document "Bases for the Integrated Coastal Zone Management Strategy", which was opened to public discussion in early 2006 and disclosed in 2007. ENGIZC was also the subject of a public discussion process. The strategic environmental assessment of ENGIZC was developed based on the principles defined in Decree-Law No. 232/2007 of 15 June. ENGIZC was approved by Council of Ministers Resolution No. 82/2009 of 8 September.
- Law no. 31/2014 of 30 May was published in 2014, which establishes the general bases of the public policy of soils, land use and urban development planning, which classifies the coastal programmes, as special programmes, as instruments of national scope. Article 3 enshrines citizens' participation as a general principle, strengthening access to information and their intervention in the procedures for drafting, implementing, evaluating and reviewing land programmes and plans. Article 49 establishes the right to information and participation. Decree-Law No. 80/2015 of 14 May develops the bases of the public policy of soils, land use and urban development planning, defining the coordination system of national, regional, inter-municipal and municipal scope of the land management system, the general legal scheme for land use and the system of preparation, approval, performance and assessment of land management instruments. Article 5 states that all stakeholders have the right to be informed about land management policy and, in particular, about the preparation, approval, monitoring, implementation and assessment of the land programmes and plans.

Strategy, plans and programmes for the sea

- The National Strategy for the Sea (ENM 2013-2020) is the public policy instrument that presents the vision of Portugal for the period 2013-2020 in relation to the development model based on the conservation and sustainable use of marine ecosystem resources and services, indicating a long-term path to smart, sustainable and inclusive economic growth based on the maritime component. It revised and updated the first version of the ENM 2006-2016 (RCM No. 163/2006 of 12 December), "taking into account the increase of national interest for the Ocean as a strategic vector, as well as the paradigm shift, marked both internally and externally, by an institutional context geared to sustainable development". The absence of an action plan for the implementation of the previous ENM hindered its monitoring and evaluation, which prevented the impartial verification of development and the effectiveness of the scope of the plans and programmes. The implementation and results of this cross-cutting and multi-sectoral policy depends on the involvement of public and private agents, so their participation in the formulation of the ENM was crucial. After an extended period of public discussion that took place between 1 March and 15 June 2013, during which more than twenty public meetings were held on the mainland and in the Autonomous Regions, and 118 contributions made in writing weighed up (cf. http://www.dgpm.mam.gov.pt/Documents/Relatório%20da%20Ponderação%20Discussão%20Pública_final.pdf), the ENM 2013-2020 resulting from the analysis undertaken during that period, was presented at the 10th meeting of the Inter-ministerial Committee for Sea Affairs (CIAM), created by RCM No. 62/2012 of 13 June (cf. <http://www.dgpm.mam.gov.pt/Documents/CIAM.pdf>). At that 10th meeting, held on 16 November 2013, National Maritime Day, the ENM 2013-2020 was discussed and approved. The final details are available on the DGPM website, including the text of Council of Ministers Resolution No. 12/2014 of 12 February http://www.dgpm.mam.gov.pt/Pages/ENM_2013_2020.aspx. The implementation of ENM 2013-2020 is being made through the Sea-Portugal Plan, which integrates a set of Action Plans and Projects covering a wide range of fields, which has been updated periodically http://www.dgpm.mam.gov.pt/Pages/ENM_2013_2020_jan.aspx.
- Law No. 17/2014 of 10 April was published in 2014, which establishes the bases of the Policy for Planning and Management of the National Maritime Space. Article 12 of that law enshrines the information and participation rights of all stakeholders in the process of preparation, alteration, revision and suspension of the instruments for the planning of the national maritime space. Decree-Law No. 38/2015 of 12 March develops Law No. 17/2014 of 10 April, specifically in Article 7 on the right to information and Article 8 on the right to participate. The terms of participation in the preparation of the Situation Plan (Article 17) and public consultation of the proposed contract for management (Article 32) are also defined in the scope of the allocation plans. This law also makes the Situation Plan (Article 13) subject to environmental assessment, under the terms of law, and makes the Allocation Plans equivalent to projects, for the purposes of applying the legal scheme for environmental impact assessment (Article 23).
- Aquaculture production area of Central Portugal - public participation processes between 24 March and 11 April 2014, pursuant to paragraph 5 of Ordinance No. 4222/2014 of 21 March.
- Aquaculture production area of Tavira - public participation processes between 24 March and 11 April 2014, pursuant to paragraph 5 of Ordinance No. 4223/2014 of 21 March.

Biodiversity and nature conservation strategy, plans and programmes

- The National Strategy for the Conservation of Nature and Biodiversity (ENCNB) for the 2001 to 2010 period, adopted by Council of Ministers Resolution No. 152/2001, is under review. The review of the ENCNB is based on its own timetable and implementing provisions and aims to update and expand the national policy framework for nature conservation and biodiversity in light of the current and prospective challenges of Portuguese society in global and EU contexts, and the requirements of development and competitiveness of the national economy, in a sustainable and efficient perspective of the use of resources, ensuring the resilience of ecosystems and the conservation of the components of the biodiversity that support them. The strategy for implementing the nature and biodiversity conservation policy in the coming years should have its options anchored in the global commitments made in 2010 by Portugal, the EU and the other Member States in the UN Convention on Biological Diversity and translated into its Strategic Plan 2011-2020, contributing to the consolidation of the UN post-2015 sustainable development agenda. Within the EU framework, Portugal's biodiversity policy will take into account the 2020 Biodiversity Strategy and the commitments of the 7th Environmental Action Programme, which are the basis for the national pursuit of the goals for smart, sustainable and inclusive growth, arising from the Europe 2020 strategy. The ENCNB review project, coordinated by the ICNF, was the result of the work carried out by the Inter-ministerial Coordination Commission and developed between 2014 and 2015 (cf. <http://www.icnf.pt/portal/icnf/docref/encnb>). The public consultation of the ENCNB review took place between 29 June 2015 and 27 July 2015. Other plans, such as the Iberian lynx (PACLIP) and Iberian wolf action plans (PACLOBO, in finalization) were also submitted to processes with broad public consultation and participation.
- The Legal Scheme for Nature Conservation, RJCN (cf. Decree-Law No. 242/2015 of 15 October, which republishes Decree-Law No. 142/2008 of 24 July), envisages that the nationwide classification of protected areas is necessarily preceded by a period of public discussion aimed at gathering comments and suggestions on the classification as a protected area. The procedure and time limits of this public discussion are stipulated in paragraphs 5 and 6 of Article 14 of that Decree-Law. According to paragraph 3 of Article 14 of that law, paragraphs 4 to 6 of that same article 14 also apply to the classification of protected regional or local areas.
- The RJCN (cf. paragraph 5 of Article 23 of Decree-Law No. 142/2008) establishes that the procedures for preparation, approval, implementation and assessment of management plans for protected areas shall apply to the provisions of legal instruments for land management, protecting the right of public participation in the preparation, modification, revision, implementation and assessment of land management instruments.
- According to the legal scheme of the Natura 2000 network (sub-paragraph (a) of paragraph 3 of Article 7 of Decree-Law No. 49/2005), the Natura 2000 network management plans are preceded by public consultation, which follows the procedures provided in the legal scheme of land management instruments for special land management plans.

Strategy and plans in the forests area

- The National Forest Strategy, adopted by Council of Ministers Resolution No. 6-B/2015 – cf. <http://www.icnf.pt/portal/icnf/docref/enf> -, as well as the 21 Regional Forest Management Plans (PROF) – cf. <http://www.icnf.pt/portal/florestas/profs/obj>, were prepared according to procedures that included and guaranteed public participation, as established in legislation (Decree-Law No. 16/2009 of 14 January, amended by Decree-Law No. 114/2010 of 22 October). The PROF are currently in the process of revision, being reduced from 21 to 7, according to procedures also subordinated to public

participation, as established by the aforementioned legislation.

- Legal scheme for Forestation and Reforestation (RJAR) and Legal scheme for the Harvest, Transportation, Storage, Processing, Import and Export of pine cones - both were the subject of extensive public participation initiatives, mainly centred on thematic seminars and discussion forums based on the ICNF website. A similar process also took place with Regulation 995/2010 of the EU Parliament and the Council of 20 October, laying down the obligations of operators who place timber and timber products on the market, namely the preparation of additional implementing rules.
- Forest Management Plans (PGF) relating to State-owned land, land in Forest Intervention Areas (ZIF) or integrating community land (wasteland) are mandatorily the object of public consultation and participation prior to their approval. In the period in analysis such land exceeded 650,000 ha for a total of about 200 PGF.
- The Operational Programme of Forest Health (POSF) approved by Council of Ministers Resolution No. 28/2014 - <http://www.icnf.pt/portal/florestas/prag-doe/posf> - establishes the bases of intervention for the reduction of risks of introduction, spread and damage caused by harmful biotic agents. It has been designed by a multidisciplinary and interinstitutional team of forestry technicians and researchers with different specialised skills, representing a wide range of public and private entities covering the fields of forestry production research, forest-based industries and service providers. It also underwent consultation prior to its publication.

National Action Program to Combat Desertification (PANCD)

The PANCD review process began in January 2010, more than a decade after the entry into force of PANCD 1999. It meets the obligations and necessary alignment with the guidelines of the United Nations Convention to Combat Desertification (UNCCD) following the adoption of the Ten Year Strategy 2008/2018, which defines new strategic and operational objectives, expected impacts and global and national indicators to be complied with by national programmes for the period in question. These strategic objectives include the sustainable management and recovery of ecosystems of the susceptible areas and the articulation and promotion of synergies with the processes related to climate change and biodiversity in these fields.

The new PANCD was approved by Council of Ministers Resolution No. 78/2014 of 24 December, for the 2014-2020 horizon. The PANCD underwent public discussion before its approval and adoption. That discussion encompassed strategic guidelines for the development of the fight against desertification in its direct issues, but also - as is apparent from the UNCCD - in areas associated with soil degradation and drought, as well as combating poverty and depopulation (cf. <http://www.icnf.pt/portal/naturaclas/ei/unccd-PT/pancd>). The PANCD was also the object of a Strategic Environmental Assessment process, which included a process of public discussion.

Strategy for Tourism

Turismo de Portugal (TdP) fostered a national debate on the Strategy for Tourism 2027 (ET 27) that began on 24 May 2016. It is expected to be a comprehensive and open public consultation process for the construction of ET 27, which is intended to be a long-term framework for Tourism, and which will also include the next Community Support Framework 2021-2027. ET 27 will identify priorities and options, promote the integration of sectoral policies that influence tourism activity, and ensure stability in public tourism policies to 2027. It is based on five strategic axes and ten action challenges, where sustainability can be highlighted as a means of ensuring the preservation and enhancement of the natural heritage, one of the most important resources of tourism activity (cf.

<http://estrategia.turismodeportugal.pt/>) At the start of 2009, Turismo de Portugal initiated a comprehensive project aimed at generating positive impacts on sustainability, not only domestically but also in the tourism sector. In 2011, TdP published its 3rd Sustainability Report, analysing the evolution of performance of the main activities, establishing commitments and strengthening its role as an example of good practices (cf. <http://www.turismodeportugal.pt/Português/turismodeportugal/publicacoes/Documents/Relatorio%20de%20Sustentabilidade%202011.pdf>).

Also of note is the fact that at the local level, the response to the questionnaire sent to the municipalities indicates that of the 36 respondents, the majority (86%) affirmed that citizens and their organisations are called upon to collaborate in drawing up municipal plans and programmes in the environmental area. The websites of the municipalities and the associated social media are the main informational vehicles, besides the traditional public notices. The means of participation are those foreseen in the municipal organisation (municipal parliaments, public meetings of the executive), but mainly the traditional mail or e-mail. In relation to current municipal environmental policy, 67% of the respondents consider that an opportunity has been given to the local population to participate in its preparation.

XXI. Obstacles encountered in the implementation of article 7

Describe any obstacles encountered in the implementation of article 7.

Answer:

The main difficulty found in terms of public participation relating to the preparation of plans, programmes and policies on the environment, as well as other environmental policy instruments, is the feeble public involvement. Besides generalised low citizen involvement in participatory processes, there is an overload of information available via various media, in particular audiovisual media. Public services have been making efforts to improve the quality of relevant information and make information available by electronic means, facilitating their access to all interested parties. However, the situation on the ground means that there is a need to complement the information tools (e.g. website) with other effective tools for dissemination and raising awareness, to provide greater visibility of both the informational tool or the opportunity that the participatory process itself provides.

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:

Nothing to report on this item.

XXIII. Website addresses relevant to the implementation of article 7

Give relevant website addresses, if available:

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:

Waste

The Strategic Plan for Urban Waste (PERSU 2020) prepared in 2013 and 2014 underwent an environmental assessment procedure. Accordingly, an opinion on the Environmental report was requested from entities with specific environmental responsibilities, which may be interested in the environmental impact resulting from the implementation of PERSU 2020. The PERSU 2020 Project and its Environmental Report were also jointly submitted to a public consultation procedure. 14 contributions were received from local public administration entities, urban waste management systems, companies, associations, environmental non-governmental organisations and one private citizen. These contributions were integrated into the respective Environmental Assessment and Plan whenever considered relevant.

APA promoted public participation and consultation in the preparation of the draft legislation that gave rise to Decree-Law No. 79/2013 of 11 June. This legal instrument establishes rules regarding the restriction of the use of certain hazardous substances in electrical and electronic equipment (EEE) with the aim of contributing to the protection of human health and the environment, including the environmentally friendly recovery and disposal of EEE waste, and transposing into national law Directive 2011/65/EU of the European Parliament and the Council of 8 June, on the restriction of the use of certain hazardous substances in EEE, amended by Delegated Directives 2012/50/EU and 2012/51/EU, both of the European Commission of 10 October.

APA promoted a broad consultation concerning the transposition of Directive 2012/19/EU of 24 July on the waste of electrical and electronic equipment (WEEE), which involved the key entities involved in the management of WEEE [the Autonomous Regions; inspection entities; ERSAR; EGF and EGSRA; associations representing the economic sector of EEE, EEE sales and waste management operators; the confederation of environmental protection associations (CPADA); entities managing WEEE and the entity for the registration of producers], as well as the CCDR. Contributions were received from 16 entities, including from CPADA, which was represented by Quercus. The proposals contained in the draft legislation were generally approved.

At the local level, all the 36 municipalities that answered the questionnaire sent out to evaluate the implementation of the Aarhus Convention consider that consultation of the population is envisaged during the drafting of regulations and other normative instruments of municipal scope.

XXV. Obstacles encountered in the implementation of article 8

Describe any obstacles encountered in the implementation of article 8.

Answer:

Nothing to report on this item.

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:

Nothing to report on this item.

XXVII. Website addresses relevant to the implementation of article 8

Give relevant website addresses, if available:

<http://participa.pt>

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:

The framework of implementation of article 9 of the Aarhus Convention on access to justice has not substantially changed from that stated in the previous national reports.

However, as has been the case since the 2nd Report (2008), this item has not been dealt with in detail and taking into account the recent revision of the Code of Administrative Procedure (CPA) and the Code of Procedure in the Administrative and Tax Courts (CPTA), as well as the amendments to the Law on Procedural Participation and Public Action, the Law on Access to Administrative Documents (LADA) and the Law on Access to Environmental Information arising from the CPTA reform, this 5th Report again refers to some key elements to facilitate a better understanding of the implementation of this pillar of the Aarhus Convention in Portugal.

The right to information, participation and access to justice are interdependent rights on which the Aarhus Convention is based. In actual fact, in the context of environmental issues and making the decisions relevant to them, the process of participation depends on the access to information, just as access to justice ensures the exercise of participation and information rights.

In general, Portugal has vast and updated legislation that ensures access and freedom of information. The legal texts in force guarantee the right of access to information, participation and access to justice in environmental matters to all citizens in a very comprehensive framework, in particular through the right of every citizen to act on behalf of the common interest.

The 1976 Constitution dedicated a specific rule to the environment, which raised it to the level of legal asset and the protection of which is primarily delivered to public entities but for which the whole community is responsible - Article 66, paragraph 2 of the Constitution. The protection of the environment is a simultaneously public and collective task, with relevance on the State's fundamental task, article 9 (e) of the Constitution. The Constitution itself gives it a specific defence mechanism, available to natural and legal persons, translated into "popular action" or popular legitimacy for the defence of varied interests, Article 52, paragraph 3 of the Constitution, which will be focused on in more detail below.

Therefore, in Portugal all citizens are constitutionally guaranteed access to the law and to the courts in defence of their legally protected rights and interests, and access to the courts cannot be denied due to insufficient economic resources. Everyone has the right to legal information and advice and to assistance from a lawyer. The law guarantees to citizens rapid and priority judicial procedures to obtain the effective protection of the rights, freedoms and guarantees, Article 20 of the Constitution. In view of the importance of the free circulation of information as a contribution to the formation of citizens' opinion, the Portuguese Constitution of 1976 enshrined in Article 37 the freedom of information, consisting of the rights to inform, to obtain information and to be informed. This triple

configuration of the right to information has significant impacts on the delimitation of the normative scope.

In Portuguese law, these concerns are specifically covered, in the context of administrative procedure and the judicial process, in relation to that highlighted herein, by Law No. 83/95 of 31 August - Law on procedural participation and public action (LAP), the Code of Procedure in Administrative Courts (CPTA), the Code of Administrative Procedure (CPA), the Law on Access to Environmental Information, Law No. 19/2006 of 12 June (LAIA) and Law No. 46/2007 of 24 August (LADA) (repealed in August 2016 by Law No. 26/2016 of 22 August).

In administrative procedures, the right to information belongs to those directly interested in the procedure to which the intended information refers, Articles 61 and 62 of the Constitution and, by extension, this right also extends to any person proving they have a legitimate interest in knowing the intended information, Article 64, paragraph 1 of the Constitution. Outside of these cases, in situations of extra-procedural information, it is possible to access administrative records and files under the conditions referred to in Article 65 of the Constitution, complying with the rules and limitations contained in LADA, Directive 2003/98/EC of the European Parliament and of the Council of 17 November, and Law No. 67/98 of 26 October - Personal Data Protection Act (LPD).

The requests have to be satisfied by the administration within 10 days, Article 61, paragraph 3 of the Constitution, counted in accordance with Article 72. As far as extra-procedural information is concerned, in the cases provided for in Article 14, paragraph 4, of LADA, it is stated that, in exceptional cases, if the volume or the complexity of the information warrants such, the time limit may be extended by a maximum of two months. In that case the applicant shall be informed within 10 days, stating the reasons for such.

If the requests are not satisfied, although there is always an optional complaint to the body that denied the information, in whole or in part, or has not replied to the request, Article 184 and subsequent of the Constitution, there are two ways to proceed:

- Appeal by means of a complaint to an independent administrative authority, and/or
- file a legal challenge.

Any applicants who consider their request for information has been ignored, totally or partially wrongfully refused, obtained an inadequate response or where compliance with the law was not assured, can challenge the legality of the decision, act or omission pursuant to general law, and also submit a complaint to an independent public entity, in this case to the Commission for Access to Administrative Documents (CADA), an entity that works with the Portuguese Parliament and has the purpose of ensuring, in accordance with legislation, compliance with law regarding access to administrative information.

The CADA is responsible for ensuring compliance with the LAIA law, Article 15. In order to ensure the exercise of the right of access to information on the environment, LADA, which has supplementary application in this area through Article 18 of the LAIA, governs access to the administrative documents and their re-use establishes free recourse to the CADA. The complaint must be assessed by CADA within 40 days, preparing a report appraising the situation, sending the appropriate findings to all stakeholders. On receiving the report, the public authority must inform the interested party of the final decision within 10 days, otherwise no decision will be considered to have been taken. The opinions of CADA are not binding. However, if the public authority chooses not to abide by the opinion of CADA, applicants may challenge that decision in the courts pursuant to Article 15, paragraph 6 of LADA.

It is also possible to file complaints for acts or omissions of the public authorities to the Ombudsman, whenever the rights, freedoms, guarantees and legitimate interests of citizens are at risk. The Ombudsman is an independent public body designated by the Portuguese Parliament that appraises the complaints, without decision-making power and makes recommendations to the competent bodies to prevent and remedy injustices.

In the judicial challenge it is possible for the interested party to request:

- The issue of a writ of summons on the administrative entity to provide information, permit the consultation of documents or issue extracts, Article 104 and subsequent of the CPTA;
- administrative proceedings to convict the Administration for the practice of certain actions, Articles 66 to 71 of the CPTA, and
- The right to class action, Article 52 of the CRP and Law no. 83/95 of 31 August.

The legal procedure of writ for consultation of documents or issue of extracts applies, a summary procedure especially suitable for verifying the reasons for the refusal of requests made by individuals to public entities, as provided for in the CPTA, approved by Law No. 15/2002 of 22 February, amended by Law No. 59/2008 of 11/09, Law No. 63/2011 of 14/12 and Decree-Law No. 214-G/2015 of 02/10. Pursuant to Articles 104 to 108 of the CPTA, this process is characterised by the speed and effectiveness: the procedural deadlines are reduced, the decision period is short, tending to be less than one month, Article 107 of the CPTA, and the judge may order the levying of mandatory penalty payments for each day late in the event of conviction of the entity from which the information was requested, Article 108, paragraph 2 of the CPTA. Once the challenge is submitted, the judge orders the administrative entity to respond within 10 days. In case of deciding for the action, the judge sets the time limit in which the summons must be served, which cannot exceed 10 days. If the summons is not complied with without acceptable justification, then mandatory penalty payments may be ordered and civil, disciplinary and criminal liability may be ascertained.

The most common situation is to attempt an intra-administrative solution of the matter with the CADA before proceeding to court, since, although the summons has particularly low cost, cf. Article 12, paragraph 1(b) of Decree-Law No. 34/2008 of 26 February (Regulation of Costs of Proceedings), it always requires contracting a lawyer and paying the fees, while the use of CADA is free and no lawyer needs to be hired. Furthermore, there is nothing in the law indicating that one procedure obligatorily takes precedence over the other.

The right to class action is enshrined in Article 52 of the Constitution and it confers on all citizens, personally or through associations defending the interests concerned, regardless of whether or not they have a direct interest in the claim, the right to obtain judicial protection in the case of infringement of public health, consumer rights, quality of life and the preservation of the environment and cultural heritage, including the right to promote prevention, cessation and prosecution and to seek the corresponding indemnity. The cases and terms in which this right can be exercised are defined in Law No. 83/95 of 31 August, right of procedural participation and class action. The exercise of this right takes the form of administrative procedural action or civil public action. Public administrative action may take any of the forms of proceedings provided for in the CPTA. The parties involved in class action may, in particular, request from the competent authorities the extracts and information they deem necessary for the success or refusal of the application, to be provided in good time. The refusal, delay or omission of indispensable data and information, except where justified on grounds of State secrecy or legal confidentiality, shall mean the agent responsible is liable in civil and disciplinary terms. No preparation is required for implementing the right to class action and the applicant is exempt from the payment of legal costs as long as the case is partially upheld. The liability for wilful or culpable violation of the interests protected by the Law of public action makes the responsible agent liable for indemnifying the injured party or parties for the damages caused.

The task of systematisation by the European Commission based on national consultations should also be mentioned, which reported on the e-Justice Portal the information collected on access to justice in environmental matters in the Member States of the EU, available on the European e-Justice Portal since the end of 2013 https://e-justice.europa.eu/content_access_to_justice_in_environmental_matters-300-pt-en.do?member=1. The rules governing the filing of proceedings in the judicial courts or

administrative bodies are made available in fact sheets, in an accessible manner.

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:

Nothing to report on this item. Portugal identifies itself with the objectives of the Aarhus Convention. The Portuguese Constitution, which has enshrined this right since 1976, pioneered the treatment of the environment as a fundamental right, and even inspired other framework laws in European and Portuguese-speaking countries. Therefore, Portugal has sought to implement legislation that supplements and fosters access to justice in environmental matters and practices that make this effective.

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:

In relation to statistical data on environmental justice, the Ministry of Justice does not have isolated data on the matter, which is why it does not have statistical information to present. Portugal has a large body of case law on the environment. We can indicate, for example, the following judgments of the Supreme Court of Justice:

Judgement of the Supreme Court of Justice of 26/01/1988 IN BMJ N373 PAG483;

Judgement of the Supreme Court of Justice of 06/03/1990 IN BMJ N395 PAG542;

Judgement of the Supreme Court of Justice of 14/11/1991 IN BMJ N411 PAG549;

Judgement of the Supreme Court of Justice of 26/05/1992 IN BMJ N417 PAG734;

Judgement of the Supreme Court of Justice of 03/11/1992 IN BMJ N421 PAG400;

Judgement of the Supreme Court of Justice of 21/09/1993 IN CJ TIII PAG96. Judgement of the Supreme Court of Justice of 21/02/1995 IN CJ TI ANOIII PAG96.

XXXI. Website addresses relevant to the implementation of article 9

Give relevant website addresses, if available:

CADA – www.cada.pt

Justice Ombudsman – <http://www.provedor-jus.pt>

DGPJ – General Directorate for Justice Policy - www.dgpj.mj.pt

e-Justice Portal - [https://e-](https://e-justice.europa.eu/content_access_to_justice_in_environmental_matters-300-pt.do?init=true)

[justice.europa.eu/content_access_to_justice_in_environmental_matters-300-pt.do?init=true](https://e-justice.europa.eu/content_access_to_justice_in_environmental_matters-300-pt.do?init=true)

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:

Portugal identifies with the objectives of the Aarhus Convention, seeking to be guided by the same processes related to governance and therefore seeking to implement legislation that addresses those objectives and the practices that ensure their implementation.

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:

(a) Article 6A, paragraph 1

Annex I A, paragraph 1

Decree-Law No. 72/2003 of 10 April, transposing into national law Directive 2001/18/EC of 12 March on the deliberate release of genetically modified organisms (GMOs), clearly establishes in Article 27 that the competent authority - APA - must provide the public with information concerning the deliberate release into the environment and placing on the market of GMOs, including:

- Information on the permits granted;
- Results of monitoring carried out;
- Register of the location of released GMOs and cultivated GMOs;
- Information on the deliberate release or placing on the market of products containing or consisting of GMOs, done without authorisation.

Annex I A, paragraph 2

Decree-Law No. 72/2003 envisages in article 28 that only information considered confidential can be waived for public disclosure in order to protect intellectual property rights as well as the competitive position of companies.

Annex I A, paragraph 3

The legislative instrument provides for in its article 14 that the competent authority shall send to the European Commission a summary of the notification, within 30 days of the date of its receipt.

Annex I A, paragraph 4

According to Decree-Law No. 72/2003, Article 28, paragraph 3, and in accordance with the provisions of the Aarhus Convention, the following information cannot be declared as confidential:

- a) Description of the GMO, name and address of the notifier, purpose and location of release
- b) Methods and plans for monitoring the GMO and for the emergency response
- c) Assessment of environmental risks.

Annex I A, paragraph 5

APA provides information through its website, in particular with regard to legislation, information on the cultivation of GMOs, environmental monitoring, GMOs authorised for placing on the market, authorised notifications for deliberate release into the GMO environment for experimental purposes, and procedures for notifiers who wish to submit applications for the deliberate release of GMOs into the environment or the placing on the market of GMOs.

It should be noted that, under the authorisation procedures for the deliberate release of GMOs (experimental trials) a public consultation is held prior to decision-making, pursuant to article 11 of the referred Decree-Law. The announcement of the public consultation is done through the written media as well as on the PARTICIPA <http://participa.pt> website.

On the topic of GMOs, APA also ensures the provision of explanations where necessary, via e-mail or telephone.

Annex I A, paragraph 6

Decree-Law No. 72/2003 of 10 April establishes in its Article 11 that the general public is consulted prior to making a decision on applications for the deliberate release into the environment (experimental trials), ensuring the notification is displayed for a period up to 60 days. The announcement of this information is made through an advertisement in 2 nationwide newspapers, and, if possible, on a regional or local level, which contains the address where the information can be viewed and indication of the start and end date of the public consultation. This information is also made available on the PARTICIPA <http://participa.pt> website.

Annex I A, paragraph 7

The outcome of the public participation was taken into account when making the decision. Each response received and directly related to the object of the consultation, i.e. with the respective notification, was analysed in all public consultation processes.

Annex I A, paragraph 8

The texts of the decisions taken on the deliberate release of GMOs into the environment, or placing GMOs on the market are published on the APA website at <http://www.apambiente.pt/index.php?ref=16&subref=85&sub2ref=429>.

(b) Article 6 A, paragraph 2

The provisions of article 6 A are included in national legislation since 2003 (see text in **Annex I A, paragraph 6**).

Ratification of the Cartagena Protocol on Biosafety, through Decree No. 7/2004 of 17 April, ensured compliance with the requirement to raise global awareness and public participation in respect of the cross-border movements of GMOs. In Portugal, APA, as the competent authority for the Cartagena Protocol, submits information through the central portal of the Information Interchange Centre - Biosafety Clearing House (BCH).

Thus, national legislation ensures compliance with the provisions of paragraph 2 of article 6 A.

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:

No obstacles were encountered to the implementation of Article 6 A and Annex I A.

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:

APA fosters public consultation of applications for the deliberate release of GMOs (experimental trials) prior to decision-making, pursuant to article 11 of Decree-Law No. 72/2003 of 10 April (see text of **Annex I A, paragraph 6**).

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:

The general public can find a list of authorisations granted for releasing GMOs into the environment or placing them on the market

- on the APA website:
www.apambiente.pt, on “Policies-Chemicals and genetically modified organisms”
<http://www.apambiente.pt/index.php?ref=16&subref=85&sub2ref=429>
- on the website of the General Directorate of Food and Veterinary Matters – DGAV
www.dgv.min-agricultura.pt

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:

In the reporting period there were no recommendations/measures to apply to Portugal.