

Berlin CSO Declaration on the Right to Information and Environmental Justice

Declaration adopted by participating representatives of civil society organisations attending NGO Day in Berlin on 25 June 2025 alongside the XVIth International Conference of Information Commissioners (ICIC):

Recalling that the right to access information held by public authorities (the right to information) is a fundamental human right which supports the equal enjoyment of all rights, is a cornerstone of a strong, participatory and accountable democracy, is a weapon against corruption, disinformation and authoritarianism, and builds public trust;

Alarmed about the triple planetary crisis facing humanity – climate change, pollution and biodiversity loss – and the fact that numerous environmental boundaries have already been crossed, causing increasingly severe consequences for the enjoyment of a range of human rights, including to life, health, water, food, work, housing and self-determination, and disproportionately affecting countries already facing systemic and structural disadvantages, as well as marginalised groups, refugees, internally displaced persons and others in vulnerable situations;

Recognising the essential role that the right to information plays in supporting the full and meaningful participation of all stakeholders in promoting human rights and environmental protection such that, without unhindered access to environmental information, environmental justice cannot be achieved, while also condemning efforts to impose secrecy in relation to matters of public interest, including the environment;

Celebrating the global community of civil society advocates working to promote the right to information and environmental justice;

Concerned about growing attacks on civil society, including frontline defenders of the right to information and the environment, and overall shrinking civic space, including through criminal cases, strategic lawsuits against public participation (SLAPPs), intimidation, smear campaigns, unreasonable restrictions on funding and physical attacks, including gender-based violence;

Stressing the value of international statements which recognise the importance of the right to information in the context of the struggle for environmental justice, including United Nations Human Rights Council Resolution A/HRC/RES/48/13, 2021 and the United Nations General Assembly Resolution A/RES/76/300, 2022, regional treaties on the right to information and the environment, and ongoing efforts to develop similar frameworks in other regions;

Commit, as civil society activists:

To work collectively to promote the right to information and access to environmental information, including through joint action to advocate for the adoption or reform of right to information laws to bring them into line with international standards and for the proper implementation of those laws, as well as to create awareness among the public about such laws.

To continue to focus advocacy efforts to address issues such as underfunding of the various stakeholders of the right to information sector, the growing problem of State secrecy, and attacks on civil society and civic space more generally.

To work to increase collaboration and the sharing of best practices in our sectors.

Call on States:

To adopt strong right to information laws, in line with the standards set out below, where they are not already in place, and to refrain from adopting negative amendments which dilute these laws:

- They include clear guarantees for the right to information and establish a strong presumption that all information, including environmental information, is accessible.
- They apply broadly to everyone, all information and all public authorities, including private bodies which perform a public function or are substantially financed by public money.
- They create broad proactive publication obligations in open, machine-readable formats, including the regular updating of information, the preparation of gender disaggregated information, as relevant, and encompassing critical environmental indicators, such as greenhouse gas emissions and pollutant discharges.
- They make it easy to lodge requests for information and put in place user-friendly systems for responding to requests.
- They establish regimes of exceptions which are based on clear and narrow definitions of protected interests, on allowing withholding of information only where its disclosure would harm those interests, and on public interest overrides so that information is released despite harm to a protected interest where this is in the overall public interest.
- They provide for protection for good faith disclosures pursuant to the law, alongside sanctions for wilful obstruction of the law.
- They include a range of promotional measures, such as the appointment of information officers, systems to ensure good records management, obligations to raise public awareness, including through targeted outreach to and capacity-building of disadvantaged groups, and effective reporting on how the law is being implemented.

To ensure that their right to information laws provide for strong, independent and sufficiently resourced administrative oversight bodies (information commissions), with the mandate and powers to ensure compliance with the law, including powers to issue binding orders, to compel the production of documents, to call witnesses, to monitor and inspect public authorities, and to impose sanctions, and a mandate to train officials, to raise public awareness and generally to promote the right to information.

To implement their right to information laws effectively, including by respecting the decisions of oversight bodies and by ensuring equal access to information by all, with a specific focus on the information needs, including in relation to environmental information, of indigenous peoples, women, persons with disabilities, youth and other marginalised groups.

To provide funding and other forms of support for advocacy and other work in the areas of the right to information and environmental justice.

To respect fully freedom of association, to refrain from imposing unjustified limits on civic space, to put in place effective measures to address attacks on civil society, including by adopting effective anti-SLAPP laws, and to advocate for respect by all States for this freedom.

To ratify, as relevant, where they have not already done so, the Council of Europe Convention on Access to Official Documents (Tromsø Convention) and regional treaties on the right to information and the environment, namely the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

Call on the ICIC:

To institutionalise a parallel civil society gathering alongside ICIC events, including at the next ICIC event in Sierra Leone in 2026.

To continue to support the engagement of civil society representatives in the ICIC, including in the planning of the agenda for the open part of the event.

Call on all stakeholders, including inter-governmental organisations:

To work together to promote progress on SDG Indicator 16.10.2, focusing on the adoption and implementation of legal guarantees for the right to information.

To uphold and strengthen existing treaties on environmental information rights, such as the Aarhus Convention and the Escazú Agreement, including through broader ratification, and support ongoing processes to adopt such agreements in other regions.