

PARTICIPATION, INFORMATION, JUSTICE

Background Paper

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I. INTRODUCTION

This paper provides a brief account of the emergence of the right of public participation as a norm in international law, and surveys four multilateral instruments that have incorporated this norm to various extents. The aim is to provide points of reference for those who are currently forging the way, in Porto Alegre and beyond, towards the full realization of effective and meaningful participation in the governance of transnational affairs.

II. EMERGENCE OF A NORM

The right of public participation in governance is a notion that has deep roots in a wide array of cultures. It can be traced to the city-states of the ancient Mediterranean that forged the familiar institution of representative democracy, to Islamic law with its duty of consultation (*shura*),¹ and to participatory governance practices in many traditional societies.²

¹ See Ali Ahmad, *Righting Public Wrongs and Enforcing Private Rights: Public Involvement in Islamic Law* in THE NEW "PUBLIC": THE GLOBALIZATION OF PUBLIC PARTICIPATION 39, 41 (Carl Bruch ed. 2002) [hereinafter THE NEW "PUBLIC"].

² See e.g., Center for International Environmental Law, *Community-Based Property Rights: A Conceptual Note*, in WHOSE NATURAL RESOURCES? WHOSE COMMON GOOD? TOWARDS A NEW PARADIGM OF ENVIRONMENTAL JUSTICE AND THE NATIONAL INTEREST IN INDONESIA 1 available at <<http://www.ciel.org/Publications/publac.html>>. For a partial bibliography of research on participatory, community-based resource-management practices, see Owen J. Lynch and Kirk Talbott,

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With the 1948 Universal Declaration on Human Rights, international law recognized a set of political and legal rights that are prerequisites to public participation in governance: the rights of access to information (Article 19); the right of access to justice (Articles 8 and 10); the right to associate (Article 20); and the right to universal suffrage and access to public service (Article 21).³

The 1948 Declaration provided a necessary though insufficient platform for effective public participation by civil society in supra-national policymaking bodies. This deficit was most acutely felt in the environmental arena, where decisions can have catastrophic and irreversible impacts. The emergence of a vibrant environmental movement in the 1970s thus went hand-in-hand with a demand for participatory governance that was lucidly articulated at the 1992 Earth Summit (United Nations Conference on Environment and Development or UNCED) through Principle 10 of the Rio Declaration, which identified the essential nexus between environmental governance and public participation.⁴

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.⁵

Principle 10 thus identified what have come to be considered the three essential pillars of a successful public participation system: public access to information, public participation in decision making processes, and public access to judicial and administrative remedies.

Leading expert opinion echoed these three pillars and gave further definition to the duties implicit in the right to public participation. In 1994, a UN Special Rapporteur

BALANCING ACTS: COMMUNITY-BASED FOREST MANAGEMENT AND NATIONAL LAW IN ASIA AND THE PACIFIC 23 & 149 n.23 (1995).

³ See Universal Declaration of Human Rights, adopted on Dec. 10, 1948, UNG Res. 217A (III), U.N. Doc. A/810, at 71 (1948).

⁴ See Rio Declaration on Environment and Development, U.N. Conference on Environment and Development (UNCED), U.N. Doc. A/CONF.151/26 (vol. I) (1992), 31 I.L.M. 874 (1992) [hereinafter Rio Declaration].

⁵ Rio Declaration, *supra* at note 4.

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published the results of a comprehensive survey of international law and state practice in human rights and the environment. This report, known as the Ksentini Report, stresses that effective participation in the environmental context requires education, information, and timeliness of notice; that stakeholders must be able to participate in ongoing monitoring of environmental situations; and that judicial remedy must be provided for violations arising from a failure to allow effective participation.⁶

The Inter-American Commission on Human Rights, in its 1997 Report on the Situation of Human Rights in Ecuador, highlighted the persistent exclusion of indigenous Huaorani people from decision-making about oil development on their lands. Huaorani individuals, the Report noted, lacked “even basic information about exploitation activities taking place locally, and about potential risks to their to their health.”⁷

This deprivation, the Report noted, constituted a violation of the affected individuals’ rights to seek and receive information from the government and to participate in the conduct of public affairs under Articles 13 and 23 of the American Convention on Human Rights.⁸ The Commission went further. It placed participation among the most basic of rights, declaring that “*protection of the right to life and physical integrity may best be advanced through measures to support and enhance the ability of individuals to safeguard and vindicate those rights*” [emphasis added],⁹ and concluded that such protection implies an affirmative duty on the part of states to “take the measures necessary to ensure the meaningful and effective participation of indigenous representatives in the decision-making processes about development and other issues which affect them and their cultural survival.”¹⁰

The movement to institute participatory governance at regional and international levels continued to gather momentum at the World Summit on Sustainable Development in Johannesburg. The WSSD’s Plan of Implementation registers a

⁶ See Fatma Zohra Ksentini, Human Rights and Environment, Special Rapporteur’s Final Report, UN. Doc. E/CN.4/Sub.2/1994/9, July 6, 1994 at para. 218.

⁷ Inter-American Commission on Human Rights, Report on the Situation of Human Rights in Ecuador, at Chapter VIII, *Conclusions*, OEA/Ser.L/V/II.96, Doc. 10 rev.1, 24 April 1997, available at <<http://www.cidh.oas.org/countryrep/ecuador-eng.index-ecuador.htm>>.

⁸ See *id.*

⁹ *Id.* at Chapter VIII, *Conclusions*.

¹⁰ *Id.* at Chapter IX, *Recommendations*.

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profound concern for the perpetual marginalization of specific groups –notably women, indigenous people, and youth-- from decision-making, and calls for “[e]nhancing participation and effective involvement of civil society and other relevant stakeholders in the implementation of Agenda 21, as well as promoting transparency and broad public participation”¹¹

III. INSTRUMENTS

The principles embodied in the Rio Declaration, and echoed in numerous subsequent international summits on sustainable development, the environment and human rights, have served to crystallize the aspirations of the public participation movement, and have spawned a first generation of instruments that –among other goals-- seek to bring participatory governance to international and regional institutions.

A. 1993 North American Agreement on Environmental Cooperation (NAAEC)

While NAFTA has acquired a certain infamy in sustainable development circles for its notorious Chapter 11, which empowers businesses to seek damages for “business losses” resulting from environmental regulations, NAFTA’s environmental side agreement, the North American Agreement on Environmental Cooperation (NAAEC)—and its institutional embodiment, the Commission for Environmental Cooperation (CEC)—aspires to wed the liberalization of trade with environmental sustainability, and seeks to embody the principles of transparency, participation, and access to justice enunciated in the Rio Declaration.¹²

The NAAEC declares in Article 1 that one of its objectives is to promote transparency and public participation in the development of environmental laws, regulations and policies.¹³ To that end, Article 2 imposes a duty on each party to periodically prepare

¹¹ Agenda 12, Draft Plan of Implementation of the World Summit for Sustainable Development, September 2, 2002, U.N. Doc. A/CONF.199/L.3/Add.10 (2002), art. X, §121(g), *available at* http://www.iucn.org/wssd/docs/key_docs_wssd/english/13_dreportmc_add10.pdf. (visited December 18, 2002).

¹² See North American Agreement on Environmental Cooperation, Sept. 14, 1993, 32 I.L.M. 1480 (1993) [hereinafter NAAEC], *available at* http://www.cec.org/pubs_info_resources/law_treat_agree/naec/naec02.cfm?varlan=english.

¹³ See NAAEC, *supra* note 7, art. 1.

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and make publicly available reports on the state of the environment, develop environmental emergency preparedness measures, promote environmental education, research and development, assess environmental impacts and promote the use of economic instruments.¹⁴

The NAAEC's commitment to public participation is reflected in the organizational structure of the Commission for Environmental Cooperation (CEC). The CEC's Joint Public Advisory Committee (JPAC) provides guidance to the governing Council (comprised of each country's environment ministers or their representatives)¹⁵ and to the Secretariat (the professional staff that implements initiatives and conducts research in five core program areas¹⁶ and processes citizen submissions on enforcement matters).¹⁷ The JPAC is composed of fifteen citizens (five from each of the three countries) appointed by their respective governments, and meets during the regular session of Council as well as three additional times annually.¹⁸

Worthy of special mention is NAAEC's Citizen Submissions on Enforcement Matters mechanism, which enables the public to play an active whistle-blower role when a government appears to be failing to enforce its environmental laws effectively.¹⁹ This mechanism serves as a check to the tendency by governments to be lax in enforcement so as to attract investment. Like the tripartite structure of the CEC, the Citizen Submissions provide a fine model of citizen participation as a principal element of institutional design, rather than cosmetic afterthought.

B. 1997 Charter of Civil Society for the Caribbean Community

¹⁴ See *id.* art. 2.

¹⁵ See North American Commission for Environmental Cooperation, *Who We Are: Council*, available at <http://www.cec.org/who_we_are/council/index.cfm?varlan=english> (visited December 18, 2002).

¹⁶ See North American Commission for Environmental Cooperation, *Our Programs and Projects*, available at <http://www.cec.org/programs_projects/index.cfm?varlan=english> (visited December 18, 2002). The five program areas are: environment, economy and trade; conservation of biodiversity; pollutants and health; and law and policy.

¹⁷ See North American Commission for Environmental Cooperation, *Who We Are: Secretariat*, available at <http://www.cec.org/who_we_are/secretariat/index.cfm?varlan=english> (visited December 18, 2002).

¹⁸ See North American Commission for Environmental Cooperation, *Who We Are: Joint Public Advisory Committee (JPAC)*, available at <http://www.cec.org/who_we_are/jpac/index.cfm?varlan=english> (visited December 18, 2002).

¹⁹ See NAAEC, *supra* note 12, arts. 14, 15.

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In February 1997 the fourteen Heads of State of the Caribbean Community (CARICOM) signed the Charter of Civil Society for the Caribbean Community, thus pledging their commitment “to create a truly participatory political environment within the Caribbean Community which will be propitious to genuine consultation in the process of governance”.²⁰ The body of the Charter is made up of 27 articles that define the civil, political, economic, social and cultural rights of Caribbean citizens, whilst generally promoting racial harmony, sustainable development and economic growth.²¹

The Charter’s embrace of public participation is not all encompassing, however. For example, it makes a point of defining “social partners” as those entities recognized by the State.²² Such a top-down, positivist definition --with all its potential for discrimination of disfavored groups and marginalization of groups without the means to institutionalize—is surely at odds with the Charter’s opening phrase: “We the People of the Caribbean Community...”²³.

In addition, the Charter does not address public participation within the governance of CARICOM itself. In an effort to address this vacuum, CARICOM convened The Civil Society “Forward Together” Conference in Liliendaal, Guyana on July 2002. The Liliendaal Statement of Principles “[a]cknowledged that Civil Society has a vital role to play in the development of regional, political and social policies, the development of those programmes and frameworks currently in existence, their modification, where necessary, and the creation of new areas as required”.²⁴ To that end, the Liliendaal conferees agreed on several steps toward increased public participation, including triennial meetings between Civil Society and Heads of Government, more constructive participation of Civil Society in CARICOM decision making organs, and the establishment of a Task Force to develop a strategic

²⁰ Charter of Civil Society for the Caribbean Community (CARICOM Charter on Civil Society), preamble, Feb. 19, 1997, *available at* <<http://www.caricom.org/chartercivilsoc.html>> (visited 12/15/02). The member states are Antigua and Barbuda; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Haiti; Jamaica; Montserrat; St. Kitts and Nevis; Saint Lucia; St. Vincent and the Grenadines; Suriname; Trinidad and Tobago.

²¹ *See id* at preamble.

²² *See* CARICOM Charter on Civil Society, *supra* note 20, art. I.

²³ *See id* at preamble.

²⁴ Caribbean Community Secretariat, *The Liliendaal Statement of Principles on ‘Forward Together’*, July 2002, *available at* <<http://www.caricom.org/archives/civil%20society/liliendaal%20statement.htm>>, (visited 12/15/02)

framework to carry forward the recommendations of “Forward Together” and report to the Conference of Heads of Government at its next Inter-Sessional Meeting in 2003.²⁵

C. The 1998 UNECE Aarhus Convention

The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (also known as the Aarhus Convention) is an agreement by many countries of Europe to open up the governance of environmental matters to the public.²⁶ Aarhus proves to be exemplary in its emphasis on nondiscrimination and its broad notion of legal standing, which permit citizen engagement in transboundary matters. Aarhus is also historically significant because it was the first time that the public was intensively involved in the preparation and negotiation of an international convention.²⁷

The Convention opens with a mandate that parties guarantee the rights of access to information, access in decision-making, and access to justice—the three pillars of public participation-- and goes on to delineate a set of specific correlative duties²⁸. Thus, addressing the first pillar (access to information), Article 4 charges parties with the obligation to provide information about the environment in response to a request “[w]ithout an interest having to be stated”.²⁹ The response must comply to a defined timeframe: at the latest “within one month after the request has been submitted”, or if the volume and complexity of the information warrant it, within two months.³⁰ Article 5 requires parties to disseminate information, including state of the

²⁵ *See id.*

²⁶ UN/ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted at Aarhus, Denmark on June 25, 1998, entered into force Oct. 30, 2001, ECE/CEP/43 [hereinafter Aarhus Convention] *available at* <http://www.unece.org/env/pp/treatytext> (visited Dec. 16, 2002). The Convention was signed in 1998 by 39 countries in Europe and Central Asia, as well as the European Community. As of July 31, 2002, 22 nations had ratified, adopted, or acceded to the Convention. *See* Svitlana Kravchenko, *Promoting Public Participation in Europe and Central Asia*, in *THE NEW “PUBLIC”* 95, 95 (Carl Bruch, ed, 2002).

²⁷ *See* European ECO Forum, *WHAT IS THE AARHUS CONVENTION?: CITIZENS’ RIGHTS UNDER THE AARHUS CONVENTION* at 3 (June 2000). The European ECO Forum, an open coalition of environmental citizens’ organizations in the UN-ECE region, participated in all eleven negotiation sessions leading up to the signing of the Aarhus Convention.

²⁸ *See* Aarhus Convention, *supra* note 25, art. 1

²⁹ *See id.* art. 4.

³⁰ *See id.*

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environment reports every three to four years, pollution inventories, and legislative and policy documents relating to the environment.³¹

Turning to the second pillar –access to participation—Aarhus divides it into two halves (which prove to be unequal): public participation in decisions regarding *specific activities* (Article 6) and public participation in decisions regarding *policies and executive regulations* (Articles 7 and 8).³² Article 6 stipulates that when decisions regarding *specific activities* are to be made, “[t]he public shall be informed...early in [the] environmental decision-making procedure of...opportunities...to participate; the time and venue; the public authority from which information can be obtained and to which comments can be submitted”; and that “[e]ach party shall provide for early public participation, when all options are open and effective public participation can take place”.³³ However, in contrast to its commitment to public participation in the governance of specific activities, Aarhus appears considerably less enthusiastic when it comes to opening up the development of policies and executive regulations. The language of Articles 7 and 8 –which qualifies its mandates with phrases such as “to the extent appropriate”, “shall strive”, and “as far as possible”—robs the duties it describes of meaningful force and shape.³⁴ This is a significant shortcoming for an instrument like Aarhus that aims at establishing meaningful and effective participation. Without the ability to influence fundamental policies and regulations, the ability to influence implementation itself risks becoming devalued into the mere ability to approve or disapprove of proposals designed from above, without timely stakeholder input.

The Aarhus Convention’s most salient feature among supra-national instruments incorporating Principle 10 is its broad notion of citizen standing and its promotion of transboundary access. Specifically, Aarhus promotes citizen participation in transboundary matters by allowing citizens of other countries to obtain information, participate in decision-making, or obtain access to justice “without discrimination as to citizenship, nationality, or domicile.”³⁵ Article 3.9 facilitates participation in

³¹ See *id.* art. 5.

³² See *id.* arts. 6, 7, 8.

³³ See *id.* art. 6.

³⁴ See *id.* arts. 7, 8.

³⁵ See *id.* arts. 6.3, 6.7.

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transboundary matters by mandating that the “public” (not merely the “public concerned”) participate in making comments before the decision is taken.³⁶

The Aarhus Convention has also proven expansive in the area of access to justice insofar as it permits NGOs to establish legal standing without having to prove any interest in the matter, calls for a reduction of financial and other barriers to justice, and mandates that courts grant adequate remedies.³⁷ In part a pragmatic reflection of the nature of the European Community, in part a simple recognition that environmental impacts transcend national boundaries, the Convention’s expanded notion of standing provides a new norm of international law with the potential to expand the scope of participation and citizenship, not just in Eurasia, but by example and precedent, worldwide.

The Convention takes pains to emphasize that it provides only minimum requirements, and encourages parties to go further. Nonetheless, Aarhus expands the rights of participation in ways that transcend the boundaries of nationality, citizenship or domicile and as such it is of undeniably path breaking significance (indeed, Secretary-General of the United Nations Kofi Annan has declared Aarhus to be “by far the most impressive elaboration of principle 10 of the Rio Declaration” and “the most ambitious venture in the area of “environmental democracy ”so far undertaken under the auspices of the United Nations”).³⁸

Such ambition, of course, faces tremendous challenges in its implementation. While the progress of ratification has been relatively rapid, many signatories need to ratify and put in place implementing legislation, as well as procedures and mechanisms for implementing the Convention.³⁹ Financial and technical assistance needs to be provided to countries with transitional economies.⁴⁰ Weaknesses in the Convention need to be addressed – such as its weak provisions for participation in the

³⁶ See *id.* art. 3.9.

³⁷ See *id.* art. 9.

³⁸ See UNECE Environment and Human Settlements Division, *Introducing the Aarhus Convention*, available at <<http://www.unece.org/env/pp/>>(last updated 11/28/2002).

³⁹ See Draft Lucca Declaration, Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters, at 2, para. 9, October 20, 2002, MP.PP/2002/CRP.1 (2002), available at <<http://www.unece.org/env/documents/2002/pp/mp.pp.2002.crp.1e.pdf>>(visited January 10, 2003) [hereinafter Lucca Declaration].

⁴⁰ See *id.* at 3, para. 21.

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development of policies and executive regulations. The first meeting of the Parties (in Lucca, Italy in October 2002) began to chip away at these colossal challenges by establishing Working Groups on Genetically Modified Organisms and Pollutant Release and Transfer Registers, agreeing on a compliance mechanism and rules of procedure, and adopting the Lucca Declaration.⁴¹

D. 2000 Inter-American Strategy for the Promotion of Public Participation in Decision Making for Sustainable Development (ISP)

At the 1996 Santa Cruz Summit Conference on Sustainable Development, the heads of state of the Americas recognized that the achievement of sustainable development requires a long-term commitment to strengthen participation by all citizens, and charged the OAS with “the formulation of an inter-American strategy for the promotion of public participation in decision-making for sustainable development.”⁴² The ISP was formulated in response to this mandate. The ISP was developed over a period of almost three years by the Unit for Sustainable Development and Environment (USDE) of the OAS in collaboration with public sector and civil society representatives from the 34 member states of the OAS --a process that itself comprised a breakthrough in participatory process in the Americas-- and was signed in April 2000.⁴³

The ISP’s general objective is “[t]o direct the efforts of the member countries of the OAS toward the formulation and implementation of policies that will ensure the participation of civil society in planning, environmental management and decision-making for sustainable development.”⁴⁴ This General Objective is given fuller elaboration through Policy Recommendations in six areas: (1) Information and Communication, (2) Legal Frameworks, (3) Institutional Procedures and Structures, (4) Education and Training, (5) Funding for Participation, and (6) Opportunities and

⁴¹ See generally UNECE Environment and Human Settlements Division, *First Meeting of the Parties*, available at <<http://www.unece.org/env/pp/mop1.htm>>(last updated 12/20/2002)

⁴² Organization of American States, Inter-American Council for Integral Development (CIDI), Inter-American Strategy for the Promotion of Public Participation in Decision Making for Sustainable Development, CIDI/RES.98 (V-O/00), OEA/Ser.W/II.5,CIDI/doc.25/00, Policy Framework: Mandate at 2 (Apr.20,2000), available at <<http://www.oas.org/usde/isp/isppubl/engpolicyframew.pdf>> (visited Dec. 12, 2002) [hereinafter ISP].

⁴³ See *id.* Foreword at page III, available at <<http://www.oas.org/usde/isp/isppubl/engpolicyframew.pdf>> (visited Dec. 12, 2002).

⁴⁴ See *id.* Framework at 5

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Mechanisms for Public Participation.⁴⁵ Through these recommendations, the ISP encourages parties to create and strengthen communication mechanisms to foster information sharing, collaboration, and cooperation between all levels of government and civil society.⁴⁶ To this end, clear and accessible mechanisms enabling the provision of relevant information in a timely manner are essential for effective public participation, as are special efforts to communicate in culturally and linguistically appropriate ways.⁴⁷

The ISP envisions laws and institutions in an instrumental fashion, as potential enablers of public participation. Thus, legal frameworks should be adapted continuously to respond to changing reality or when they constitute an obstacle to public participation; institutional structures and processes should be developed that foster interaction between civil society and government and increase individuals' capacity to participate in sustainable development issues; and financial resources should be made available to realize these objectives.⁴⁸

These policy recommendations are given further elaboration in the ISP's annex, which contains "Recommendations for Action, Information and Communication" along with empirical bases and examples.⁴⁹ Here, the ISP mandates that all interested persons receive necessary information in the appropriate format at the right time, that legal recognition to participate in development decision-making and implementation be granted to all who are interested or affected by the decisions, regardless of their race, ethnicity, culture or gender⁵⁰ and that performance indicators be used to assess participatory practices.⁵¹ In order to permit access to justice, the ISP mandates the right to appeal before an independent administrative or judicial body, and recommends that legal standing be extended to all affected or interested persons, organizations or communities, with a particular emphasis on marginalized groups.⁵²

⁴⁵ *See id.* Framework, 6-8.

⁴⁶ *See id.* Framework, at 6.

⁴⁷ *See id.*

⁴⁸ *See id.* at 7.

⁴⁹ *See id.*, Annex: Recommendations for Action, Information and Communication, available at <http://www.oas.org/usde/isp/ISPpubl/English_Text.pdf>(visited Dec. 12, 2002).

⁵⁰ *See id.* at 23, 2.2.1.

⁵¹ *See id.* at 28, 3.1.3.

⁵² *See id.* at 22, 2.1.3.

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The ISP is a document that elaborates the three pillars of public participation in a fashion that is conceptually elegant and empirically sound, while setting high aspirations. Nonetheless, it is important to recognize its limitations. The ISP fails to adequately define certain items that some might consider crucial to effective information and participation. For example, the ISP does not set minimum mandatory elements of participation, nor define regional compliance mechanisms. With regard to information access, the ISP leaves the timeframes for responding to information requests open-ended and fails to provide any criteria for withholding information. In general, the ISP leaves implementation of its recommendations to the discretion of the party states. Unsurprisingly, implementation has lacked uniformity.⁵³

IV. CONCLUSION

Principle 10 of the 1992 Rio Declaration on the Environment identified access to information, access to participation, and access to justice as the three pillars of effective public participatory. Since that time, a number of regional initiatives promoting public participation have proliferated at the regional and international levels. This paper has sampled but a few of the major ones:⁵⁴ the North American Agreement on Environmental Cooperation, which incorporates participation into its organizational structure and serves the twin goals of trade liberalization and environmental sustainability; the Caribbean Community's Charter on Civil Society, which locates participation in the context of a vision of racial harmony and economic growth yet permits governments to define their own "social partners"; the legally binding Aarhus Convention, with its comprehensive elaboration of procedures and expansive notion of interests and standing; and the OAS ISP: comprehensive, wonderfully aspirational, yet left to the discretion of member states. Hard law or soft, North or South, these instruments are all recognizably the results of sustained efforts on the part of civil society activists to breathe life into Principle 10. Needless to say, the effort continues.

⁵³ Jorge Caillaux, Manuel Ruiz, and Isabel Lapeña, *Environmental Public Participation in the Americas*, in THE NEW "PUBLIC", *supra* note 105, 109-110, 119.

⁵⁴ See generally, Glenn M. Wiser, TRANSPARENCY IN 21ST CENTURY FISHERIES MANAGEMENT: OPTIONS FOR PUBLIC PARTICIPATION TO ENHANCE CONSERVATION AND MANAGEMENT OF INTERNATIONAL FISH STOCKS (World Wildlife Fund and Center for International Environmental Law, 2000), available at <<http://www.ciel.org/Publications/trans21cenfisheriesmgmt.pdf>>(visited Dec. 12, 2002).
