



Practical implementation of the Aarhus Convention: perspective of the civil society



*By Natasha Dokovska
"Journalists for Human Rights"
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“Our country was among the first to sign and ratify the Convention, thus expressing its attitude about the importance and the priority status of this Convention for the Republic of North Macedonia. The Convention principles enable strong stimulus for building a **citizenship-democratic concept** in the domain of environment management and protection ... There is **no democracy** without active public, just as there could not be active public without democracy.”

Vladimir Dzabirski,
Minister of Environment and Physical Planning in
Republic of North Macedonia, 2001



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Is that so and is it really that the Convention principles enable strong stimulus for building a citizenship-democratic concept in the domain of environment management and protection in North Macedonia?



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Article 10 of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) requires the Meeting of the Parties to keep under continuous review the implementation of this Convention on the basis of regular reporting by the Parties



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**North Macedonia sent the
last,
VI National
Implementation Report
under Aarhus Convention
in April, this year**



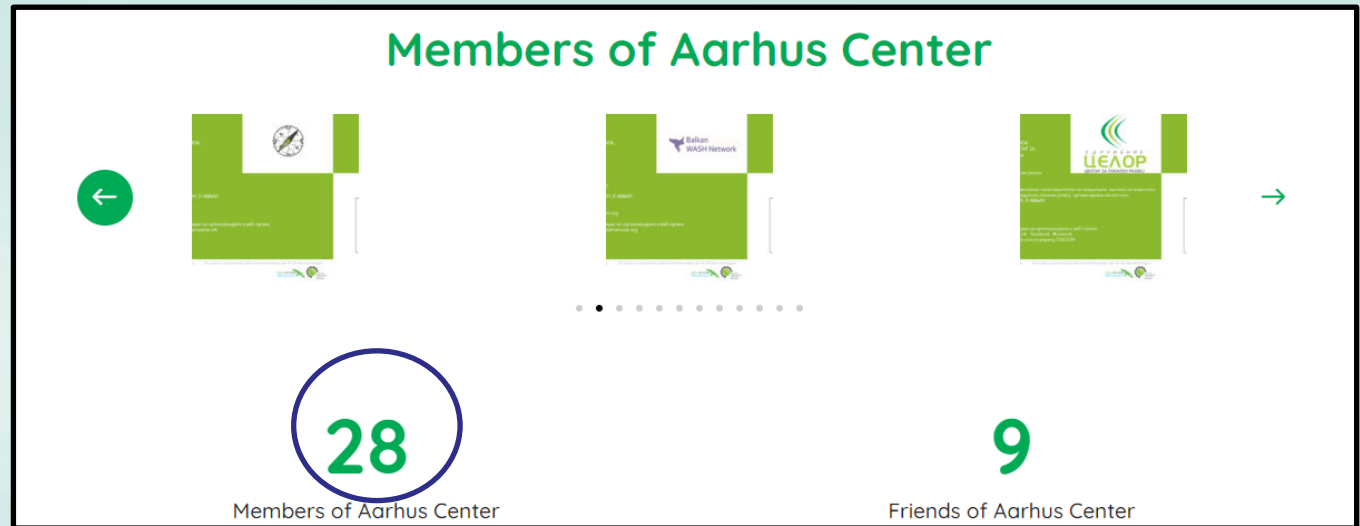
**VI National Report on Implementation
of the Convention on Access to
Information, Public Participation in
Decision-Making, and Access to
Justice in Environmental Matters
(Aarhus Convention) is developed by
the Ministry of Environment and
Physical Planning in collaboration with
Aarhus Centre.**



What's Aarhus Centre?

- established and initiated operation towards the end of 2019
- Member network

- Within the activities of the Aarhus Center the “Friends of Aarhus” Network has been established, and the same is open for all entities interested in cooperation and promotion of the implementation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention).



CSO's in North Macedonia

According to the information of the Central Registry, an institution that registers legal entities, as of October 8, in North Macedonia there are **15,580** officially registered organizations.



In the process of preparation the report the authority wrote:

Ministry of Environment and Physical Planning in cooperation with Aarhus Centre, which was established in October 2019, developed several different questionnaires regarding implementation of Aarhus Convention which were distributed to local self governments in Republic of North Macedonia, other competent public authorities (competent Ministries), Competent courts, **NGOs...**



Reactions

The reactions of many CSOs are that **they *have not been contacted or consulted*** as stated in the report, even CSOs that are part of the Aarhus Center were not consulted in the preparation of the report



The information together with the Report was published on the website of the Ministry of Environment and Physical Planning, whereby access to the draft-report and a possibility to comment was provided for every individual, but we have not information **how many comments were and if they were added**



The word **CSOs/associations** is mentioned **few times** in the whole report and **mainly** is referred to the quoting articles of the Convention



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Shadow report on implementation of Aarhus Convention

- Few organizations
- Separately

Prepared shadow report on implementation of Aarhus Convention



Finding

- Despite the fact that rights are guaranteed through the Aarhus Convention, the access to information on environment is **often hampered**, as well as the public participation in decisions and the access to justice in **this field**.



Access to information

The CSOs as well as citizen faced problem in access to information:

- Information are **not (easily) accessible**,
- **non-transparency**
- **Non online access to database**

Citizens are reacting and demanding that municipalities adapt to the new conditions and, for example, introduce online debates, presentations, and even public consultations.



Public participation

The monitoring of the work of the 38 municipality and the results of the monitoring of the citizens' complaints show that the implementation of public consultations by the local and regional units is at a very **unsatisfactory level**:

- Public hearings are usually held where necessary, but the proposals are **not considered at all**
- They are often scheduled on **weekends or holidays**
- There are examples when information is shared in a language that is **not spoken** in a given local unit
- Very **limited** consultation in environmental legislation
- On the other hand, the employed in environmental sectors react that they have **not built capacities** at the local level on the one hand, and on the other hand there is a **lack of interest** of the general public.
- Out of 38 targeted municipalities, only **one** has applied for access to environmental information



Access to justice

- **Very low number** of court cases initiated by civil society
- **Insufficient** capacities of the competent authorities to implement the right of access to justice, especially of the authorities of the executive and judicial power
- In 2012 the non-governmental organization **CED Florozon** from Skopje, started the realization of the project “Greening Macedonian Justice” which was directed towards strengthening of the capacities of the Ombudsman for practical application of the right of access to justice.
- **Journalists for Human Rights** start project for capacity building of judicial system for environmental justice with aim to build network of **green prosecutors**



Conclusions

Implementation of Aarhus Convention is **not** adequately presented in the government reports on the implementation of the Convention, as its functioning was **not systematically monitored** and the draft government reports were **not effectively consulted with the public and CSOs.**



CSOs need more financial support to independently assess and monitor the implementation of the Aarhus Convention at both, national and local levels.



Thank you
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