

VII National Report on the Implementation of the Aarhus Convention in the Republic
of North Macedonia

Form for the report on the implementation of the Aarhus Convention in accordance
with Decision IV/4 (ECE/MP.PP/2011/2/Add.1)

This report is submitted by the Ministry of Environment and Physical Planning (Name
of party or signatory) in accordance with decisions I/8, II/10, IV/4

Name of the responsible person
On the national report

Signature:

Date:

Implementation report

Please provide the following information about the origin of this report.

Country : **Republic of North Macedonia**

National contact:

Name of the institution: Ministry of Environment
and spatial planning

Name of responsible person: Sasho Sekulovski

Deputy Head of the Sector for Coordination of the Minister's Work

Address: Square "Presveta Bogorodica" No. 3, Skopje

Tel: 0038976 456 716

Fax: /

Email: S.sekulovski@moepp.gov.mk

Responsible person for the national report (if different)

Name of the institution: Ministry of Environment
and spatial planning

Name and position of the responsible person: Azemine Shakiri

Head of unit Cadastre and modelling, Ministry of environment and physical planning

Address: Square "Presveta Bogorodica" No. 3, Skopje

Tel.0038976404475

Fax:

Email:a.shakiri@moepp.gov.mk

VII National report for implementation of The Aarhus Convention of the Republic North Macedonia

Draft version

Question 1	Process of preparation on the report
Question 1	Provide brief information on the process of preparing this report, including information on the authorities that were consulted or contributed to its preparation, how the public was consulted and what the impact/whether the outcome of the public consultation was taken into account and the material that was used as a basis for preparing the report.

The draft version of the Seventh National Report on the implementation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) was prepared by the Ministry of Environment and Spatial Planning in cooperation with the Aarhus Center.

The Ministry, together with the Aarhus Center, developed thematic questionnaires and distributed them to various target groups, including:

- units of local self-government in the Republic of North Macedonia and the City of Skopje,
- the Office of the Ombudsman,
- the Ministry of Environment and Public Health,
- other ministries and institutions,
- the State Environmental Inspectorate (DIŽS),
- the Agency for Free Access to Public Information (ASPI),
- and civil society organizations active in the field of environmental protection.

The purpose of the questionnaires was to obtain a realistic overview of the implementation of the Aarhus Convention in North Macedonia during the period 2021–2023, and to assist the Ministry in preparing this Seventh National Report.

In line with the Convention's principles of timely access to information and public participation, the questionnaire for civil society organizations was made publicly available, with the option for additional input and comments.

Question 2	Special circumstances relevant for understanding on the report
Question 2	Report any circumstances that are relevant to understanding the report, e.g. whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have a direct impact on its entry into force, or whether financial constraints represent a significant obstacle to implementation (optional).

This is the seventh national report on the implementation of the Aarhus Convention in the Republic of North Macedonia. On 1 July 1999, the Parliament of the Republic of Macedonia adopted the Law on Ratification of the Convention on Access to Information,

Public Participation in Decision-Making, and Access to Justice in Environmental Matters. Eight days after its publication in the Official Gazette (No. 40/99 dated 6 July 1999), the Convention entered into force.

North Macedonia has also ratified the Kyiv Protocol on Pollutant Release and Transfer Registers (PRTR) in 2010 (Official Gazette of the Republic of Macedonia No. 135/2010).

However, the country has not yet ratified the amendment to the Aarhus Convention concerning genetically modified organisms (GMOs), adopted on 27 May 2005 in Almaty, Kazakhstan. This amendment addresses public participation in decisions regarding the deliberate release of GMOs into the environment and their placement on the market.

The Republic of North Macedonia operates under a separation of powers between the legislative, executive, and judicial branches. The Parliament, as the representative body of the citizens, holds legislative power, while the Government holds executive power. The judiciary is independent and administered by the courts.

According to the Constitution, citizens are guaranteed the right to local self-government. Municipalities, as units of local self-government, hold authority in urban and rural planning, environmental and nature protection, and communal services.

Article 118 of the Constitution establishes that ratified international agreements are part of the domestic legal order and may not be altered by law. Courts base their rulings on the Constitution, domestic legislation, and international treaties ratified in accordance with the Constitution.

While the Aarhus Convention is implemented in North Macedonia, there remains room for improvement, particularly in enhancing administrative capacities and allocating greater financial resources for its full and effective implementation.

Question 3: Legal, Regulatory and Other Measures Implementing the General Provisions of Article 3, Paragraphs 2, 3, 4, 7 and 8

- Question 3
- Please describe the legal, regulatory and other measures that implement the general provisions under Article 3, paragraphs 2, 3, 4, 7, and 8 of the Convention. Explain how these provisions have been implemented. Specifically, describe:
- (a) With regard to paragraph 2, the measures taken to ensure assistance and guidance by public officials and authorities;
 - (b) With regard to paragraph 3, the measures taken to promote environmental education and raise public awareness of environmental issues;
 - (c) With regard to paragraph 4, the measures taken to ensure proper recognition and support for associations, organizations, or groups promoting environmental protection;
 - (d) With regard to paragraph 7, the measures taken to promote the principles of the Convention at the international level, including:
 - (i) Measures taken to ensure coordination 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 coordination measures are ongoing;
 - (ii) Measures taken to ensure access to information at the national level regarding international forums, including the phases at which such access was provided;
 - (iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g., invitations for NGO representatives to participate in delegations to international environmental negotiations, or their involvement in shaping the Party's official position), including the phases at which such access and participation were ensured;
 - (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 outcomes of other international forums;
 - (e) With regard to paragraph 8, the measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted, or harassed in any way.

(a) Measures to ensure assistance and guidance by public authorities (Art. 3, para. 2):

The requirements of the Aarhus Convention concerning access to environmental information, public participation in decision-making, and access to justice are regulated by the Law on the Environment.

In general, the right to access public information is governed by the Law on Free Access to Public Information (Official Gazette of the Republic of North Macedonia No. 101/19), while access to environmental information is specifically addressed under the Law on the Environment.

The Ministry of Environment and Spatial Planning is responsible for disseminating environmental information and facilitating public access to data held by relevant entities. The Government, upon proposal from the Ministry, publishes and maintains a registry of entities that possess or manage environmental information. This registry also outlines the types of information held by each listed subject.

These entities are obliged to regularly update their data and provide or make it accessible upon request. Additionally, all such entities must appoint a responsible person to handle environmental information access requests and provide a designated space for public inspection of the information.

(b) Measures to promote environmental education and public awareness (Art. 3, para. 3):

To enhance environmental education and public awareness, the Law on the Environment provides for the following:

- The Ministry of Environment and Spatial Planning, in cooperation with the Ministry of Education and Science, supports educational and scientific institutions, professional organizations, and civil society associations engaged in environmental protection and sustainable development;
- The Ministry supports the publication of books and brochures on environmental protection and sustainable development to improve educational resources;
- The Ministry also collaborates with the Ministry of Education and Science to support environmental research and related projects.

Local self-government units are also mandated under the Law on Local Self-Government to promote environmental education. Article 22, paragraph 1, item 8, authorizes municipalities to organize education in primary and secondary schools in coordination with the central government and in accordance with education laws.

Furthermore, the Law on the Environment allows for the awarding of prizes and recognition by the Ministry to individuals or organizations that have contributed significantly to environmental protection. These awards are granted through a public call. The Ministry of Education and Science is also responsible for ensuring that environmental education content is included in primary and secondary school curricula.

(c) Measures to ensure recognition and support for environmental organizations (Art. 3, para. 4):

Support for associations, organizations, or groups promoting environmental protection is provided through the Environmental Investment Program, adopted annually by the

Government based on the Ministry's proposal. The program includes a public call for funding environmental programs, projects, and activities.

Eligible beneficiaries include municipalities, municipal associations, Skopje municipalities and the City of Skopje, legal entities, individuals, nonprofit and non-governmental organizations, and academic institutions.

Funds may be used to support educational, research, and development programs, awareness-raising initiatives, environmental education, and training projects.

As part of its strategy to institutionalize cooperation with civil society, the Government established a Department for Cooperation with NGOs within the General Secretariat in 2004. A Council for Cooperation between the Government and Civil Society was also created as an advisory body, consisting of 16 civil society representatives and 15 representatives from public institutions. Additionally, a network of public servants for cooperation with civil society was formed.

The Government drafts a Strategy for Cooperation with Civil Society Organizations every two years, followed by an implementation program and action plan, and publishes annual progress reports.

The current Strategy for Cooperation and Development of Civil Society (2020–2024) focuses on:

- Regulatory, institutional, and financial frameworks for civil society development;
- Democratization and active civic participation in public policy, with emphasis on EU integration;
- The role of civil society in socio-economic development.

Its vision for 2022–2024 is to create a stimulating and sustainable environment for civil society, contributing to democratic governance and structured dialogue. It also encourages municipalities to adopt mechanisms for supporting and involving local CSOs in implementing community initiatives.

Each year, the Government announces a call for financial support to associations and foundations through budget grants, covering four priority areas — including environmental protection.

(d) Measures to promote the principles of the Convention at the international level (Art. 3, para. 7):

Representatives from civil society organizations regularly participate in conferences, meetings, and workshops organized by the Ministry of Environment and Spatial Planning (MoEPP). Examples include:

- **Public participation in law and policy development:**
In 2021, several waste management laws were adopted following public consultations. These included laws on:
 - Waste Management (Official Gazette No. 216/21)
 - Packaging and Packaging Waste (No. 251/21)
 - Batteries and Accumulators (No. 176/21)
 - E-Waste (No. 176/21)
 - Management of Additional Waste Streams (No. 216/21)

- Extended Producer Responsibility (No. 215/21)

Draft versions were posted on MoEPP's website and the ENER portal, and public hearings were held.

- In 2022–2023, draft bylaws stemming from these laws were also published for public comment.
- In 2022, a draft law to designate the Studenčishte Marsh as a nature park was released for consultation, accompanied by a public hearing.
- A public consultation was also held on the Draft Law on Industrial Emissions, and a report was published.
- The Law on Environmental Inspection Oversight (Official Gazette No. 99/22) was adopted following broad consultations.
- A draft law to declare Matka Canyon a natural monument was published for public review.
- Draft regulations on water monitoring were also developed and shared online, under the “Action for Improved Legal and Institutional Water Protection” project, implemented by the Macedonian Young Lawyers Association.
- A 60-day consultation period was held for the Draft Climate Action Law in late 2022. Several CSOs were involved in drafting the law and long-term strategy as part of an EU-funded project led by GFA Consulting Group.
- In 2023, a public hearing was held on the Valorization Study of Ohrid Lake's natural values, and the preparation of a draft law to designate it as a natural monument was announced.
- **Shadow Reports on Chapter 27 (Environment and Climate Change):**
From 2021–2023, Platform 27 (an informal network of over 20 CSOs) prepared shadow reports on Chapter 27, covering:
 - Horizontal Legislation
 - Water Quality
 - Waste Management
 - Air Quality
 - Industrial Pollution and Risk Management
 - Nature Protection
 - Climate Change

The reports also analyzed EU Directives 2003/4/EC (Access to Environmental Information) and 2003/35/EC (Public Participation).

Consultations were held with relevant MoEPP departments, and ministry officials participated in report presentations.

Question 4	Question 4: Obstacles Encountered in the Implementation of Article 3
Question 4	Please describe the obstacles you encountered in the implementation of any of the paragraphs of Article 3 listed above.

The following challenges were identified during the implementation of the Convention:

- Lack of financial resources to establish and equip information points that would

enable citizens to receive timely and relevant information.

- Insufficient human resources at both national and local levels.
- Need to strengthen the capacities of the non-governmental sector.
- Limited use and underdeveloped capacity for electronic tools to provide access to information at national and local levels (many electronic registers are not updated or publicly accessible);
- Inadequate systemic development for implementing the third pillar of the Convention — access to justice.
- Need to enhance the role of the media in raising environmental awareness.
- Insufficient presence of environmental education in school curricula and the need to promote awareness of the fundamental human right to a healthy environment.
- Insufficient allocation of funds from the national budget for environmental protection activities at central and local levels, and the need to increase financial support for civil society organizations to implement activities and projects aimed at improving the environment.

Question 5	Question 5: Additional Information on the Practical Implementation of the General Provisions of Article 3
Question 5	Please provide any additional information regarding the practical implementation of the general provisions of Article 3.

To achieve a high level of public awareness regarding environmental issues, and to meet obligations under the Aarhus Convention (specifically its first and second pillars) and the Law on the Environment, the Ministry of Environment and Spatial Planning (MoEPP) implements continuous activities focused on public information, education, and familiarization with environmental terminology, trends, and policies. These efforts aim to promote positive behavior towards the environment and ensure conditions for effective public participation in decision-making processes.

These activities target various groups, including preschool and school-aged children, youth, NGOs, representatives of local governments, industry, and others. They are integrated across different working processes. Within the Ministry, the Public Communication Department is responsible for the practical application of the Aarhus Convention's principles.

According to the department's annual program, at least two public awareness campaigns are carried out each year on current topics — in the reporting period, these focused on waste, climate change, and water. Events are also organized to mark key environmental dates (e.g., World Water Day – March 22; Earth Day – April 22; World Environment Day – June 5; Ozone Day – September 16; and European Mobility Week – September 16–22).

Significant efforts were also made to support the integration of environmental content into the educational process (e.g., the implementation of the Green Pack and Green Pack Junior).

The communication sector offers a library with more than 1,000 environmental titles and public-access computers for citizens seeking environmental information.

Education and awareness are further supported through collaboration with electronic and print media, with regular provision of content in both Macedonian and Albanian. The Ministry's social media (Facebook and Twitter) and official websites are actively updated.

To improve public engagement in decision-making, a database of environmental civil society organizations was established. These organizations are regularly informed and invited to public consultations related to legislative, strategic, and planning documents, as well as procedures for Environmental Impact Assessments (EIA) and Strategic Environmental Assessments (SEA), in accordance with the Law on the Environment.

Public participation is also strengthened through regular meetings with NGOs, including the National Strategy Meetings (NSM) and other consultation events addressing current environmental challenges.

Each year, the Ministry financially and logistically supports these NSMs, which gather environmental and sustainable development CSOs. During the reporting period, the focus was on legislation related to climate change, energy efficiency, and just transition. In 2021, the meeting was organized by the Macedonian Green Center (MGC), and in 2022 and 2023 by Eko-svest and the Climate Coalition.

The Ministry also hosts the Macedonian Environmental Information Center, which provides access to data on environmental media quality (air, water, soil, noise) for the public via the Ministry's website.

Public Consultation Activities:

- **2021–2022:** Wide public consultations were held on the package of waste management laws. Drafts were published on the MoEPP website and the ENER portal. Follow-up bylaws were also made public for comment.
- **Consultation processes were also conducted** for the drafting of the following laws:
 - Law on Industrial Emissions Control
 - Law on Environmental Inspection Oversight
 - Law on Climate Action
 - Law on Spatial Planning
- **Public hearings and consultations** were held for:
 - The Law on Proclaiming Studenčishte Marsh a Nature Park
 - The Law on Proclaiming Matka Canyon a Natural Monument
 - The Draft Law on Re-proclaiming Lake Ohrid a Natural Monument
- **Management and Strategic Plans:** Prior to adoption, draft versions were publicly presented for comments:
 - Management Plan for Shar Mountain National Park (2022–2031)
 - Management Plan for Osogovo Mountains Protected Area (2021–2031)
 - Draft Strategic Plan for the Rehabilitation of the Natural and Cultural Heritage of the Ohrid Region
- **Public hearings for Environmental Impact Assessment studies on the following projects:**
 - Construction of a sanitary landfill for non-hazardous municipal waste, Rusino (Gostivar)
 - Restoration and rerouting of the Sateska River to its natural riverbed
 - Construction of national road A3, Bitola – Medžitlija border crossing

- Change in mining method at the Svinja Reka site and dry tailings disposal at SASA mine (Makedonska Kamenica)
- Construction of a poultry farm in KO Zubovce (Vrapchishte)
- Reconstruction of facilities for poultry production in Ginovci and Psacha
- Establishment of an integrated waste management system in Pelagonia and Southwest regions
- Construction of a wastewater treatment plant and rehabilitation of the sewer network in Bitola and Tetovo
- Installation of a power generation plant at Euronickel Industry
- **Public hearings on Strategic Environmental Assessment (SEA) Draft Reports for:**
 - Osogovo Mountains Management Plan (2021–2031)
 - Waste Prevention Plan (2022–2027)
 - Bitola wastewater treatment plant project
 - Sewer and wastewater treatment upgrades in Tetovo
 - Urban plan for a regional municipal landfill facility (Sveti Nikole)
 - Detailed Urban Plan for the Plavica mining complex

Question 6	Web sides relevant for the implementation on Article 3
Question 6	Point out relevant Web addresses, if everything available addresses

www.moepp.gov.mk <http://airquality.moepp.gov.mk> <http://uslugi.gov.mk>

<https://m.facebook.com/MOEPPMKD>

<https://twitter.com/MOEPPMKD>

<http://ripz.moepp.gov.mk/>

<http://scc.b1.finki.ukim.mk/#/index/main>

<http://ebiblioteka.moepp.gov.mk:8080/library/home>

<http://exim.gov.mk/EILWeb/>

[Single access to information | Ministry of Environment and Public Works \(moepp.gov.mk\)](http://www.moepp.gov.mk)

[Electronic national Register of Regulations of the Republic of North Macedonia \(ener.gov.mk\)](http://www.ener.gov.mk)

<http://arhus.mk>

[The department for cooperation with non-governmental organizations organizations \(nvosorabotka.gov.mk\)](http://www.nvosorabotka.gov.mk)

<https://www.nvosorabotka.gov.mk>

[Climate change https://klimatskipromeni.mk/news#/index/main](https://klimatskipromeni.mk/news#/index/main)

Question 7: Legal, Regulatory and Other Measures Implementing the Provisions on Access to Environmental Information under Article 4

Question 7 Please describe the legal, regulatory and other measures that implement the provisions on access to environmental information set out in Article 4.

Explain how each paragraph of Article 4 is implemented. Describe how the relevant definitions from Article 2 have been transposed, as well as the requirements for non-discrimination under Article 3, paragraph 9.

Please also address the following specifically:

(a) With regard to paragraph 1, the 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 including the requested information are provided;
- (iii) Information is supplied in the requested form;

(b) Measures taken to ensure compliance with the time limits set out in paragraph 2;

(c) With regard to paragraphs 3 and 4, the measures taken to:

- (i) Provide for exemptions;
- (ii) Ensure the application of the public interest test set out at the end of paragraph 4;

(d) With regard to paragraph 5, the measures taken to ensure that public authorities not in possession of the requested information take appropriate steps;

(e) With regard to paragraph 6, the measures taken to implement the requirement to separate and make available non-confidential information;

(f) With regard to paragraph 7, the measures taken to ensure that refusals meet the time limits and other requirements concerning refusal;

(g) With regard to paragraph 8, the measures taken to fulfill the requirements concerning charges.

One of the fundamental civil rights defined by the Constitution of the Republic of North Macedonia is the right to equal access to the Constitution and laws. Citizens are equal in their freedoms and rights regardless of gender, race, skin color, national or social origin, political or religious belief, property, or social status.

The Law on the Environment is based on the principle of public participation and access to information. This principle requires national and local authorities to take all necessary measures and establish procedures to ensure the exercise of the right of access to information and public participation in environmental decision-making, including the opportunity for public input in such decisions.

The requirements of the Aarhus Convention on access to environmental information, public participation in decision-making, and access to justice have been transposed into the Law on the Environment. According to the law:

- Every person has the right to access environmental information without having to prove an interest.
- The right of access is exercised in accordance with the procedures set out in the law;
- All designated authorities are obligated to provide access to environmental information;
- Refusal of information may only occur in cases prescribed by law;
- Public authorities must collect and publish environmental information within their competencies;
- Charges for providing information must be reasonable and not exceed the actual costs;
- Individuals have the right to access to justice if their rights are violated.

Access applies to all information available in written, visual, audio, electronic, or any other format concerning the state of environmental media and areas, relevant factors and measures, reports, cost analyses, and conditions related to human health and the environment.

The Rulebook on the Method and Procedure for Access to Environmental Information (Official Gazette No. 93/07) regulates how access is provided.

A Decision on the List of Entities Holding Environmental Information (Official Gazette No. 82/07) identifies who holds or is responsible for such information.

Entities covered by this law include:

- Government bodies and local authorities.
- Legal and natural people entrusted by law with public responsibilities related to the environment.
- Other entities perform public-interest services in the environmental field, under supervision by public bodies.

Timeframes:

Requests must be responded to as soon as possible, and no later than one month from receipt. If the request is complex or voluminous, this may be extended to two months, but the requester must be informed within the first month, with reasons for the delay.

Format of information:

Information must be provided in the requested format, unless already publicly available in

another form. If another format is more appropriate, the entity must notify the requester within seven days, stating the reasons.

Fees:

There is no charge for accessing registers or reviewing information in person. If copies are requested, fees must be reasonable and not exceed actual reproduction costs.

Legislation and Institutional Support:

The **Law on Free Access to Public Information** (Official Gazette No. 101/19) regulates the conditions, methods, and procedures for exercising the right to access public information held by state bodies and other institutions. Key provisions include:

- The creation of a **manual** by the Commission (now the Agency for Protection of the Right to Access Public Information), outlining procedures for implementation.
- The transformation of the Commission into an **independent Agency** recognized by both institutions and the public as the main body responsible for implementing the right to access information.
- The law ensures transparency in the operations of information holders and allows both individuals and legal entities—including foreign persons—to exercise this right.
- Exceptions to access are clearly defined.
- Each public institution must designate an official responsible for handling access to information requests.
- Institutions must regularly update and publicly share lists of available information.
- The law outlines detailed procedures for filing and handling requests, refusals, and legal protection, including deadlines and appeal mechanisms.
- Charges apply only for material costs such as copies or digital transfers, while review of documents is free.
- The Agency oversees implementation, supports institutions, handles appeals, and reports annually on compliance.

Designated Officials:

In accordance with Article 8 of the Law on Free Access to Public Information:

- The official responsible at the **Ministry of Environment and Spatial Planning** is:
Milena Stojanovska – m.stojanovska@moepp.gov.mk
- The official responsible at the **State Environmental Inspectorate** is:
Darko Blinkov – d.blinkov@sei.gov.mk

Question 8	Question 8: Obstacles Encountered in the Implementation of Article 4
Question 8	Please describe the obstacles you encountered in the implementation of any of the paragraphs of Article 4.

The following obstacles were noted during the implementation of the provisions of Article 4:

- Insufficient institutional capacity to ensure that the right of access to environmental information is upheld across all formats — written, visual, audio, electronic, or any other accessible form;
- Lack of financial resources needed for data dissemination, the establishment, and equipping of information points;
- Limited availability of human resources at both national and local levels;
- A need to strengthen the capacities of the civil sector in relation to the pillars of the Aarhus Convention.

Question 9	Further Information on the Practical Implementation of the Provisions of Article 4
	Please provide additional information on the practical implementation of the access to information provisions under Article 4, e.g. is there statistical data available on the number of requests, the number of refusals, and the reasons for such refusals?

The Public Communication Department within the Ministry maintains records of the number of requests received in accordance with the Law on Free Access to Public Information.

During the reporting period (2021–2023), a total of **204 requests** for access to public information were received:

- 52 in 2021
- 44 in 2022
- 110 in 2023

In the same period, **8 appeals** were submitted to the Agency for Protection of the Right to Free Access to Public Information (APPI):

- 1 appeal in 2021
- 7 appeals in 2023

According to the Annual Report on the Implementation of the Law for 2021:

- 52 requests were received.
- All 52 requests were positively responded to.
- There were no rejected or unanswered requests.
- One appeal was submitted due to delayed provision of information. The requested information did not fall under the Ministry's competence and was forwarded to the competent authority (Ministry of Transport and Communications).
- One appeal was upheld by APPI.
- No first-instance decisions were changed following intervention by the Agency.

According to the 2022 report:

- 44 requests were received.

- All 44 requests were positively responded to.
- There were no rejected or unanswered requests.
- No appeals were submitted.
- No appeals were upheld by the Agency.
- No first-instance decisions were changed.

According to the 2023 report:

- 110 requests were received.
- 109 requests were positively responded to.
- One request was initially rejected due to an unresolved administrative procedure. Following an APPI decision, the information was subsequently provided.
- No requests remained unanswered.
- 7 appeals were submitted against first-instance decisions (including decisions to deny access to specific information, with justifications).
- 6 of those appeals were upheld by the Agency.
- 2 first-instance decisions were revised following the Agency's intervention.
- 1 appeal was rejected by the Agency. The reason: the Ministry maintained its decision to deny access to a 15-year-old document related to an unresolved case file. As the file had not been closed with a formal decision, and more than two years had passed, the matter was considered obsolete and a new procedure would be required.
- No additional first-instance decisions were changed after Agency review.

Question 10 Relevant Websites for the Implementation of Article 4

Question 10 Please indicate relevant websites, if available.

www.moepp.gov.mk

<https://www.moepp.gov.mk/ministerstvo/transparentnost/informacii-javen-karakter>

Public information character | Ministry of Life environment and space planning

www.aspi.mk

<https://aspi.mk/documents/annual-reports>

Annual reports | AGENCY FOR PROTECTION OF THE RIGHT TO FREE ACCESS TO PUBLIC INFORMATION

Question 11	Legal, Regulatory and Other Measures Implementing the Provisions on the Collection and Dissemination of Environmental Information under Article 5
--------------------	--

Question 11	Please describe the legal, regulatory, and other measures that implement the provisions on the collection and dissemination of environmental information under Article 5. Explain how each paragraph of Article 5 is implemented. Describe how the relevant definitions in Article 2 and the non-discrimination requirement in Article 3, paragraph 9 have been transposed.
--------------------	--

In particular, please describe:

(a) With regard to paragraph 1, the measures taken to ensure that:

- (i) Public authorities possess and update environmental information.
- (ii) There is an appropriate flow of information to public authorities;
- (iii) In the event of an imminent threat to human health or the environment, all information is disseminated immediately and without delay;

(b) With regard to paragraph 2, the measures taken to ensure that the way authorities make environmental information available to the public is transparent and that access to the information is effective;

(c) With regard to paragraph 3, the measures taken to ensure that environmental information progressively becomes available in electronic databases that are easily accessible to the public through public telecommunications networks;

(d) With regard to paragraph 4, the measures taken to publish and disseminate national reports on the state of the environment;

(e) The measures taken to disseminate the information listed in paragraph 5;

(f) With regard to paragraph 6, the measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly about the environmental impact of their operations and products;

(g) The measures taken to publish and provide information as required under paragraph 7;

(h) With regard to paragraph 8, the measures taken to develop mechanisms ensuring that sufficient information about a product is made available to the public;

(i) With regard to paragraph 9, the measures taken to establish a nationwide system of pollution inventories or registers.

According to the Law on the Environment, the Ministry of Environment and Spatial Planning (MoEPP) has established the **National Environmental Information System**, a general database covering the status of all environmental media and ecological zones. This system includes the **Pollutant Release and Transfer Register (PRTR)** and the **Environmental Cadastre**.

Article 40 – National Environmental Information System (NEIS):

1. In order to manage data on the state of the environment across the territory of the Republic of North Macedonia, the competent state authority shall establish, develop, maintain, and coordinate the NEIS.
2. The NEIS is managed by the **Macedonian Environmental Information Centre (MEIC)**.
3. The system ensures a database of relevant, comprehensive, accurate, and publicly available information about the state, quality, and trends of environmental media. It also enables forecasting using integrated environmental protection models and supports monitoring of sustainable development documents and environmental protection plans.
4. The NEIS encompasses the collection, processing, systematization, storage, use, distribution, and presentation of data sourced from:
 - The national and local monitoring networks,
 - Monitoring conducted by legal and natural persons with emission sources,
 - The PRTR, Environmental Cadastre, and the National List of Indicators.
5. The Ministry regulates the format, content, storage, and submission deadlines for environmental data, as well as procedures for their management and publication through a Government decision proposed by the Minister.

Article 40-a – Submission of Data:

1. Legal and natural persons involved in environmental monitoring (part of national and/or local networks) must submit collected data to the Ministry in accordance with prescribed procedures.
2. The Ministry may request periodic or ad-hoc data—processed or unprocessed—for the purpose of decision-making or fulfilling legal obligations related to the environment.
3. Data may be submitted in written, visual, audio, electronic, or any other available form.
4. Other public bodies holding relevant statistical data must provide this free of charge to the Ministry for the purpose of preparing state of the environment reports.
5. Legal and natural persons must ensure unrestricted, cost-free access to environmental data required for the NEIS.

Article 41 – Pollutant Release and Transfer Register (PRTR):

- The Ministry shall establish and maintain the PRTR as part of the Environmental Cadastre.
- The format, methodology, and maintenance of the PRTR are prescribed by the Minister.

- Municipalities, including the City of Skopje, may establish local PRTRs. Data from municipal PRTRs must be submitted monthly to the Ministry.
- Operators must maintain data relevant for preparing the PRTR in line with environmental permits and legislation.
- Operators whose facilities emit pollutants into one or more environmental media must monitor emissions and submit data to the NEIS.
- Depending on their role, subjects must expand and maintain environmental information, ensure its availability to the public, and present it in formats that are easy to reproduce and accessible through electronic networks.
- They are also required to enable public participation during the preparation of laws, regulations, and legal acts.

The Ministry ensures public access to environmental information held by other ministries, municipalities, and public bodies.

The right of access to environmental information applies to all formats (written, visual, audio, electronic, etc.) and includes information on:

- **Factors:** substances, energy, nuclear materials, noise, radiation, waste (including radioactive), emissions, and other forms of environmental discharges affecting human health and the environment;
- **Environmental media:** air, water, soil, land, biodiversity (including GMOs), and their interactions;
- **Measures:** including policies, legislation, plans, programs, agreements, and activities affecting or protecting the environment;
- **Implementation reports** on environmental laws;
- **Human health and safety**, food security, and quality of life, as well as cultural heritage and buildings affected by environmental conditions or their interaction.

Question 12	Obstacles Encountered in the Implementation of Article 5
Question 12	Please describe the obstacles encountered in the implementation of any of the paragraphs of Article 5.

- The **National Air Emissions Inventory System**, including the Greenhouse Gas (GHG) Inventory and the CLRTAP (Convention on Long-Range Transboundary Air Pollution) Inventory, is currently developed separately by different expert teams.
- In the previous period, the GHG inventory was supported through UNDP-funded projects. However, **knowledge transfer to national experts and the transparency** of the GHG inventory process have been limited.
- A recommended step forward—both for **resource efficiency** and for ensuring the highest possible **quality and consistency**—is to integrate the air pollution and GHG inventories into a single comprehensive annual reporting programme. This includes appointing **sector-specific experts** responsible for developing the GHG and air pollutant inventories within their area of expertise (e.g., energy, transport, industry and product use, agriculture, land use, and waste).

This integration would:

- Improve the consistency and accuracy of the inventories (e.g., through the use of unified data sources),
- Increase efficiency (e.g., a single quality assurance/quality control system),
- Establish a **centralized knowledge base** for inventory development.

Additional obstacles include:

- The absence of a unified **national environmental information system** that consolidates data across all environmental media (currently, data are scattered across separate databases);
- Insufficient institutional capacity to provide access to environmental information in all its available formats (written, visual, audio, electronic, etc.);
- Lack of **financial resources** for data collection, dissemination, and the establishment and equipping of information points;
- The need to **strengthen the capacity of civil society organizations**, particularly regarding engagement with the pillars of the Aarhus Convention.

Question 13	Further Information on the Practical Implementation of Article 5
Question 13	Please provide further information on the practical implementation of the provisions on the collection and dissemination of environmental information under Article 5, e.g. are there statistical data available on the published information?

In accordance with the Law on the Environment, **information systems have been developed for three environmental media**: air quality, waste management, and biodiversity. Additionally, through an IPA-funded project, a **national environmental information system** is being developed to integrate these systems and is currently in the testing phase. All

implemented systems are **web-based**, with a user-friendly interface that allows online access. Data is publicly available.

The **National Air Quality Information System** was implemented under the IPA-funded twinning project *"Strengthening the capacities of central and local levels in environmental management in the area of air quality."* This project established an efficient national environmental information system for air quality.

With support from a UNDP-funded project, the **National Biodiversity Information System** was established to compare, manage, analyze, and disseminate data related to North Macedonia's biodiversity. It serves as a key platform for data exchange among government bodies, NGOs, research institutions, and volunteers and is accessible online.

The **Electronic Waste Management Information System (EWMIS)** aims to collect municipal waste data at the local, regional, and national levels. However, it is not yet fully operational due to mismatches between the system's data structures and the regulatory framework, particularly regarding the **Rulebook on waste data reporting**.

EWMIS does not yet cover legal requirements for data on **packaging, batteries, end-of-life vehicles, textile waste, used oils, tires, and e-waste**, which are regulated by separate legislation.

Following the ratification of the PRTR Protocol, the **Pollutant Release and Transfer Register (PRTR)** is now regularly updated via an online tool used by all registered operators. The data submitted through the online PRTR tool are publicly accessible at the **national PRTR portal**:

🔗 <http://ripz.moepp.gov.mk>

This portal provides the public with information on emissions and pollution in environmental media, as well as other relevant environmental data.

The **Macedonian Environmental Information Centre (MEIC)**, in cooperation with other relevant national institutions, prepares:

- **Annual reports** on processed environmental quality data;
- **Biennial indicator reports** on the state of the environment;
- **Quadrennial state of the environment reports** for North Macedonia;
- **Monthly and annual thematic reports**, such as the **Monthly Air Quality Report**;
- A **yearly emission inventory report** covering air emissions;
- **Air quality assessment reports** to supplement thematic assessments.

In cooperation with the **State Statistical Office**, a biennial **Environmental Statistics Publication** is produced, available on both institutions' websites.

MEIC also prepares **popular brochures** on key environmental media (e.g. water, air, waste) and **thematic brochures** each year. Official reports are published on the MoEPP website and shared with the Public Relations Department to ensure public access and outreach.

Most environmental information—such as **air pollution data** and the **State of the Environment Report**—is available at:

🔗 <https://www.moepp.gov.mk>

Interinstitutional Collaboration on Health and Environment:

Cooperation between the **Ministry of Health** and the **Ministry of Environment and Spatial Planning** is vital for shaping and implementing policies linking environment and public health.

Through the **State Sanitary and Health Inspectorate** and the **Institute of Public Health (IPH)**, the Ministry of Health participates in environmental monitoring, including air, water, and food quality, and in monitoring the impacts of gases, radiation, and noise, as well as population hygiene and epidemiological conditions.

IPH and the ten **regional public health centers** include units for hygiene and health ecology. In **Skopje and Veles**, there is regular air monitoring. In other regions, parameters related to **drinking water and surface water** quality and human health are tested.

Monitoring data are reported monthly and biannually by regional centers to both the **Institute of Public Health** and **MoEPP**. **Noise pollution data** is collected by public health offices in **Bitola, Kumanovo, and Kichevo**.

At the beginning of each year, IPH compiles a **comprehensive annual report**.

Under Article 46 of the Law on the Environment, MoEPP is responsible for **reporting to international bodies** and delivering thematic environmental data. These obligations—national and international—are carried out by MEIC, which also serves as the **National Focal Point for cooperation with the European Environment Agency (EEA)**.

Since 1998, MEIC has participated in **EEA and EIONET activities**, and through nominated **National Reference Centres (NRCs)**, regularly reports on various environmental media. NRCs include experts from multiple national institutions and are evaluated based on **Priority Data Flows** to the EEA.

All data submitted to the EEA is **publicly available**, either through official publications or via the **integrated EEA website**.

Citizens in North Macedonia have access to this data and can compare local environmental trends with those in other European countries.

Question 14: Relevant Websites for the Implementation of Article 5

Question 14 Please indicate relevant websites, if available.

<http://www.moepp.gov.mk/>

<http://airquality.moepp.gov.mk/>

<http://air.moepp.gov.mk>

<http://ewmis.moepp.gov.mk>

<http://nbis.moepp.gov.mk>

<http://ripz.moepp.gov.mk>

Question 15	Question 15: Legal, Regulatory and Other Measures Implementing the Provisions on Public Participation in Decision-Making on Specific Activities under Article 6
--------------------	--

Question 15	Please describe the legal, regulatory, and other measures that implement the provisions on public participation in decision-making on specific activities under Article 6. Explain how each paragraph of Article 6 is implemented. Describe the transposition of the relevant definitions from Article 2 and the non-discrimination requirement from Article 3, paragraph 9.
--------------------	---

Please also specifically describe:

(a) With regard to paragraph 1, the measures taken to ensure that:

- (i) The provisions of Article 6 apply to decisions on whether to permit proposed activities listed in Annex I of the Convention;
- (ii) The provisions of Article 6 apply to decisions on proposed activities not listed in Annex I but that may have a significant effect on the environment;

(b) Measures taken to ensure that the public concerned is informed early, in an adequate, timely, and effective manner, of the matters referred to in paragraph 2;

(c) Measures taken to ensure that timeframes for public participation procedures meet the requirements of paragraph 3;

(d) With regard to paragraph 4, measures taken to ensure early public participation;

(e) With regard to paragraph 5, measures taken to encourage prospective applicants to identify the public concerned, enter into discussions, and provide information on the objectives of their application before submitting it;

(f) With regard to paragraph 6, measures taken to ensure that:

- (i) Competent authorities give the public concerned all relevant information available at the time of the public participation procedure;
- (ii) In particular, competent authorities provide the specific types of information referred to in this paragraph;

(g) With regard to paragraph 7, measures taken to ensure that procedures allow the public to submit any comments, information, analyses, or opinions that it considers relevant to the proposed activity;

(h) With regard to paragraph 8, measures taken to ensure that due account is taken of the outcome of the public participation procedure in the decision-making process;

(i) With regard to paragraph 9, measures taken to ensure that the public is informed promptly of the decision in accordance with appropriate procedures;

(j) With regard to paragraph 10, measures taken to ensure that when the operational conditions of an activity referred to in paragraph 1 are reconsidered or updated, the provisions of paragraphs 2 to 9 are applied as appropriate;

(k) With regard 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.

The **Law on the Environment** is the primary legal instrument regulating public participation in decision-making processes for activities listed under Article 6 of the Aarhus Convention.

The following **bylaws** support public participation:

Environmental Impact Assessment (EIA):

- Decision and Supplementary Decision on defining projects and the criteria for determining the need for environmental impact assessment (Official Gazette of RM No. 74/05, 35/06);
- Rulebook on the information to be included in the project intention notification and the procedure for determining the need for an EIA (Official Gazette of RM No. 33/06);
- Rulebook on the content requirements for the Environmental Impact Assessment Study (Official Gazette of RM No. 33/06);
- Rulebook on the format, content, and procedure for preparing the adequacy report of the EIA Study and for authorizing experts from the List of EIA Experts (Official Gazette of RM No. 33/06);
- Rulebook on the content of public announcements and public consultation procedures for the EIA process (Official Gazette of RM No. 33/06).

Integrated Pollution Prevention and Control (IPPC):

- Decree on determining installation activities subject to integrated environmental permits or compliance permits with an operational plan and timelines for permit submission (Official Gazette of RM No. 89/05);
- Rulebooks for procedures for obtaining A and B-type integrated environmental permits and compliance permits (Official Gazette of RM No. 04/06).

Genetically Modified Organisms (GMO):

- Rulebook on the required information for risk assessment related to the deliberate release of GMOs, adapted to the nature of the organism and environment (Official Gazette of RM No. 148/09).

The **EIA procedure** is defined in the Law on the Environment and related regulations. Projects subject to EIA are those that, due to their nature, purpose, or location, may significantly affect the environment. The need for assessment is determined case-by-case based on criteria related to project type, scale, and site.

Public Notification and Participation Measures:

The competent environmental authority must:

- Publish the project notification in two national daily newspapers and on its website.
- Announce the EIA screening decision in two daily newspapers, online, and on its official notice board;
- Announce the availability of the EIA Study in two newspapers and through local TV/radio; the non-technical summary must be published online.
- Publish the EIA adequacy report in two newspapers and online.
- Publish the final decision approving or rejecting the project in two newspapers, online, and on its notice board.
- Publicly announce the time and place of public hearings in two national newspapers and on local TV/radio and ensure public access to relevant documents.

Upon request by a foreign state, the above information is also made available to the relevant foreign authority, in accordance with the **Espoo Convention**.

Further Measures Ensuring Public Participation in Decision-Making

According to the **Law on the Environment**, within **seven days** of receiving a request for an integrated environmental permit, the Ministry of Environment and Physical Planning (MoEPP) must:

- Publish the application in two nationwide daily newspapers and on its website;
- Within **15 days** of publication, provide public access to all relevant information for forming opinions and comments in line with the law;
- Accept written comments from any individual, public authority, or local government unit (including the City of Skopje and its municipalities) **within 30 days** of the permit application's publication.

MoEPP is obligated to **consider public input** before issuing a permit. In preparing an **A-integrated environmental permit**, MoEPP must specify which public opinions were taken into account and explain why certain inputs were not considered.

For **B-integrated environmental permits**, local self-government units are responsible for ensuring public access and participation. Affected public members may submit written comments **within 30 days** of the application's publication. Upon public request, the applicant must organize a **public hearing**.

The law also upholds the **principle of non-discrimination**, in accordance with the **Constitution of the Republic of North Macedonia**, which guarantees equal rights and freedoms for all citizens regardless of gender, race, color, national or social origin, political or religious beliefs, property status, or social standing.

On Genetically Modified Organisms (GMOs)

Deliberate release of GMOs into the environment is regulated under **Chapter 5.1 of the Law on GMOs**.

As per **Article 34**, any notifier intending to release GMOs must submit a notification to MoEPP, which includes technical documentation for conducting a **risk assessment**.

MoEPP must:

- **Publish a summary** of the notification online and in two national newspapers within **five days** of receipt.
- Allow the public to submit comments **within 30 days** of publication.
- Ensure public access to the full notification, risk assessment, and accompanying documents.
- Consider all the timely submitted comments during the permit process.

MoEPP is required to issue a permit for the deliberate release of GMOs—or reject the notification—**within 90 days**, depending on whether the legal conditions have been met.

Question 16	Question 16: Obstacles Encountered in the Implementation of Article 6
Question 16	Please describe the obstacles encountered in the implementation of any of the provisions of Article 6.

- Insufficient administrative capacities.
- Limited financial resources.
- Lack of capacity among all relevant actors involved in the process.
- Need to strengthen the staffing capacities of the Ministry of Environment and Physical Planning to ensure public participation in project implementation, especially when both national and transboundary environmental impact assessment procedures must be conducted. It is essential to provide the public with adequate time to become informed and prepare for effective involvement in environmental decision-making.
- The institutional and other capacities of the Ministry and the competent local authorities are not sufficiently developed. Therefore, it is necessary to implement measures aimed at their improvement. Reactions from civil society organizations indicate that insufficient capacity, particularly at the local level, is often exploited to push through poorly justified studies and obtain permits.
- Low levels of public participation in EIA procedures at the local level. The absence of a legal obligation to inform the affected public in written form may be one of the contributing factors. Certain NGOs report that public involvement is inadequate, as decisions are adopted regardless of substantial and well-founded public comments.
- The most common obstacles and challenges in implementing public participation regulations related to environmental impact assessment include insufficient public involvement due to lack of awareness, disinterest, delayed participation after legal deadlines for appeals have passed, and a lack of trust in the ability of the competent authorities to protect the public's interests.

Question 17	Question 17: Further Information on the Practical Application of the Provisions of Article 6
Question 17	Please provide further information on the practical application of the provisions on public participation in decision-making on specific activities under Article 6. For example, are there any available statistical data or other information on public participation in decision-making on specific activities, or on decisions not to apply the provisions of this Article to proposed activities serving national defense purposes?

In accordance with the Law on the Environment and the corresponding bylaws, the Ministry fulfills its obligations regarding public participation in decision-making processes. The public is informed from the earliest stages—namely during the planning of activities, including the development of legislation, plans, programs, strategies, projects, permits, and procedures for conducting Environmental Impact Assessment (EIA). Additionally, at the request of stakeholders, public hearings are organized, and in line with legal obligations, the results of public participation are taken into account.

During the reporting period, **18 public hearings** were conducted concerning EIAs. Some of these include:

- EIA for the construction of a sanitary landfill for non-hazardous solid municipal waste in Rusino, Municipality of Gostivar;
- EIA for the restoration of the Sateska River and redirection into its natural riverbed;
- EIA for the construction of the A3 state road section Bitola – Medzitlija border crossing;
- EIA for the project "Modification of the excavation method in the Svinja Reka site – applying a backfilling method and dry tailings disposal at SASA Mine," Municipality of Makedonska Kamenica;
- EIA for the construction of a broiler poultry farm – KO Zubovce, Municipality of Vrapchishte;
- EIA for reconstruction and adaptation of facilities within a poultry production complex in Ginovci for breeding parent flocks and laying hens, an incubator station, and a broiler farm;
- EIA for the construction of an intensive poultry facility for broiler breeding in the territory of Vrapchishte Municipality;
- EIA for the investment project "Establishment of an integrated and financially self-sustaining waste management system in the Pelagonia and Southwest regions";
- EIA for the construction of a collector system, rehabilitation of the sewage network, and construction of a wastewater treatment plant in Bitola;
- EIA for the construction and reconstruction of collector and sewage systems and construction of a wastewater treatment plant for the Tetovo agglomeration;
- EIA for the installation of a power generation facility at Euronickel Industry;
- EIA for the installation of a power generation facility in Kavadarci by the investor "EURONICKEL INDUSTRY" LLC.

During the reporting period, specifically in **2023**, one **notification concerning a project subject to transboundary consultation** was published. This notification refers to the **Lepenec hydro-system project**. As of the date of reporting, the Ministry of Environment

and Physical Planning has **not yet conducted public consultation** on this matter within the Republic of North Macedonia.

Question 18	Question 18: Websites Relevant to the Implementation of Article 6
Question 18	Please indicate relevant websites, if any.

www.moepp.gov.mk

Notification of Intent to Carry Out Projects | Ministry of Environment environment and space planning

EIA Studies | Ministry of Environment environment and space planning

Minutes of public meetings discussions | Ministry of Animal Welfare environment and space planning

Cross-border impacts / Transboundary EIA procedures | Ministry of Environment environment and space planning

Question 19	Practical and/or Other Provisions for Public Participation in the Preparation of Environmental Plans and Programs in Accordance with Article 7
Question 19	Please list the relevant practical and/or other provisions intended to enable the public to participate in the preparation of plans and programs relating to the environment in accordance with Article 7. Describe how the relevant definitions in Article 2 and the non-discrimination requirements in Article 3, paragraph 9, have been transposed.

The **Law on Environment** is the primary legal instrument governing public participation in the preparation of environmental plans and programs, as referred to in Article 7 of the Aarhus Convention.

The following bylaws are directly linked to public participation in the preparation of environmental plans and programs:

Strategic Environmental Assessment (SEA):

- Decree on strategies, plans, and programs (including amendments) subject to mandatory environmental and human health impact assessment (Official Gazette of RM No. 153/07);
- Decree on criteria for determining whether certain planning documents may have significant environmental and health impacts (Official Gazette of RM No. 144/07);
- Decree on the content of the environmental report for strategic environmental assessment (Official Gazette of RM No. 153/07);
- Decree on public participation during the preparation of legislation and other acts, as well as plans and programs in the field of environment (Official Gazette of RM No. 147/08).

Public participation in the preparation of environmental plans and programs is regulated by **Chapter 9** of the Law on Environment ("Environmental Protection Planning"), which

includes provisions for public involvement during the drafting and adoption of planning documents. According to **Article 61**, state administration bodies and local self-government units are obligated to inform the public (via announcements or other appropriate means) when preparing, adopting, amending, or revising plans and programs, to enable participation in the decision-making process. These issues are elaborated in the above-mentioned **Decree on Public Participation**.

Article 65 of the Law further states that all planning documents related to sectors such as agriculture, forestry, fisheries, energy, industry, mining, transport, regional development, telecommunications, waste and water management, tourism, spatial and urban planning, and land use—especially when these plans form the basis for implementing projects subject to environmental impact assessment (EIA)—are also subject to strategic environmental assessment (SEA).

Before the adoption of a planning document, and within five days after completing the environmental report, the competent authority must publish the draft plan and environmental report along with information on public participation procedures. These documents are also submitted to the Ministry of Environment. The ministry, affected authorities, legal and natural persons, and the general public may provide comments within 30 days from the publication. The competent authority must consider these comments and prepare a separate report summarizing how they were addressed.

According to **Article 93**, in case of **transboundary cooperation**, the Ministry of Environment, in collaboration with the competent authority of the affected state, must ensure that the public in the affected state is informed and given the same opportunity to submit comments as the domestic public. Comments received are taken into account when deciding on project approval.

If the Ministry is informed by another country about a planned project in North Macedonia that may have significant transboundary effects (but that country was not previously notified by North Macedonia), the Ministry must assess the transboundary impact and, if confirmed, involve the other state in the EIA procedure in accordance with national law.

Question 20	Question 20: Opportunities for public participation in the preparation of environmental policies prescribed under Article 7
Question 20	Explain what opportunities exist for public participation in the preparation of environmental policies prescribed under Article 7.

Public participation in the preparation of planning documents is regulated by several legal acts and applies to all strategic, planning, and programming documents. These documents are adopted in two phases: a draft phase and a proposal phase. Drafts are published, and public and expert debates are organized on their content. The opinions, remarks, and suggestions gathered from these debates must be taken into consideration when finalizing the text of the document, which is then submitted as a proposal for final adoption.

Common methods of public involvement in the early stages of document development include participation in working groups and regular publication of planning documents on the

website of the Ministry of Environment and Spatial Planning, as well as holding public hearings regarding the planning document.

Law on Ambient Air Quality

Article 33 of the Law on Ambient Air Quality requires that the Mayor of the municipality and of the City of Skopje take all necessary measures to inform the public and ensure access to information and participation in the preparation and adoption of the Air Quality Plan and the Short-Term Action Plan, following the procedures established in the Law on Environment regarding planning documents.

Law on Nature Protection

The principle of public participation (Article 7) ensures public access to information about the state of nature, timely notification of environmental damage, and participation in decision-making related to nature protection.

Article 156 ensures public participation in drafting regulations and documents arising from this law, especially regarding: acts for proclaiming protected areas, spatial planning documents for protected areas, management plans, and projects for using natural resources that may affect nature. Public notification is mandatory and done through public notices or direct notification.

National strategies, five-year plans, and annual programs for nature protection must be developed with public participation (Articles 159 and 160).

Law on Environmental Noise Protection

Article 18 ensures public participation in planning for noise protection. Authorities must organize public debates involving all stakeholders and make draft action plans available for review at least 30 business days before the hearing. Public feedback must be included in the final documentation.

Law on Waters

Articles 5 and 35 guarantee public access to water management information and participation in decision-making. Authorities must publish permit requests and allow 15 days for public comments.

Article 62 requires public participation in adopting the National Water Strategy.

Article 64 mandates consultation with the public during the drafting, revision, and updating of water management plans.

Article 66 regulates participation in river basin planning.

Article 223 establishes river basin councils, which include NGO representatives.

Law on Genetically Modified Organisms (GMOs)

Article 12 allows the public and CSOs to comment on GMO-related notifications within 30 days. The public must be granted access to the notification data, emergency plans, and expert assessments. The competent ministry prescribes procedures for public participation, and only timely comments are considered.

Law on Waste Management

Article 22 states that the Waste Management Strategy should include awareness-raising and public information activities.

Article 102 mandates public reporting on waste management status and progress.

Article 103 requires authorities to provide public access to waste-related information.

Law on Spatial and Urban Planning

This law has been replaced by the new **Law on Urban Planning**, adopted by the Ministry of Transport. It provides for public review and hearings on various documents.

Article 46 introduces a **Participatory Body**, ensuring inclusivity and transparency in urban planning. It includes representatives from municipal commissions, CSOs, local communities, and professionals. The body meets at least every two months and influences planning decisions through consultations.

A **Law on Spatial Planning** is being drafted. A public hearing was held in late 2023, but due to stakeholder feedback, it was returned for revision. Relevant provisions include:

- **Article 10 – Public Participation Principle:** Early, effective public involvement must be ensured, with rights to review and submit feedback on spatial documents.
- **Article 50 – Public Hearing:** A hearing is held for every draft spatial plan. Details of the hearing and draft documents must be published in official media and online, and minutes from the hearings must record all comments and responses.

Question 21	Question 21: Obstacles Encountered in the Implementation of Article 7
Question 21	Describe the obstacles encountered in implementing Article 7

- Strengthening the administrative and financial capacities of all relevant actors in the process.
- Public participation in the creation of strategic national documents and processes related to the drafting of laws, by-laws, and regulations is not at a satisfactory level.
- The role of the media, specifically media coverage of environmental issues, is also not satisfactory.

Question 22	Question 22: Additional information on the practical implementation of the provisions of Article 7
Question 22	Provide further information on the practical application of the provisions for public participation in decision-making on specific activities under Article 7

During the reporting period (2021–2023), several procedures for Strategic Environmental Assessment (SEA) were carried out:

- Draft Environmental Strategic Assessment Report for the Management Plan of the Protected Area Osogovo Mountains 2021–2031;
- Draft Strategic Environmental Assessment Report for the Draft Plan for Waste Prevention 2022–2027 of the Republic of North Macedonia;
- Strategic Environmental Assessment Report for the Urban Project outside the scope of the urban plan for the construction of the “Interregional Municipal Waste Landfill – Central Waste Management Facility located in the Municipality of Sveti Nikole”, KO Mechkuevci, Municipality of Sveti Nikole;

- Draft Strategic Environmental Assessment Report for the Detailed Urban Plan Design (DUPD) for the construction of the Plavica mining complex;
- Draft Strategic Environmental Assessment Report for an urban project outside the scope of the urban plan for the construction of the “Interregional Municipal Waste Landfill – Central Waste Management Facility located in the Municipality of Sveti Nikole”, KO Mechkuevci, Municipality of Sveti Nikole.

The public was involved in the Strategic Environmental Assessment procedure for the above-mentioned documents.

Question 23	Websites relevant to the implementation of Article 7
Question 23	Please indicate relevant websites, if any:

www.moepp.gov.mk

[Sector for spacious planning | Ministry of Environment and Public Works](#)
(moepp.gov.mk)

Question 24	Efforts made to promote public participation during the preparation of regulations and other rules that may have a significant effect on the environment as prescribed in Article 8
Question 24	Describe the efforts made to promote effective public participation during the preparation by the authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment as prescribed in Article 8. To the necessary extent, describe the transposition of the relevant definitions in Article 2 and the non-discrimination requirements in Article 3, paragraph 9.

In Republic of North Macedonia for drafting laws as well as their amendment and In the Republic of North Macedonia, a Regulatory Impact Assessment (RIA) is mandatory for the preparation of laws, as well as for their amendments and supplements. The procedure for conducting a Regulatory Impact Assessment is regulated by the **Law on the Government of the Republic of North Macedonia**, the **Rules of Procedure of the Government of the Republic of North Macedonia**, and the **Methodology for Regulatory Impact Assessment**.

For this purpose, a web portal for the electronic register of regulations has been established (www.ener.gov.mk), where all draft laws, including their amendments and supplements, are published. Alongside the draft laws, the **RIA report** is also published, which contains the opinions and comments submitted regarding the draft regulations.

The public may submit their remarks either directly to the **Ministry of Environment and Physical Planning** or via the portal. Draft texts of laws are also mandatorily published on the website of the Ministry of Environment and Physical Planning.

Question 25	Obstacles encountered in the implementation of Article 8
Question 25	<i>Describe the obstacles encountered in implementing Article 8.</i>

- Strengthening the capacities of central government entities for implementing the Regulatory Impact Assessment (RIA) procedure.
- Raising public awareness and promoting RIA as a tool for public participation in law-making processes.
- Strengthening human and financial capacities of all relevant stakeholders in the process at both central and local levels. The technical equipment is at a low level and does not ensure consistent access to information.
- A relatively low level of public interest in participating in procedures related to the preparation of draft laws.
- Insufficient knowledge among the affected public on how, when, and to whom to submit their opinions.

Question 26	Further information on the practical application of the provisions on public participation in the area covered by Article 8
Question 26	Please provide further information on the practical implementation of the provisions on public participation in the area covered by Article 8.

The Ministry of Environment and Physical Planning, in addition to the legislative and strategic documents prepared within the framework of various projects, as well as for other regulations and documents, strives to ensure transparency through the following methods: questionnaires, public opinion research (both quantitative and qualitative surveys), and the organization of workshops for draft versions of laws.

These workshops involve representatives from government and state institutions, local self-government units, public enterprises, representatives from industry (i.e., the Chamber of Commerce of the Republic of North Macedonia), other private legal entities holding obligations, non-governmental organizations, as well as academic and professional organizations. Valid comments received were incorporated into the draft and proposed laws.

Question 27	Question 24: Websites relevant to the implementation of Article 8
Question 27	Point out relevant websites, if there are any:

www.moepp.gov.mk

www.ener.gov.mk

Question 28 **Question 28: Legislative, regulatory and other measures to implement the provisions on access to justice under Article 9**

Question 28 List the legislative, regulatory and other measures that implement the provisions on access to justice under 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. Specifically, describe:

(a) In relation to **paragraph 1**, the measures taken to ensure that:

- (i) Any person who considers that their request for information under Article 4 has not been handled in accordance with 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 a provision for such a review by a court, the same person also has access to an expeditious procedure established by law, which is free of charge or inexpensive, for reconsideration by the public authority or review by another independent and impartial body other than a court;
- (iii) Final decisions under this paragraph are binding on the public authorities holding the information and that reasons are given in writing at least in cases where access to information is refused;

(b) Measures taken to ensure, within the framework of national legislation, that members of the public concerned who meet the criteria laid down in paragraph 2 have access to a review procedure before a court 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) In relation to **paragraph 3**, the 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) In relation to **paragraph 4**, the measures taken to ensure that:

- (i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;
- (ii) Otherwise, such procedures meet the requirements of this paragraph;

(e) In relation to **paragraph 5**, the measures taken to ensure that the public is informed about access to administrative and judicial review.

In the Law on the Environment, Article 55 clearly defines the cases in which the competent entity providing information may reject a request for environmental information:

- It does not possess the requested information. In this case, the entity is obliged to forward the request to the entity that does possess the requested information within seven days of receipt, if it knows who that entity is, and to inform the applicant accordingly. If it does not know, it shall notify the applicant of the likely holder of the requested information.
- The request is manifestly unreasonable;
- The request is too general. The entity must, within 15 days of receipt of the request, inform the applicant in writing about the format, content, and scope of the request;
- The request concerns information that is still in the process of being completed or that is for internal use and communication. In this case, the entity must notify the applicant of the entity preparing the information and the expected completion time.

Entities may refuse access to information only if its disclosure would adversely affect:

1. The confidentiality of the proceedings of public authorities, where such confidentiality is provided for by law or a regulation based on law;
2. International relations, public security, and national defense;
3. Court proceedings, the right to a fair trial for legal and natural persons, and the right to initiate judicial or disciplinary procedures;
4. The confidentiality of commercial or industrial information, where such confidentiality is protected by law, including public interest in retaining statistical confidentiality and tax secrecy;
5. The protection of individuals and confidentiality of personal data;
6. The protection of intellectual property rights;
7. The interests or protection of any person who voluntarily provided the requested information, and who does not agree with its disclosure;
8. The protection of the environment, in particular the protection of certain wild species or habitats.

Entities shall not reject a request under items 1, 4, 5, 7, and 8 if it concerns information on releases or other emissions into the environment.

In all the above cases, entities are required to assess whether the protection of public interest outweighs the interest in withholding the information.

Entities must make the requested environmental information available as soon as possible, and no later than one month after receiving the request, or within two months if the complexity or volume of information justifies the extension.

If the request cannot be fulfilled, the entity must issue a written decision or conclusion rejecting the request, stating the reasons and informing the applicant of their right to appeal.

Applicants have the right to appeal against the decision or conclusion rejecting access to information. The appeal body depends on the entity that issued the decision. If issued by the Government of the Republic of North Macedonia or a state administrative body, the appeal goes to the Commission for Protection of the Right to Free Access to Public Information. If

issued by a municipality, the City of Skopje, its municipalities, or public/private legal entities with public authority or acting under contract in the public interest, the appeal is submitted to the Ministry of Environment and Physical Planning (MoEPP). The appeal procedure follows the Law on General Administrative Procedure.

The right to appeal is also provided under the Law on Environment to allow individuals and environmental NGOs to seek justice in matters including:

a) the right to access environmental information; b) the right to participate in environmental impact assessment procedures; c) the right to participate in procedures for issuing integrated environmental permits.

Access to justice for individuals and organizations is also regulated by sector-specific environmental laws.

Final decisions in second-instance proceedings may be challenged through an administrative dispute before a competent court.

According to Article 13, paragraph 4 of the Law on Courts, court decisions are binding for all legal and natural persons.

Additionally, the Ombudsman institution in North Macedonia has the legal function of protecting citizen rights guaranteed by the Constitution, laws, and international treaties, including the right to access environmental information. The Ombudsman is an independent body responsible for protecting constitutional and legal rights when violated by actions or inactions of public authorities. The procedure before the Ombudsman is free of charge.

Implementation of Article 2 (definitions) in the Law on Environment:

- Article 5 defines the “public” as any legal or natural person and civil society organizations established by law;
- “Concerned public” refers to the public affected or likely to be affected, or having an interest in environmental decision-making;
- “Environmental information” is defined in Article 51 as any information—written, visual, audio, electronic, or in any other form—related to:
 - The state of environmental media such as air, water, soil, biodiversity, and their interactions;
 - Factors like substances, noise, radiation, or waste, including emissions affecting the environment and human health;
 - Measures and activities, including legislation and policies, that may impact the environment;
 - Reports on the implementation of environmental laws;
 - Cost-benefit analyses used in environmental decision-making;
 - Health and safety, food safety, cultural sites, and living conditions as influenced by environmental factors.

“Public authorities” are defined in Article 52 as:

- The Government and state administration bodies;
- Municipalities and the City of Skopje;

- Legal and natural persons with public authority, or those performing public interest activities in the field of environment.

The Government maintains a public list of entities holding environmental information. These entities must appoint responsible officers and ensure access to the requested environmental information.

To harmonize with the Aarhus Convention, these provisions are also specified in secondary legislation, such as:

- Decision on the publication of the list of entities holding environmental information (Official Gazette No. 82/07)
- Rulebook on the manner and procedure for access to environmental information (Official Gazette No. 93/07)

According to Article 3 of the Rulebook, access to environmental information is granted equally to all applicants, in the order in which requests are received, and within the time necessary for preparing a response.

Question 29	Encountered obstacles in the implementation of Article 9
Question 29	Describe the obstacles encountered in implementing any of the paragraphs of Article 9.

Insufficient capacity of the competent authorities to implement the right of access to justice, particularly within the executive and judicial branches. Specialized training focused exclusively on the third pillar is necessary to enable its proper implementation.

Question 30	Further information on the practical implementation of the provisions of Article 9
Question 30	Provide further information on the practical implementation of the provisions on access to justice under Article 9, e.g., whether statistical data on environmental justice is available and whether there are support mechanisms for removing or reducing financial and other barriers to access to justice.

According to the Law on the Ombudsman ("Official Gazette of the Republic of Macedonia" No. 60/03), Articles 11–18 provide relief in the sense that the applicant is exempt from paying fees for the procedure initiated before the Ombudsman.

Additionally, the Law on the Ombudsman allows any citizen of the Republic of North Macedonia to submit a complaint when one of their fundamental human rights has not been respected or has been violated by state institutions or by another legal or natural person.

Taking into account Article 44 of the Constitution of the Republic of North Macedonia, which guarantees every citizen the right to live in a healthy and clean environment, the Ombudsman also considers complaints related to violations of this right.

In 2012, the NGO CED Florozon from Skopje launched the project “Environmental Justice in Macedonia,” aimed at strengthening the capacities of the Ombudsman for the practical implementation of the right to access to justice. Specifically, the project aimed to strengthen the capacities of the Ombudsman, civil society representatives, and central and local authorities regarding the provisions and obligations stemming from the third pillar of the Aarhus Convention. It also pointed to the need for more uniform implementation, and the establishment of alternative mechanisms for accelerated and advanced procedures, as well as adequate and effective measures for remedying violations.

Representatives from seven regional offices of the Ombudsman benefited from the program, including lawyers, representatives from the Ministry of Justice and the Ministry of Environment and Physical Planning, as well as representatives from civil society. The program was implemented in cooperation with a team of environmental law experts from the organization EMLA (Environmental Management and Law Association) from Hungary.

Question 31 Question 31 – Websites relevant to the implementation of Article 9

Question 31 Indicate relevant websites, if any:

www.covekovi-prava.gov.mk

www.ombudsman.gov.mk

www.sobranie.mk

www.stat.gov.mk

www.usud.gov.mk

www.mlrc.org.mk

[Home - Aarhus Center - Macedonia \(arhus.mk\)](http://Home-AarhusCenter-Macedonia-arhus.mk)

<https://arhus.mk>

Question 32 Question 32 – General remarks on the objective of the Convention

Question 32 If applicable, 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 their health and well-being.

The Aarhus Convention, as an international treaty, is one of the most important instruments for protecting citizens' rights to a healthy environment. The public has the right and the need to be informed, to participate in decision-making on environmental protection matters, and to have free access to relevant information. The implementation of the Aarhus Convention enables improved access to information, increased public participation in decision-making, and, as a result, enhances the quality of decisions, all of which contribute to improving the quality of the environment. The implementation of the Convention supports the protection of the right of every individual, from present and future generations, to live in an environment adequate to their health and well-being, and ensures the rights of access to information, public participation in decision-making, and access to justice in environmental matters, in accordance with the Law on Environment.

Question 33	Question 33: Legislative, regulatory and other measures for the implementation of the provisions on genetically modified organisms in accordance with Article 6 bis and Annex I bis
Question 33	(a) Regarding paragraph 1 of Article 6 bis and: (i) Paragraph 1 of Annex I bis – Regulatory provisions to ensure effective public information and participation in decisions subject to Article 6 bis: The Law on Genetically Modified Organisms (Official Gazette of the Republic of Macedonia No. 35/2008) regulates the deliberate release of GMOs into the environment and their placement on the market. Public participation in these procedures is ensured through the publication of short summaries of the notifications in at least two national newspapers and on the website of the Ministry of Environment and Physical Planning. The public has the right to submit comments within 30 days from the date of publication. (ii) Paragraph 2 of Annex I bis – Exceptions to public participation and the criteria for such exceptions: The Law allows the competent authority to withhold specific information if its disclosure would adversely affect national security, intellectual property rights, or personal data protection. However, information related to environmental releases or risks is not considered confidential. (iii) Paragraph 3 of Annex I bis – Measures to make summaries and risk assessment reports publicly available: Summaries of the notifications and risk assessments are published online and made available in physical form at the Ministry. This ensures timely and effective public access to essential documents before a decision is taken. (iv) Paragraph 4 of Annex I bis – Measures ensuring that certain categories of information are not treated as confidential: The legislation explicitly states that information about emissions into the environment, including risks from GMOs, cannot be withheld on confidentiality grounds. (v) Paragraph 5 of Annex I bis – Measures to ensure transparency of decision-making procedures: All relevant data on the procedure, the nature of the decision, the responsible authority, the method for public involvement, and deadlines for submitting opinions are publicly announced and accessible via the Ministry's website. (vi) Paragraph 6 of Annex I bis – Measures allowing public submission of comments, analyses, or opinions: The public can submit comments via email, post, or directly through designated contact points at the Ministry. These contributions are formally reviewed and included in the decision-making process. (vii) Paragraph 7 of Annex I bis – Measures to ensure consideration of public input: The Ministry is obliged to take public comments into account and reflect on

them in the final decision. The reasons for accepting or rejecting comments must be justified in writing.

(viii) Paragraph 8 of Annex I bis – Measures to ensure public access to final decisions:

The Ministry publishes all final decisions, along with the rationale and the outcome of public participation, in the Official Gazette and on its website.

(b) Regarding paragraph 2 of Article 6 bis:

The provisions from Annex I bis complement and reinforce the national biosafety framework of North Macedonia by introducing mechanisms for public awareness, risk assessment, and decision transparency. These provisions are aligned with the objectives of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, supporting informed decision-making and preventive measures in the context of GMO release and trade.

Law on Genetically Modified Organisms

Article 12 – Public Consultations and Notification

The state administrative body responsible for environmental matters is obliged to publish a summary of the notification for obtaining a permit for:

- contained use of GMOs,
- deliberate release of GMOs into the environment, and
- placing GMO products on the market

within five days of receiving the complete notification. The summary must be published on the Ministry's official website and in two daily newspapers available throughout the territory of the Republic of North Macedonia, at the expense of the applicant (i.e., the notifier).

The notice must include information on where the data from the notification can be accessed.

The public and civil society organizations may submit their opinions on the notifications referred to in this Article to the Ministry within 30 days from the date of publication.

The Ministry is obliged to provide public access to the notification data, including the emergency plan, the GMO product risk assessment report, the opinion of the Scientific Committee on GMOs, opinions from other competent authorities, and any other accompanying information.

The format and content of the publication form are prescribed by the Minister heading the responsible state administrative body for environmental matters.

The procedure and method of public participation in issuing permits for contained use of GMOs, deliberate release of GMOs into the environment, placing GMOs on the market, and other related information are also defined by the Minister.

When issuing the permits mentioned above, the Ministry must consider the timely submitted public opinions and comments. The time needed for public consultation is not included in the period set for issuing the permits.

Based on Article 12 of the Law on Genetically Modified Organisms (Official Gazette of the Republic of Macedonia No. 35/08 and 163/13), the following bylaws have been adopted:

- Rulebook on the form and content of the permit template for the export of GMOs and/or GMO products (Official Gazette No. 23/14)
- Rulebook on the procedure and method for public participation in the issuance of permits for contained use of GMOs, deliberate release of GMOs into the environment, placing GMOs on the market, and other information related to the use of GMOs (Official Gazette No. 23/14).

Question 34	Question 34 – Obstacles Encountered in Implementing Article 6 bis and Annex I bis
Question 34	Describe the obstacles encountered in the implementation of any of the paragraphs of Article 6 bis and Annex I bis.

There is a need to increase the number of responsible personnel for the implementation of GMO-related legislation.

Question 35	Question 35 – Further information on the practical application of the provisions of Article 6 bis and Annex I bis
Question 35	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 under Article 6 bis, for example, whether there are statistics or other information available on public participation in such decisions, or on decisions under paragraph 2 of Annex I bis that are exempted from public participation procedures under that Annex.

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 accordance with Article 6 bis has not yet begun.

Question 36	Question 36 – Websites relevant to the implementation of Article 6 bis
Question 36	Indicate relevant websites, if any, including websites for registers of decisions and announcements related to genetically modified organisms.

www.moep.gov.mk

www.fva.mk

Question 37	Question 37 – Follow-up on issues of compliance
Question 37	If, upon consideration of the report and any recommendation of the Compliance Committee, the Meeting of the Parties at its most recent session has decided upon measures concerning the compliance of your country, please indicate (a) What those measures were; and (b) What specific activities your country has undertaken to implement those measures and achieve compliance with the Convention. Please include cross-references to the relevant parts, as appropriate.

The practical implementation of the provisions on public participation in decision-making regarding the deliberate release into the environment and the placing on the market of genetically modified organisms, in accordance with Article 6, has not yet commenced.

