

FORMAT FOR THE AARHUS CONVENTION IMPLEMENTATION REPORT

The following report is submitted on behalf of **THE REPUBLIC OF SERBIA**
[name of the Party or the Signatory] in accordance with decision I/8 and II/10

Name of officer responsible for submitting the national report:	Sara Pavkov, minister, The Ministry of Environmental Protection
Signature	
Date:	

IMPLEMENTATION REPORT

Please provide the following details on the origin of this report

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I. PROCESS BY WHICH THE REPORT HAS BEEN PREPARED

Provide a brief summary of the process by which this report has been prepared, including information on the type of public authorities that were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account, as well as on the material that was used as a basis for preparing the report.

Answer

a) The report on the implementation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters - Aarhus, 1998, (hereinafter called “the report”) was developed by the Ministry of Environmental Protection (MEP) in collaboration with the representatives of the competent bodies and organizations. All competent public authority bodies and other competent bodies in the Republic of Serbia at the level of the republic, autonomous province or city level (~~Belgrade, Kragujevac, Novi Sad, Nis~~), as well as the ~~Standing Conference of Towns and Municipalities were consulted (SCTM)~~ in the course of developing the report. The opinions of competent expert organizations, agencies, institutes, etc. specializing in the issues important for the implementation of the Aarhus Convention and of the Organization for Security and Cooperation in Europe (OSCE Mission to Serbia) were also requested. The majority of the competent organizations and bodies consulted submitted their opinions in writing. A ~~large-certain~~ number of associations submitted contributions to the Report.

b) After the decision to draft the report was made, a notice and an invitation to the public to submit their positions, opinions, etc. was posted on the website of the MEP: ~~<https://www.ekologija.gov.rs/informacije-od-javnog-znacaja/javne-rasprave/izrada-petog-nacionalnog-izvestaja-o-sprovodjenju-arhuske-konvencije>~~<https://www.ekologija.gov.rs/izrada-četvrtog-nacionalnog-izvestaja-o-sprovodjenju-arhuske-konvencije/>. Moreover, a notice about the development of the report

~~was posted on the websites of the association[†] Young Researchers of Serbia – Aarhus Centre – New – Belgrade – (<http://www.arhusnbg.mis.org.rs/poziv-izrada-cetvrtog-nacionalnog-izvestaja-o-sprovođenju-arhuske-konvencije/>) and Subotica Aarhus Centre (http://www.aarhussu.rs/detaljnije_3511_izrada-cetvrtog-nacionalnog-izvestaja-o-sprovođenju-arhuske-konvencije.html). Young Researchers of Serbia – Aarhus Center New Belgrade (ACNBSG) stimulated public participation in the preparation of this report through the sharing of information on the sites of the Aarhus Center New Belgrade (<http://arhusnbg.mis.org.rs/>) and the Ecosystem Program:[//ekosistem.mis.org.rs/](http://ekosistem.mis.org.rs/)), and then on social networks – <https://it-it.facebook.com/arhuscentarnbg/>, <https://www.facebook.com/EKOSISTEMprogram/>, <https://www.facebook.com/mladiistrazivacisrbije/>. A short animation was made – a video, and the organizations have been asked to participate in the process, in order to get a more realistic picture of the implementation of the Convention. The association of Young Researchers Bor with partner civil society organizations from Bor organized public consultations within the early preparations of the report. The draft Report was posted on the website of the MEP on September 17th, 2020 (<https://www.ekologija.gov.rs/predlog-cetvrtog-nacionalnog-izvestaja-o-sprovođenju-arhuske-konvencije/>) with an invitation to the public concerned to submit remarks, proposals and comments on the text of the draft Report.~~

~~In the period from 14th to 27th October 2020 MEP in partnership with Network of the Aarhus centres in Serbia and support from the Organization for Security and Cooperation in Europe organized five public consultations on the draft Report. The public consultation events took place online within Zoom platform. The public consultations gathered more than 100 representatives of national, regional and local public authorities, agencies, independent institutions, experts, media, academia, journalists and civil society organizations. Inputs from the public consultation process are compiled and included in the final Report.~~

c) All opinions of the competent bodies and associations, submitted while the report was being compiled, were considered and taken into account by MEP. Certain positions and opinions of the competent bodies were directly incorporated into the report. All positions and opinions put forward during the public insight and public consultation phase were also considered and taken into account.

d) Different types of material were used when compiling the report:

- Legislation in force in the Republic of Serbia (RS)
- Contributions by competent bodies and organizations
- Strategic documents adopted by competent bodies and organizations (Strategy for the Implementation of the Aarhus Convention (Official Gazette of the RS No. 103/11), ~~National Program for Environmental Protection, National Sustainable Development Strategy~~, National Judicial Reform Strategy in the Republic of Serbia, Strategy for the Development of a Free Legal Aid System in the Republic of Serbia, National Programme

[†]~~The Law on Associations defines an association as a voluntary, non-governmental non-profit organization based on freedom of association, bringing together a number of physical and legal persons, established with the aim of fulfilling or advancing a goal or interest common to association members or the community at large, provided that these goals or interests are not prohibited in the Constitution or by law (Article 3 Paragraph 1).~~

for the Adoption of the Aquis, ~~Approximation Strategy for Horizontal Sector, Transposition and Implementation of Environmental and Climate Change Acquis— Chapter 27: Status and Plans— Section 1 Horizontal Sector (Post-Screening Document), National Strategy of the Sustainable Use of the Natural Resources and Goods,~~ contributions of the MEP to the European Commission's annual progress report for the period ~~2017~~2021-20202024. years, etc.

- Work reports drafted by the competent bodies (Commissioner for Information of Public Importance and Personal Data Protection, Reports on the State of the Environment in the RS, Annual Report of the Department for Environmental Control and Precaution of the MEP, Report of the Protector of Citizens, etc).

- Contributions and comments by economic entities, associations, etc.

II. PARTICULAR CIRCUMSTANCES RELEVANT FOR UNDERSTANDING THE REPORT

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

Answer

a) This is the ~~fourth~~fifth Aarhus Convention Implementation Report in the Republic of Serbia. The Republic of Serbia ratified the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention) on May 12th, 2009 (Official Gazette of the Republic of Serbia – International Agreements, No. 38/09) and acceded to the Aarhus Convention on July 31st, 2009. (http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-13&chapter=27&lang=en).

The Republic of Serbia ratified the 2003 Kiev Protocol on Pollutant Release and Transfer Registers, on October 18th, 2011 (Official Gazette of the RS – International Agreements, No. 8/11). The Republic of Serbia has not ratified the GMO amendment to the Convention (Almaty, 2005).

b) Article 176 of the Constitution of the Republic of Serbia (Official Gazette of the Republic of Serbia No. 98/06) states that “citizens shall have the right to the provincial autonomy and local self-government, which they shall exercise directly or through their freely elected representatives. Autonomous provinces and local self-government units shall have the status of legal entities.”

Article 2 of the Law on Territorial Organization of the Republic of Serbia (Official Gazette of the Republic of Serbia No. 129/07, 18/16, 47/18 and 9/20) stipulates that “in terms of territorial organization, the Republic of Serbia consists of territorial entities, namely, municipalities, towns and the city of Belgrade and autonomous provinces as forms of territorial autonomy”.

c) Article 16 of the Constitution states that “generally accepted rules of international law and ratified international treaties shall be an integral part of the legal system in the Republic of Serbia and applied directly. Ratified international treaties must be in accordance with the Constitution.”

d) It is estimated that the current state of the institutional capacities and certain financial problems significantly affect the complete and consistent implementation of the Aarhus Convention.

e) With the entry into force of the Law on Ministries (Official Gazette of the Republic of Serbia No. ~~128/20, 116/22 and 92/23~~~~44/14, 14/15, 54/15, 96/15 and 62/17~~), on the basis of Article 6. MEP performs state administration tasks related to the implementation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

III. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE GENERAL PROVISIONS IN ARTICLE 3, PARAGRAPHS 2, 3, 4, 7 AND 8.

List legislative, regulatory and other measures that implement the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8, of the Convention.

Answer

A number of regulations in force in the Republic of Serbia contain the provisions that ensure the transposition of Article 4 of the Aarhus Convention:

- Constitution of the Republic of Serbia (Official Gazette of the Republic of Serbia No. 98/06)

- Law on State Administration (Official Gazette of the Republic of Serbia No. 79/05, 101/07, 95/10, 99/14, 47/18 and 30/18) (LSA)

- Law on Civil Servants (Official Gazette of the Republic of Serbia No. 79/05, 81/05, 83/05, 64/07, 67/07, 116/08, 99/14, 94/17 and 95/18, ~~157/20, 142/22, 13/25 and 19/25~~) (LCS)

- Law on General Administrative Procedure (Official Gazette of the RS No. 18/16, ~~and~~ 95/18 ~~and~~ 2/23) (LGAP)

- Law on Free Access to Information of Public Importance (Official Gazette of the Republic of Serbia No. 120/04, 54/07, 104/09, ~~and~~ 36/10 ~~and~~ 105/21) (LFAIPI)

- Law on Local Self-Government (Official Gazette of the RS No. 129/07, 83/14, 101/16, ~~and~~ 47/18 ~~and~~ 111/21) (LLSG)

- Law on Associations (Official Gazette of the RS No. 51/10, 99/11 and 44/18) (LA)

- Decree on funds for fostering programs or missing part of the funds for financing the program in the Public Interest which should be realized by associations (Official Gazette of the RS No. 16/18)

- Law on the Fundamentals of the Education System (Official Gazette of the Republic of Serbia No. 88/17, 27/18, 10/19, ~~and~~ 6/20, ~~129/21, 92/23 and 19/25~~) (LFES)

- Law on Primary Education (Official Gazette of the RS No. 55/13, 101/17, 10/19, ~~and~~ 27/18, ~~129/21, 92/23 and 19/25~~) (LPE)

- Law on Secondary Education (Official Gazette of the RS No. 55/13, 101/17, 27/18, and 6/20, ~~52/21, 129/21, 129/21, 92/23 and 19/25~~)
- Law on Adults Education (Official Gazette of the RS No. 55/13, 88/17, 27/18 and 6/20)
- Law on the Protector of Citizens (Official Gazette of the RS No. ~~105/2179/05 and 54/07~~) (LPC)
- Law on Environmental Protection (Official Gazette of the Republic of Serbia No. 135/04, 36/09, 72/09, 43/11, 14/16, 76/18, ~~and 95/18 and 94/24~~) (LEP)
- Law on Environmental Impact Assessment (Official Gazette of the RS No. ~~94/2436/09~~) (LEIA)
- Rule Book on Public Access Procedure, Presentation and Public Debate about the Environmental Impact Assessment Study (Official Gazette of the RS No. 69/05)
- Law on Integrated Environmental Pollution Prevention and Control (Official Gazette of the Republic of Serbia No. 135/04, ~~and 25/15 and 109/21~~) (LIPPC)
- Law on Nature Protection (Official Gazette of the RS No. 36/09, 88/10, 14/16, ~~and 95/18 and 71/21~~) (LNP)
- Law on Waters (Official Gazette of the Republic of Serbia No. 30/10, 93/12, 101/16 and 95/18) (LW)
- Law on Forests (Official Gazette of the Republic of Serbia No. 30/10, 89/15 and 95/18) (LF)
- Law on Air Protection (Official Gazette of the RS No. ~~51/2536/09 and 10/13~~) (LAP)
- Law on Chemicals (Official Gazette of the RS No. 36/09, 88/10, 92/11, 93/12 and 25/15) (LC)
- Law on Protection and Sustainable Use of Fisheries (Official Gazette of the Republic of Serbia No. 128/14 and 95/18) (LPSUF)
- Law on Planning and Construction (Official Gazette of the Republic of Serbia No. 72/09, 50/13, 132/14, 145/14, 83/18, 31/19, 37/19, ~~and 9/20, 52/21, 62/23 and 91/25~~) (LPAC)
- Law on Meteorological and Hydrological activities (Official Gazette of the RS No. 88/10) (LMHA)
- Law on Protection from Hail (Official Gazette of the RS No. 54/15) (LPH)
- Law on the protection of the Whistleblowers (Official Gazette of the RS No. 128/14)
- ~~Third-Fifth~~ Action Plan for the implementation of the Open Government Partnership initiative in the Republic of Serbia for the period ~~2018-2023-2020-2027~~ (Official Gazette of RS No. ~~119/23105/18~~)
- Decree on funds for encouraging programs or the missing part of funds for financing programs of public interest implemented by associations (Official Gazette of RS, No. 16/18).

Explain how these paragraphs have been implemented. In particular, describe:

(a) With respect to paragraph 2, measures taken to ensure that officials and authorities assist and provide the required guidance

Answer

- The LSA defines the principles of work of state administration authorities. The principle that the work of state administration authorities is public is among the key policies that the functioning of administration is based on (Article 11). State administration authorities are

obliged to enable the public to have access to their work in accordance with the law regulating free access to information of public importance. Article 79 stipulates that state administration authorities are obliged to, in a proper way, above all in premises where they deal with parties, inform the parties of their rights and obligations and ways of exercising rights and obligations, on their scope of work, on state administration authority which is supervising the work of the authority in question and ways of making a contact with this authority, as well as on other data important for publicity of work and relationship with parties.

- Article 76 specifies that state administration authorities are obliged to inform the public about their work through means of public information or through other relevant means. Furthermore, the employees who are authorised to prepare information and data connected to informing the public are responsible for their accuracy and punctuality. State administration authorities are obliged to, upon the request of natural and legal persons give opinions on interpretation of provision of laws and other general acts within the time limit of 30 days (Article 80). State administration authorities may perform certain tasks in a place outside their headquarters and headquarters of dislocated unit during the administrative days.

- According to the Decree on Administrative Districts (Official Gazette of the Republic of Serbia No. 15/06) that is based on the Law on State Administration, administrative district are established for the execution of state administration tasks outside the headquarters of the state administration authority (e.g. ministries, administrations, inspectorates and directorates).

- Article 8 of the LCS stipulates that information on the work of civil servants is accessible to the public in accordance with the law that regulates free access to information of public interest.

- The basic principles of the Law on General Administrative Procedure (LGAP) include, among other things, the principle of protection of civil rights and protection of public interest (Article 7) and the principle of assistance to the parties (Article 8). The authority conducting the procedure shall ensure that the ignorance and illiteracy of the parties and other participants in the procedure do not prejudice the rights they enjoy under the law.

- The Law on Free Access to Information of Public Importance (LFAIPI) under Article 38, paragraph 2 stipulates the obligation of acting upon the requests for free access to information of public importance in a public authority to, inter alia, provide seekers with the required assistance for making use of their right of access to information of public importance as established by this law. The responsible person in the public authority (manager of the body) may appoint one or several officials (authorized persons) to act upon requests for access to information of public importance, and in case of failing to do so, the responsible person shall be competent for acting upon the request. The provisions of Article 39 of the same law establish the obligation of state bodies to develop ~~and publish an~~ information sheet about their work ~~on their website~~. The contents and method of publishing the information sheet are regulated by the Instructions for drafting and publishing information sheets on the work of state bodies ("Official Gazette of RS", No. ~~6810/4022~~), also envisaging that one of the mandatory sections of the information sheet shall contain data on the method of submitting requests for access to information of public importance and the rights of seekers, along with contact data and links that may be useful for making use of the right. An important role in informing the public and education regarding the

application of the LFAIPI is held by the Commissioner for Information of Public Importance and Protection of Personal Data. They publish reports, manuals with extracts from their practice and other publications to this end, and likewise, organize seminars dedicated to the role and making use of the public's right to access to information held by public authority, independently or in cooperation with the Government of RS Human Resources Management Service, higher education institutions, non-government organizations and other public authorities.

- The Commissioner for Information of Public Importance (hereinafter "the commissioner"), among other things, informs the public about the content of The Law on Free Access to Information of Public Importance and about the rights granted by this law, as well as perform other duties pursuant to this law. The commissioner may make motions to assess the constitutionality and legality of laws and other general instruments (Article 35).

- The important role in assisting the public in achieving legal protection in environment matters belongs to the Ombudsman (*Protector of Citizens*). The Ombudsman was introduced as an independent public authority that protects the rights of citizens and controls the work of public administration bodies, the body authorized for legal protection of property rights and interests of the Republic of Serbia and other bodies and organizations, enterprises and institutions which have been delegated public authorities. The Ombudsman has the power to control the legality and regularity of the work of administrative authorities, to establish violations resulting from acts, actions or failure to act by administrative authorities, if they are the violations of laws of the Republic. If the Ombudsman receives a complaint relating to a violation of a human or minority right committed by acts, actions or inaction of an administrative body, and the violation does not concern the Constitution, an international treaty on human or minority rights, or a law, other regulation or general act of the Republic of Serbia, but rather a regulation or other general act of an autonomous province, or a unit of local self-government, he shall submit it, without delay, to the provincial Ombudsman or local Ombudsman, and shall notify the complainant thereof in writing. f the provincial ombudsman or local ombudsman receives a complaint regarding a violation of a ratified international treaty on human or minority rights or a law, other regulation, or general act of the Republic of Serbia, he/she shall submit it, without delay, to the Ombudsman and shall inform the complainant thereof in writing. If the complainant simultaneously indicates a violation of a ratified international treaty on human or minority rights or a law, other regulation or general act of the Republic of Serbia and a violation of a regulation or other general act of an autonomous province or local self-government unit, the body that received the complaint shall act on it within its competence, and shall forward a copy of the complaint to the Ombudsman or the provincial ombudsman or local ombudsman, and shall inform the complainant thereof in writing. (Article 41.)~~In case the Ombudsman receives a complaint related to the violation of regulations or general acts of an autonomous province or local self-government unit, he/she shall refer the complaint without delay to the Ombudsman of the autonomous province or the Ombudsman of the local self-government unit, if such is established.~~ The Ombudsman has no power to control the work of the National Assembly, President of Republic, Government of Serbia, Constitutional Court, courts and public prosecution offices. Furthermore, the Ombudsman is entitled to propose laws which fall within his/her mandate, to launch initiatives with the Government or National Assembly for the amendment of laws

or other regulations or general acts and to initiate proceedings before the Constitutional Court for the assessment of constitutionality and legality of laws, other regulations and general acts. This institution began working in 2007 and, in 2010; it was accredited as a National institution for protection and improvement of human rights with the highest 'A statuses'. ~~The article 42 of the Law on the Protector of Citizens foresees that the Protector of Citizens shall not deal with cases that occurred prior to coming into force of this Law.~~

- The Law on Local Self-Government (LLSG) specifies that the bodies and services of the local self-government shall inform the public about their work through the media and in other suitable ways, as well as provide the citizens with the necessary data, clarifications and information needed to exercise their rights. Moreover, the bodies and services of the local self-government shall make it possible for everyone to file a complaint about their work and inappropriate conduct of their employees and be obliged to respond within 30 days of the day of submission of the complaint, if an answer is required by the complainant. The same law allows the civic defender (Ombudsman) to be established in a local self-government unit with the power to control that the rights of citizens are respected, establish the existence of violations resulting from the acts, actions or failure to act by the administrative authorities and public services, if they are violations of the laws, regulations and other general acts of the local self-government unit.

- Article 4 of the Rule Book on Public Access Procedure, Presentation and Public Debate about the Environmental Impact Assessment Study (Official Gazette of the Republic of Serbia No. 69/2005) stipulates that the competent body shall provide all interested bodies and organizations and members of the public, that have access to the study that has been put out for review, with all the necessary information and assistance in terms of interpretation of certain solutions and in the process of giving comments and opinions, if any, regarding the environmental impact assessment study.

- Articles 30 and 32 of the LMHA stipulate that the data and information pertaining to weather, climate and water that are available to the Republic Hydrometeorological Service of Serbia are public, except for those that represent official secrets, and they should be available to the public in accordance with the law governing access to public information.

(b) With respect to paragraph 3, measures taken to promote education and environmental awareness

Answer

- The Law on the Fundamentals of the Education System (LFES) defines that raising awareness about the importance of sustainable development, protection and preservation of nature and environment, environmental ethics and the importance of animal protection (Article 8, Item 5) are among the aims of education. The LFES also prescribes that the students need to achieve general outcomes of education and one of them is that, effectively, and critically use scientific and technological knowledge by showing responsibility towards their lives, the lives of others and the environment (Article 9, Item 4) Moreover, it is specified that the student is obliged to be vigilant of the environment and act in accordance with the rules of environmental ethics (Article 80, Paragraph 2, Item 7)

- LPE prescribes raising awareness about the importance of sustainable development, protection and conservation of nature and environment, environmental ethics and animal protection as one of the objectives of primary education (Article 21). Article 27 of this law

also stipulates that school program includes the environmental protection program. Please refer also to Article 46 of the LPE.

- The Law on Secondary Education stipulates that the curriculum includes a special environmental protection programme (Article 11 and Article 16), which comprises activities aimed at strengthening and raising awareness of the importance of a healthy environment, sustainable development and enhancing of natural resources.

- Article 44 of the Law on Adults Education stipulates that informal education programmes for adults include the programmes of environmental protection and ecology.

- Article 6 of the Law on Environmental Protection specifies the obligation of state authorities, scientific institutions, education, information, culture and other institutions, as well as other types of societies, in the field of their work to inspire, direct and ensure better awareness concerning the importance of environmental protection. Raising awareness about the importance of environmental protection is provided through the education system, scientific research and technological development, informing the public and popularization of environmental protection. Please refer also to Article 55, Paragraph 1, Item 4 (Honours and awards for contribution to the protection of the environment) and Article 65 (Action Plans) of the Law on Environmental Protection.

- In the Republic of Serbia exists about twenty accredited directions at various faculties that educate environmental engineers.

- Article 117 of the Law on Nature Protection specifies that the ministry responsible for education shall ensure that the conditions for improving environmental education are created. The MEP, the competent authority of the autonomous province, the institute and legal entities with public powers shall inform the public about natural resources, environmental protection, threats to the environment and the factors and consequences of these threats. Please refer also to Article 7, Item 11, Article 29, Paragraphs 2 and 5, Article 30, Article 53, Item 7 of the Law on Nature Protection.

- Moreover, please refer to the Law on Waters: Article 40, Paragraph 8, Article 143, Item 5; Law on Protection and Sustainable Use of Fisheries: Article 2, Item 34, Law on Forests: Article 6, Paragraph 4, Items 6 and 7; Article 36, Paragraph 3.

- The activities related to education and raising public awareness about the environment and environmental culture are co-ordinated by the MEP in collaboration with the Ministry of Education, Science and Technological Development (MESTD) and other competent institutions.

- From [20172021-20202024](#), the Institute for Nature Conservation of Vojvodina Province (INCVP) has implemented numerous and various activities related to the raising of awareness about the need for nature conservation, [strictly protected and protected plant and animal species as well as environmental protection](#). Both the community of experts and general public have been regularly informed about the activities, actions and the results that the Institute achieved, as well as about current events, general goals and issues related to the nature conservation. In promotional activities, particular attention has been paid to children and young people [but also to the local population and managers of protected natural resources](#). The contents of the promotional material created, in addition to passing new knowledge about nature, also promoted its conservation. In this regard, the cooperation with professional institutions, educational institutions from preschool to higher education, with managers of protected areas, stakeholders, environmental associations of citizens, media, etc. has been improved. Around [3047078,419](#) visitors have visited the

exhibition area of INCVP in Novi Sad in the period ~~2017-2021~~-~~2020~~2024. The number of visitors was significantly lower than in the previous period due to the Covid disease and the measures to combat this disease. During 2021, the natural history exhibition was visited by only 3470 visitors, which is the year the measures to combat the Covid disease were lifted. During 2022 and 2023, we recorded an increase in visitors to 14500 and 12500, mostly primary and secondary school children. However, at the end of 2023 and throughout 2024, the reconstruction of the Natural History Exhibition of the INCVP will begin and it will be closed to the public until further notice. The reopening of the exhibition is planned for mid-2026.

□ 16 thematic exhibitions with accompanying activities were held in the exhibition space of the INCVP or in similar institutions during 2021-2024.

□ Cooperation with several faculties of the University of Novi Sad and work with students who attended lectures or performed exercises in the laboratory and preparation rooms of the Institute of Natural History (students of biology, geography, hunting tourism, students of the Faculty of Agriculture, etc.) continued, as well as the screening of natural history documentaries in the Institute's hall.

~~A significantly larger number of people, namely the participants in numerous conferences, seminars, film screenings, lectures, presentations which were held in the assembly hall of INCVP were able to see the exhibitions. A total of 44 thematic exhibitions with accompanying activities have been held in the exhibition area of INCVP or in similar institutions from 2017-2020. During that period, expert associates of INCVP or their external associates held about 118 lectures and presentations on nature protection and conservation. Cooperation continued with several faculties of the University of Novi Sad and the work with students who attend lectures or perform exercises in the laboratory and preparation rooms (students of biology, geography, hunting tourism, students of the Faculty of Agriculture, etc.) has continued, as well as the screenings of nature documentaries in the Institute hall. In cooperation with the Provincial Secretariat for Urbanism and Environmental Protection and managers of protected areas, during the period ~~2017-2021~~-~~2020~~2024, INCVP has marked significant environmental dates by implementing appropriate activities: World Wetlands Day - February 2 (Ramsar Convention); Day of the Institute for Nature Conservation of Vojvodina Province - April 1; Nature Protection Day - April 11; Earth Day - April 22; The European Day of Parks - May 24; World Environment Day - June 5; International Danube Day - June 29; International Bat Night - August 25; The Geologists' Day - September 18; European Heritage Days - September 23; Children's week - the first week in October. The INCVP continued its excellent cooperation with the University of Novi Sad. Several lectures were held for the students of the Faculty of Science, Faculty of Agriculture in Novi Sad, and Faculty of Technical Sciences in Novi Sad on nature protection and rare and endangered species. Cooperation was established with the Faculty of Technical Sciences from Novi Sad in the preparation and implementation of the cross-border IPA project Croatia-Serbia called SeNS WETLANDS. The work with the students who attend lectures or perform exercises in the laboratory and preparation rooms of INCVP has continued. INCVP and the company NIS PLC, Novi Sad organized the following campaigns during 2017 and 2018: „Take care of nature – visit the protected natural assets of Vojvodina”, in which leaflets with a map of protected areas in Autonomous Province of Vojvodina (APV) were distributed at fuel supply stations; an exhibition of photographs "Nature of Vojvodina" in~~

~~the Business Center in Novi Sad, on the occasion of April 11, Nature Protection Day; joint work action on arranging the banks of the stream on Fruška gora, on the occasion of June 5, World Environment Day; an action to protect endangered habitats at the Korn site on Deliblato Sands in October 2017; waste collection at locations on Fruška gora in the vicinity of Ležimir in 2018.~~

-In the past period, from 2021 to 2023, the Serbian Institute for Nature Conservation (INCS) has implemented numerous educational programs in the form of seminars (webinars), workshops, gatherings, individual or series of lectures, independently and in cooperation with other institutions and organizations dealing with nature protection, as well as numerous promotional events with the aim of introducing the widest possible circle of the public to nature protection in Serbia. Based on the annual Natural Resources Protection Programs for the aforementioned period, educational and promotional programs related to the involvement of the public in nature protection activities and ensuring the availability of data on nature and its preservation were implemented. Promotional events included various target groups of the public in order to promote nature protection, strengthen social awareness and adopt attitudes about the values and importance of national natural heritage. To this end, the Institute participated in festivals such as: "Nišville", "Just out Manasija", "Nature Film in Smederevo", in fairs such as the International Ecology Fair "Eco Fair" and the International Book Fair. Educational programs were organizationally and content-wise adapted to the different needs and characteristics of the target groups they were intended for - from students of different ages, through educational staff, employees in public enterprises, representatives of local government, to managers of protected assets and associations. During this period, about 100 different educational programs were organized. During this period, the Institute for Nature Conservation also informed the public about its work and activities in the field of nature protection through public information means, with the aim of developing awareness among the general public about nature protection and its importance. In this context, over a three-year period, more than a thousand publications were made in various media – print, electronic and new media. In informing the public about the work of the Institute for Nature Conservation of Serbia, both national and local media were represented. In 2023, the 75th anniversary of the work of the Institute for Nature Conservation of Serbia was marked, and on this occasion, an exhibition on natural heritage and nature protection in Serbia, "The Voice of Nature", was created and placed in Belgrade, Niš and Loznica. In addition to holding various educational programs and promotional events, the Institute for Nature Conservation has been educating the public about nature protection by publishing scientific, professional and popular publications. In the reporting period, the INCS published a number of new titles, namely the monographs "Grey Falcon", "Natural Heritage of Hilandar and Athos", "Hilandar - Medicinal Herbs in the Garden of the Virgin", "National Park Tara - 40 Years of Existence", "Birds of Hilandar", "Monument of Nature Cerjanska Pećina", as well as the Edition of books "Protected Natural Resources of Serbia" which contains four monographs (in Serbian and English), "Protected Areas of Serbia", "Protected Geoheritage of Serbia", "Protected Plant Species of Serbia" and "Protected Animal Species of Serbia". Handbooks "Selected Invasive Plant Species in the Flora of Serbia", "Protected Tree and Shrub Species in Serbia", as well as a manual for conducting field exercises in botany on the example of the Vlasina Plateau. The guide "Dragonflies of Serbia" as well as "Plant World of Stara Planina - Flora of Golina and Turjačke Glama" and "Ichthyofauna of Timok in the "Stara Planina"

Nature Reserve" were published. Information boards about bears for the "Zlatibor" Nature Reserve were published, as well as a catalog of the Institute's publications. In addition, the INCS published a set of puzzles - World of Nature of Serbia 2, memory games on the topic of Birds, mini keys for species recognition. Numerous promotional publications in the form of posters, panels and thematic posters were also published. —The Institute for Nature Conservation of Serbia (INCS) has organized more than 150 different promotional events and the same number of different educational programs in the previous period (2017-2020). Educational and promotional programmes have been implemented, based on annual Programmes for the Protection of Natural Assets for the given period, related to the inclusion of the public in nature protection affairs and securing the availability of data on nature and its conservation. Promotional events included various public target groups for the promotion of nature protection, increasing public awareness and the adoption of attitudes on the values and significance of national natural heritage. Educational programmes were adapted regarding organization and content to the varied needs and characteristics of the target groups they were intended for—from students of various ages, through educational staff, employees of public enterprises, representatives of the local self-government, to managers of protected assets and non-government organizations. In this period, the INCS also informed the public through the media about its work and activities in the field of nature conservation to raise the awareness of the general public about nature conservation and its importance. In this context, more than a thousand publications were published in various media in a three-year period, i.e. in the print, electronic and new media. Media of both national and local significance are used for informing the public about INCS' work. In 2018, INCS celebrated 70 years of work and 20 years of existence of the Institute's office in Niš. In addition to holding various educational programmes and events of a promotional nature, INCS introduced the public to nature protection by publishing scientific, professional and popular publications. In the relevant period, the Institute published a number of new titles, two of which were the Red Books: "Red Book of Fauna of Serbia IV: Orthoptera" and "Red Data Book of Fauna of Serbia III: Birds", then the monographs "Nature Park Šargan—Mokra Gora", "Amphibians and reptiles of Athos Peninsula and Hilandar Monastery", as well as the publication "Plants of International Importance in Flora of Serbia" and the handbooks "Birds of Piroć" and "One botanical day on the Stara Planina Mt.—Plant Identification Handbook". In addition to the regular editions of the professional magazine "Nature Conservation", the Institute published an educational edition in the form of the brochure "Golija Studenica Biosphere Reserve" (in Serbian and English), as well as numerous promotional materials in the form of posters "Vilin Device" and leaflets "World Water Day 2017", "World Forest Day 2017", "Nature Conservation Day 2017", "Brown Bear on Golija", "Valjevo Spring", "World Forest Day 2018", "World Water Day 2018", "World Bat Day 2018".

-As part of the programme of monitoring, forecasting, and surveying the variability of climate and climate changes, as well as the impact of climate change on population health, certain sectors of the economy and availability of natural resources, the Hydrometeorological Institute of the Republic of Serbia (HIRS) has secured the implementation of operational and development-research functions of South East European Virtual Climate Change Center (SEEVCCC) within the European network of regional climate centers of the World Meteorological Organization, also encompassing activities of education, training, information and awareness-raising for the public regarding

the issue of climate change. HIRS, in cooperation with the World Meteorological Organization, organized ~~6-8~~ regional Climate Forums (WMO/South Eastern European Climate Outlook Forum – SEECOF) during the reporting period, with the participation of representatives of national hydro-meteorological services from 20 countries from the regions of South-East Europe, Caucasus and Mediterranean. As the host of SEEVCCC, HIRS initiated the establishment of a ~~new~~ regional South-East European Consortium for Operational weather Prediction (SEECOP), with its goal, in addition to the further development and operational introduction of numerical weather, climate and water forecasting models, the implementation of training programmes for various fields of numerical modelling of weather, climate and water, during 2021, organized the Sixth Session of the Consortium Council as well as the regional seminar "Hand on Training on the use of NMMB Atmospheric Model for Weather Prediction in South-eastern Europe – SEEWEATHER", which was attended by representatives of institutions of the Consortium member states. ~~As part of the activities of the SEECOP, HIRS in 2018, in cooperation with Serbian Academy of Sciences and Arts, organised an international conference "Numerical Modelling of Weather and Climate: Beginnings, Current State and Vision of the Future", as well as the regional seminar "Hand on Training on the use of NMMB Atmospheric Model for Weather Prediction in South-Eastern Europe – SEEWEATHER", which was attended by representatives of the institutions of the member states of the SEECOP.~~ HIRS also, within the framework of bilateral and regional water management cooperation, as well within the projects implemented with the financial support of the Global Environment Fond and the European Union, organised a number of national and regional conferences and training seminars on climate data and services, drought risk, improvement of early warning systems and other meteorological natural disasters and data exchange (projects: "European Climate Observations, Modelling and Services – Climateurope"; ~~"Drought Risk in the Danube Region – DriDanube"; "Danube River Basin Enhanced Flood FOREcasting CooperaTion – DAREFFORT"; "West Balkans Drina River Basin Management Project – WBDRBM"; "International Network to Encourage the Use of Monitoring and Forecasting Dust Products - inDust";~~ „Supporting and standardising climate services in Europe and beyond” – Climateurope 2; „Adaptation oriented seamless predictions of European climate” – ASPECT; „The Flood Forecasting and Warning System of the Sava River basin – Sava FFWS”; „Flood forecasting and warning system for Velika Morava- FFWS”; „Danube Sediment Balance - Sustainable, Integrated Transnational Sediment Management in the Danube River Basin - Danube Sediment II”; "Erasmus+project „Ecology and Meteorology"). ~~"ALERT: Strengthening Serbian Multi-Hazard Early Warning", Phase II: "Improving dynamic real time data exchange at central and local level, to increase efficiency, directly involve population and reduce cost for action"; "Gridded meteorological data 1961-2010 for Serbia, Phase I, Phase II").~~

~~-The HIRS is in the period 2017-2021-2020-2024 provided full support to the manifestation "Belgrade Night of Museums" through exhibitions on some of the current meteorological and climatic topics, and lectures for the general public. Also, HIRS,~~ within its competencies and scope of work, and at the request of educational institutions from all over the Republic of Serbia (primary and secondary schools and individual faculties) organised and implemented a number of programs of education and information of pupils and students through the implementation of working visits to internal organisational units of HIRS. The participation of HIRS experts in scientific and educational programs of electronic and print

media is also one of the mechanisms for promoting education and raising public awareness of climate change and the possible effects of meteorological, climatic and hydrological conditions and natural disasters on human health, certain sectors of the economy and availability of natural resources.

~~–On the occasion of marking the sixth anniversary of the Regional Aarhus Centre Subotica on 11 May 2017 a gathering was organised under the title “Challenges and Opportunities in the Field of Waste Management in the Process of Harmonisation with European Union Regulations”. The gathering was realised with the support of the OSCE Mission to Serbia and the City of Subotica, as well as the Regional Environmental Center, Belgrade Office, through a joint project of TERRA'S Association and Young Researchers of Serbia Association within the “Support Program for Civil Society in Serbia in the field of environmental protection (CSOnnect)”. The round table was organised with the aim of expanding cooperation among the competent authorities at the national, provincial and local levels and actively involving the citizens in order to be better informed and participate in decision making in the field of environmental protection and improvement, which is regulated by the Law on Ratification of the Aarhus Convention.~~

~~–A round table was organised by the TERRA'S Association and the Regional Aarhus Center Subotica and held at the Open University of Subotica on September 22, 2017 on the topic “Women's Initiatives in the Field of Waste Management in the EU Accession Process” to discuss the role of women in planning documents in environmental protection and waste management. The round table was implemented with the support of the OSCE Mission to Serbia, as well as the Regional Environmental Centre, Office in Belgrade, through a joint project of the TERRA'S Association and Young Researchers of Serbia Association within the “Support Program for Civil Society in Serbia in the field of environmental protection (CSOnnect)”. The general conclusion of the round table is that the forthcoming waste management plans must be more “realistic” in order to be feasible, that it is necessary to involve all stakeholders in their development, especially those who have experience from the practice and organisation of civil society. The plans should strictly include the listed activities such as training of the population, campaigns, providing quality information and opportunities to participate in decision making, and specifically indicate the method of implementation taking into account gender equality.~~

~~–The Aarhus Centre Subotica is also well known for its informal environmental education of young people. After the lecture to the students of the Faculty of Technical Sciences in Novi Sad, only a few days later, on 17 November 2017, an eco class was held for the 5th grade pupils of the primary school “Jovan Jovanović Zmaj” from Subotica. The pupils were shown a film describing what the Aarhus Centre achieved in 6 years of its work and the environmental problems that it managed to resolve for the citizens of Subotica. The film was followed by a presentation given by a representative of the TERRA'S Association and focusing on the topics of waste, the regional sanitary landfill in Subotica, but also on how recycling contributes to nature conservation.~~

~~–As a part of the announced start of the trial operation of the Regional Landfill Subotica a round table was held on 27 November 2017, within the framework of the project “Implementation of the Aarhus Convention in the Field of Waste Management” which was implemented with the support of the MEP. TERRA'S Association and the Regional Aarhus Centre Subotica organised a gathering with a purpose to provide answers to a number of questions related to the challenges that will be faced by everyone involved in the waste~~

management system, bearing in mind Serbia's commitments in the EU accession process, especially related to the roles of the local self-governments.

—Although the City Administration of the City of Subotica, apart from the public review, did not plan a public hearing on the Draft Waste Management Plan for the territory of the City of Subotica for the period 2018–2028, it accepted the invitation of the Aarhus Centre Subotica and the Centre for Ecology and Sustainable Development Association and on 25 May 2018 held a presentation of this document. The comments and suggestions related to this document were presented at the meeting and then forwarded in writing to the City Administration of the City of Subotica.

—At the event of the 14th International Festival of Organic Products “BIOFEST 2018”, with the support of the OSCE Mission to Serbia, on 18 October 2018, a panel discussion was held on the topic “Impact of Climate Change on (Organic) Agriculture”, within the framework of “Climathon”, and organized by the Regional Aarhus Centre Subotica and the One Degree Serbia Association, together with the TERRA'S Association. “Climathon” is an educational and informative event that was held once a month, and was led by the association One Degree Serbia. It consists of short and interesting lectures, discussions, watching movies, forums in the field of ecology and popular science. The goal of “Climathon” is to make the citizens more familiar with the challenge of climate change and to point out the importance and significance of preserving the natural ecosystems on the planet.

—In 2018, the associations Aarhus Centre Novi Sad and One Degree Serbia organised a public debate on climate change within “Climathon”, within the project “Promotion of a Sustainable Economy for the Future through Case Studies from Vojvodina”, with the support of the OSCE Mission in Serbia in partnership with the Independent Association of Journalists of Vojvodina.

—In 2018, the association of Aarhus Centre Novi Sad held a public debate with the support of the OSCE Mission to Serbia, in partnership with the Serbian Chamber of Commerce within the project “Promotion of a Sustainable Economy for the Future through Case Studies from Vojvodina”. The topic of the public debate was energy efficiency and green building, i.e. the circular economy in the construction industry. The debate was attended by representatives of institutions, civil society organisations and the economy.

—On November 23rd and 27th, 2018, two the OSCE Mission to Serbia supported public discussions aimed at increasing public awareness on security implications induced by climate change place in Nis and Kragujevac, respectively. The events were organized through a partnership between the CSO „One Degree Serbia” and Aarhus Centre for South East Serbia and Aarhus Centre Kragujevac. The events gathered a total of 140 representatives of CSOs, students, City administration and the media. This discussions were organized as part of „Klimaton”.

—YRS-ACNBG is continuously working on informing and raising awareness of the public about the Aarhus Convention. For example, in 2018, on the occasion of the 20th anniversary of the Aarhus Convention, an information leaflet was printed which, in cooperation with all municipalities of the City of Belgrade, was placed on info desks in municipal premises and thus distributed to citizens. Also, round tables were organized for local decision makers, conferences, street events, etc. In their public appearances, the representatives of MIS-ACNBG attempt, whenever possible, to promote the Aarhus

Convention, especially in the events involving the participants from the non-environmental sector:

~~In the period from 15 November to 14 December 2018, under an IPA, Aarhus Centre for South and East Serbia implemented a project Capacity development of the network of Aarhus commissioners to advocate for the introduction of circular economy and adaptation to climate change. The aim of the project was to increase capacities of civil society organizations in the network of Aarhus commissioners to actively advocate for climate change and circular economy at the community level. The aims also was to refresh the re-invigorate the Aarhus commissioners network, as well as to expand the network to new member volunteers by engaging students from the Faculty of Occupational Safety from Nis, as this academic institution has a large group of students studying environmental protection.~~

In partnership with the Aarhus Centre Network, the OSCE Mission to Serbia promoted sustainable business models and circular economy practices among women-led enterprises through five online debates titled “Green Transition for a Sustainable Future,” organized between October and December 2021 by the Aarhus Centres in Subotica, Novi Sad, Novi Beograd, Kragujevac, and Niš, with a focus on post-pandemic recovery and the empowerment of female entrepreneurs. A total of 140 participants, including 107 women engaged in organic farming, food processing, packaging, distribution, recycling and waste management, took part. The debates offered a platform to share information on support mechanisms for sustainable agri-businesses, new waste management legislation and financial instruments promoting green jobs, while key conclusions were shared with local authorities and chambers of commerce to inform targeted green recovery efforts.

To reach a broader audience, Aarhus Centre Subotica produced a video highlighting a successful female-led sustainable business, Aarhus Centre Niš developed a leaflet on circular practices in the waste sector and Aarhus Centre Novi Sad published survey findings from 58 women-managed SMEs across Vojvodina, Belgrade and Central Serbia, identifying key barriers to sustainable business growth. These materials underscore the potential of green growth to empower women entrepreneurs, reduce risks and integrate environmental and economic goals in the post-pandemic recovery.

In 2023, together with the Aarhus Centres in Novi Sad, Subotica and Novi Beograd, the OSCE Mission to Serbia facilitated a series of multi-stakeholder roundtables in Belgrade, Subotica, and Novi Sad, focused on circular economy, climate change education and air quality policy. The discussions brought together a total of 89 participants, including representatives of local authorities, civil society, businesses, academia, and students. The roundtable in Novi Sad, held on 4 December 2023, focused on promoting circular economy practices and gathered 42 participants. On 13 December 2023, the Belgrade event convened 19 participants - local decision-makers, educators, and business representatives - to highlight the importance of climate change education in secondary schools. The final roundtable, held in Subotica on 14 December 2023, brought together 28 participants for a public consultation on the draft Local Air Quality Plan. All discussions underscored the value of citizen participation in shaping effective local environmental policies.

- The Law on Nature Protection (LNP) defined a special national day of nature protection, which is to be celebrated each April 11. According to the Article 106 of the LNP, on the occasion of Nature Protection Day, upbringing, educational, recreational, professional and

other activities will be organized which will suitably encourage and develop nature protection.” (See Article 106 of the LNP).

-In partnership with the CSO Novi Sad Environmental Movement, representing the coalition of the four CSOs comprising the “Green Chair” initiative in Novi Sad, and the Novi Sad City Council, on 16 September 2021, the OSCE Mission to Serbia facilitated an e-seminar for local councillors focusing on “green growth” as outlined in the Green Agenda for the Western Balkans. The event convened 52 participants including 27 councillors from the Novi Sad City Assembly, journalists and CSOs. Key topics included energy efficiency, waste management, sustainable production and consumption, and the integration of renewable energy sources into local policy frameworks, with experts from the Serbian Chamber of Commerce, Ministry of Environmental Protection, Standing Conference of Towns and Municipalities, and the University of Novi Sad emphasizing the need for transparent, inclusive policies that promote institutional co-operation and actively engage citizens in the green transition. The Novi Sad Environmental Movement produced and distributed a leaflet promoting circular economy principles, highlighting local good practices and the potential for creating new value chains.

-The OSCE Mission to Serbia supported the CSO Zeleni Sad, representing a coalition of four CSOs within the “Green Chair” initiative, to implement activities aimed at strengthening youth participation in shaping local environmental policies, in co-operation with the Novi Sad City Administration and the Council for Environmental Protection. As part of this effort, CSO Zeleni Sad conducted a survey among 151 students from 18 high schools in Novi Sad to identify their views and priorities in the field of environmental protection. The survey results were presented on 27 November 2023 at a thematic session of the Council for Environmental Protection, attended by 35 local councillors, representatives of the City Administration, public utility companies, and CSOs. During the discussion, youth perspectives were compared with the Novi Sad existing environmental strategic documents, resulting in the formulation of concrete recommendations for improving public policies. A brochure summarizing the survey findings and key recommendations was published in electronic format, with the aim of serving as a guide for both decision-makers and young people in advancing sustainable local environmental policies.

- In 2024, the Aarhus Centres with the OSCE Mission to Serbia focused on the promotion of three key publications: Handbook for Active Public Participation in Environmental Protection, (<https://www.osce.org/mission-to-serbia/573010>), Overview and Analysis of Public Expenditures Intended for Environmental Protection (<https://www.osce.org/mission-to-serbia/572995>) and Strengthening of Aarhus Centres in the OSCE area for promotion of good governance principles in environmental protection and sustainable development (<https://www.osce.org/mission-to-serbia/573001>) that provide valuable resources for fostering public participation, understanding financing mechanisms and promoting sustainable practices. To disseminate the findings and recommendations from these publications, four roundtables were organized in Subotica (26 June 2024), Niš (28 June 2024), Belgrade (30 September 2024) and Novi Sad (4 October 2024), gathering a total of 125 participants. The events promoted green economic culture, sustainable practices and participatory governance, engaging representatives of state, local and provincial authorities, businesses, CSOs, academia, the media and students.

The Subotica roundtable brought together 26 participants and focused on green and circular economy models. In Niš, 28 participants explored the benefits of co-operation among local authorities, academia, businesses, and civil society in implementing environmental regulations. The Belgrade event gathered 27 participants and emphasized the role of Aarhus Centres in participatory decision-making and advancing circular economy among SMEs, with a focus on youth and women entrepreneurs as key actors in climate change mitigation. The final roundtable in Novi Sad, held at the Faculty of Technical Sciences, was attended by 44 participants. Discussions highlighted the role of Aarhus Centres in promoting green business practices, climate change mitigation, and collaboration in environmental financing. Following the roundtable, the CBC Cluster from Sombor, an innovator in sustainable agricultural practices, expressed interest in establishing a sixth Aarhus Centre in Sombor. The events enhanced awareness of green economic culture, strengthened the role of Aarhus Centres as platforms for environmental governance, and fostered cross-sectoral partnerships to advance sustainable development and participatory decision-making in Serbia.

-The Commissioner for Information of Public Importance and Personal Data Protection, with the support of the OSCE Mission to Serbia, organized the Project "Implementation of the Aarhus Convention and Access to Information of Public Importance" in 2023. As part of this project, four workshops were held on the importance of access to environmental information for the improvement and protection of the environment, in Belgrade on 30 June 2023, in Novi Pazar on 20 September 2023, in Kragujevac on 3 November 2023 and in Subotica on 23 November 2023. The workshop brought together representatives of the academic community, public authorities dealing with environmental protection issues at the state and local levels, interested public, civil society organizations and journalists reporting on the environment and climate change. In addition, within the framework of this project, a publication "Exercising the Right to Access Environmental Information" by Slavoljupka Pavlović was produced, which refers to the first pillar of the Aarhus Convention, and which represents a practical manual for journalists, citizens and the interested public on how to exercise their right to access environmental information as quickly and efficiently as possible, but also so that public authorities can better and more thoroughly inform them about their obligations when it comes to access to environmental information. The publication also contains an analysis of the Commissioner's actions on complaints regarding access to environmental information for the period 2018 - March 2023, with a critical review of the problems in this area. The publication is available on the Commissioner's website www.poverenik.rs.

(c) With respect to paragraph 4, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection;

Answer

- The place and role of associations², organizations and groups and the obligation to provide them with support has been stipulated in a variety of ways in a number of laws. The broadest description of associations, organizations or groups includes their being defined

² The list of associations specializing in environmental protection, registered in accordance with the new law is available at: <http://www.apr.gov.rs/Registri/Udruzenja.aspx>

as part of the “public” in the Law on Environmental Protection (Article 3, Item 26) or as part of the “public concerned” (Article 3, Item 28) and consequently enjoying all the rights granted to the public, in accordance with the laws regulating the role of the “public” that are currently in force. Please, refer also to Article 4, Paragraph 1, Item 6; Article 6, 7, 9, Item 11, Article 55, Paragraph 1, Item 6. Similar provisions, as far as definitions are concerned are to be found in the Law on Air Protection: Article 3, Items 14 and 16.

- See also the Law on Nature Protection: Article 102. Paragraph 1, Item 9; Law on Planning and Construction: Article 3; Law on Waters: Article 142. Paragraph 3; Law on Chemicals: Article 7. Paragraph 2; Law on Packaging and Packaging Waste: Article 13. Paragraph 2; Article 17, Item 6.

- Article 38, Paragraph 1 of the Law on Associations stipulates that the whole amount funds intended for stimulating the development of programmes or the lacking part of the funds necessary for financing programmes of public interest, carried out by associations, shall be provided from the budget of the Republic of Serbia. The government, namely, the ministry responsible for the field in which the association in question realizes its main goals, grant said funding via public competition and sign agreements on the implementation of the programmes approved (Paragraph 2). Paragraph 3 of the article in question under programmes of public interest include particularly those implemented in the field of health care, safeguarding and promoting human and minority rights, education, science, culture, information, environmental protection, sustainable development, animal protection, protection of consumers, fight against corruption, as well as humanitarian and other programmes where associations act purely and directly in public interest. Paragraph 5 of this article specifies that the above-mentioned funding can also be provided from the budget of the autonomous province or units of local self-government.

-In March 2018, the Government of the Republic of Serbia adopted the Regulation on Funds to Support Programmes or Missing Amount of Funds for Programmes of Public Interest Implemented by Associations (hereinafter: the “Regulation”). This Regulations regulates in more detail the criteria, conditions, scope, procedure, monitoring of the implementation of the procedure for the allocation of funds to support projects implemented by civil society organisations. The objective of the Regulation is creating a more responsible, transparent and efficient process of allocation of funds to support programmes or the missing part of funds for financing programmes implemented by associations, prevent conflicts of interest and improve the legal framework that regulates financing of civil sector programmes in the Republic of Serbia.

In line with the large funds allocated for these activities, it was necessary to improve the entire procedure and system on which allocation of funds for programme of civil society organisations is based. The new Regulation (compared to the Regulation from 2012 and 2015) improves this procedure in the following manner:

- By introducing the Annual Plan for Public Tenders and the Calendar of Public Tenders;
- By regulating in more detail the competences of the commission;
- With an obligation to publish the decision on allocated funds;
- By harmonising the procedure with the provisions of the new Law on General Administrative Procedure;
- By introducing the possibility to involve the community of experts to participate in the procedure;

- By introducing additional anti-corruption measures, which refer to the prevention of conflicts of interest of commission members, which was one of the main requirements of the civil sector in the previous period, as well as to the obligation of prevention of conflicts of interest in case of associations when using allocated funds;
- By reforming the process of monitoring the implementation of programmes through a certified auditor, as well as with detailed regulation of monitoring visits and reporting on those visits;
- With more detailed regulation of the preparation, submission, review and evaluation of narrative and financial reports;
- With the possibility of bodies, in line with available resources, to prepare and publish an assessment of the success of implemented programmes and projects;
- By improving the procedure for the re-allocation of the approved amount of funds, actions in case of irregularities, contract termination and refund.

The two-year practice of implementation of the new Regulation has shown that new institutes are very well implemented and that procedures are conducted with a higher degree of professionalism and responsibility, as indicated both by the state and the civil sector.

- The Budget of the Republic of Serbia allocated funds for financial support to projects implemented by non-government organizations.

~~In 2017, funds in the amount of RSD 20 million were planned for the co-financing of environmental protection projects of associations and other civil society organisations from the MEP budget. After conducting an open competition for the co-financing of environmental protection projects of associations and other civil society organisations in 2017, the MEP co-financed 64 projects of associations in the total amount of RSD 19,600,000.00. The selected projects related to the following areas: environmental financing (2 projects), Aarhus Convention promotions (7 projects), waste management (17 projects), green economy (11 projects), water protection (8 projects), land protection (3 project) and nature protection (16 projects).~~

~~In 2018, funds in the amount of RSD 35 million were planned for the co-financing of environmental protection projects of associations and other civil society organisations from the MEP budget. After conducting an open competition for the co-financing of environmental protection projects of associations and other civil society organisations, the MEP co-financed 73 projects in the total amount of RSD 35,000,000.00. The selected projects related to the following areas: nature protection (9 projects); climate change (4 projects), environmental entrepreneurship (6 projects), civic activism (10 projects), environmental education (25 projects), nature in urban areas (7 projects) and media and ecology (12 projects). Part of the selected projects (13) also contains components of the Aarhus Convention or they primarily refer to the Aarhus Convention.~~

~~In 2019, funds in the amount of RSD 50 million were planned for the co-financing of environmental protection projects of associations and other civil society organisations from the MEP budget. After conducting an open competition for the co-financing of environmental protection projects of associations and other civil society organisations, the MEP co-financed 85 projects in the total amount of RSD 50,000,000.00. The selected projects related to the following areas: nature protection (17 projects); climate change (5 projects); circular economy – environmental entrepreneurship (15 projects); civic activism (16 projects); nature in urban areas (6 projects) and events and ecology (26 projects).~~

~~In 2020, funds in the amount of RSD 50 million are planned for the co-financing of environmental protection projects of associations and other civil society organisations from the MEP budget. After conducting an open competition for the co-financing of environmental protection projects of associations and other civil society organisations, the MEP co-financed 76 projects in the total amount of RSD 49,999,953.00.~~

~~Numerous activities were realized through projects implemented during 2017, 2018 and 2019 and financial support to projects, aimed at increasing public awareness of the importance of environmental protection, the implementation of specific environmental protection activities, as well as activities aimed at implementing the Aarhus Convention (lectures, seminars, workshops, roundtables, peer education, media campaigns, development of informational promotional and printed materials, development of websites for the promotion of the environment, film and television creative work, ecological camps, spatial regulation, etc.).~~

~~In the period from 2017 to 2020, the Secretariat for Environmental Protection of the City of Belgrade (hereinafter: the Secretariat) conducted three public tenders for financing projects in the field of environmental protection implemented by associations in the city of Belgrade, and which are of public interests and related to the field of environmental education and information, nature protection, climate change and waste management. Based on the notice of public competition in 2018/2019 total funds in the amount of RSD 22,000,000.00 were provided in accordance with the Decision on the Budget of the City of Belgrade for 2018 ("Official Gazette of the City of Belgrade" No. 95/17, 64/18 and 92/18). Out of a total of 68 (sixty eight) citizens' associations that applied, the projects of 31 associations were financed, which were realised by June 2019. For the public competition in 2019, total funds in the amount of RSD 15,000,000.00 were provided, in accordance with the Decision on the Budget of the City of Belgrade for 2019 ("Official Gazette of the City of Belgrade" No. 118/18 and 9/19). Out of a total of 74 (seventy-four) citizens' associations that applied, the projects of 30 associations were financed and their implementation was completed on 30 November 2019. In December 2019, a public competition for 2020 was announced and its implementation is planned for 30 November 2020. Total funds in the amount of RSD 30,000,000.00 were provided, in accordance with the Decision on the Budget of the City of Belgrade for 2020 ("Official Gazette of the City of Belgrade", No. 114/19). Out of a total of 94 (ninety-four) citizens' associations that applied, the projects submitted by 56 associations were financed.~~

– The INCS has cooperated with a number of associations engaged in the activities of the environmental and nature protection. The INCS realized the cooperation with associations pursuant to Article 102, items 9) and 15) of the Law on Nature Protection. Cooperation included joint execution, or participation of the INCS in the implementation of various educational and promotional activities, professional consultations, lectures, workshops, exhibitions, provision of thematic educational INCS material for the work of organisations, etc. Many of the promotional and educational activities in the previous period were conducted in cooperation with associations to strengthen partnerships with the citizens associations engaged in environmental protection and nature conservation. ~~The thirteenth regional conference “Environment to Europe” on the topic “Climate change education for sustainable development” was held in June 2017 in Belgrade, organised by “Environmental Ambassadors for Sustainable Development” association, with the support of the INCS as one of many partners. In July 2017, the INCS was visited by the members of the largest~~

~~non-governmental organisation from the Chinese province of Green Zhejiang, which is also one of the leading environmental NGOs in China. The guests from China visited the INCS to obtain information about natural values and the system and methods of protection of the natural heritage of our country. In 2018, the INCS was a co-organiser of the Fourteenth Regional Conference “Environment to Europe” held in Belgrade on the topic “Nature Conservation — Development Responsible for Nature”. The conference was organised by the association “Environmental Ambassadors for Sustainable Development” in partnership with the Serbian Chamber of Commerce. Cooperation with the representatives of various organisations and associations, as well as with the individuals interested in this area was important for the implementation of the principles of the Aarhus Convention, as well as for the improvement of nature conservation. In order to achieve partnership and cooperation with associations in this field, the INCS set up an annual meeting of nature conservationists “Partnership for Nature Conservation”, which were held in 2017, 2018 and 2019.~~

(d) With respect to paragraph 7, measures taken to promote the principles of the Convention internationally, including:

(i) Measures taken to coordinate activities within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, of the Convention and the Almaty Guidelines, indicating whether the coordination measures are ongoing;

(ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which the access to information was provided;

(iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g. inviting NGO members to participate in the Party’s delegations in international environmental negotiations or involving NGOs in forming the Party’s official position for such negotiations) including the stages at which the access to information was provided;

(iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;

(v) Measures taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums;

Answer

- The Institute for Nature Conservation of Serbia promotes the principles of the convention as part of international co-operation that it has developed with international organizations and institutions, scientific and professional institutions, managers of protected natural resources of other countries, as well as international convention bureaus, with the purpose of exchanging experiences and knowledge of nature conservation, as well as application of international principles and standards in the Strategy for Nature Conservation of Serbia and in the course of implementation of international projects that it takes part.

-2021 Workshops and International Cooperation:

• At the meeting of the International Steering Committee of the UNESCO Man and the Biosphere Programme, on 15.09.2021., the transboundary Biosphere Reserve "Mura-Drava-Danube" was proclaimed, which extends over the territories of five countries

(Republic of Croatia, Hungary, Republic of Serbia, Republic of Slovenia, Republic of Austria) and represents the first five-border biosphere reserve in the world and is popularly called the European Amazon, given that it encompasses the wide floodplain zones of the large plain rivers Mura, Drava and Danube.

- Workshop on the draft of IPARD Measure 4 - Agro-ecological-climatic measures for organic production - Consultation workshop "Programming IPARD Measure 4 agro-ecological-climatic measures and organic production measures", held in Belgrade on 22.07.2021.

- Workshop entitled Forest Days 2021 as the tourist potential of Belgrade.

- Workshop on forest management organized by the Beech Power project.

- Third national workshop within the framework of the project "Management and restoration of aquatic ecological corridors for migratory fish species in the Danube River Basin" (MEASURES).

- Workshop entitled "Towards effective management of invasive alien species". The basis of the workshop was the presentation of recommendations prepared within the framework of the Sava TIES project, in which the partners from Serbia are the Provincial Institute for Nature Protection, the Movement of Sremske Mitrovica, and PE "Vojvodinašume". The workshop topic is invasive alien species and their impact on nature and everyday life, with recommendations for effective management, which are formed based on findings from three years of work on the suppression of invasive species in pilot areas and the analysis of regulations in the countries of the Sava River basin, which were collected and compiled by the managers of protected areas through joint work.

- 2022 workshop and international cooperation:

- Workshop at the carbon farm Markova Crkva, organized within the framework of the implementation of the project: "Development of innovative methods of organic crop production for greater climate neutrality of agriculture", at the invitation of the Soil Institute in Markova Crkva on the agricultural holding Sretenovića vodenica.

- Introductory workshop of the project Temporary activities for the program Energy efficiency in central government buildings.

- Workshop "World Heritage Beech Forests Community – Experiences, Results and Conclusions" prepared within the framework of the Interreg project "BEECH POWER: World Heritage BEECH Forests: emPOWERing and catalyzing an ecosystem-based Sustainable Development".

- First workshop of the Working Group for the Development of the Environmental Strategy – Green Agenda: Introduction to the process and analysis of environmental challenges and problems in Serbia.

- The European Commission has launched the project "EU 4 Green Recovery: Support the implementation of the Green Agenda," implemented by the Austrian Environment Agency. The project is planned to last from 01.01.2022 to 31.12.2025. In 2022, two workshops were held, the first of which was informative and the second discussed the material for the Inception report and Workplan.

- Roundtable on the presentation of the project "Smart Mapping of Solar Power Plants in Serbia" and the analysis of the spatial potential for the development of solar photovoltaic power plants in Serbia.

- Participation in the working group of the Center of Excellence for Mapping Renewable Energy Sources in Southeast Europe, which consisted of representatives of the countries

of Southeast Europe: Slovenia, Croatia, Montenegro and North Macedonia. On this occasion, the work of the Center of Excellence, The Nature Conservancy (TNC), as well as the project for mapping renewable energy sources in Southeast Europe (mapping of potential/suitable and unsuitable locations for the construction of solar power plants and wind farms) was presented, followed by a panel discussion on the results of previous mappings and a discussion on future cooperation.

□ Participation in several gatherings and meetings organized by the 270th Forestry Directorate of the Ministry of Agriculture, Forestry and Water Management of the Republic of Serbia, which is implementing two projects in Serbia, in cooperation with the Food and Agriculture Organization of the United Nations (UN FAO), with financial support from the Global Environmental Facility (GEF). The Institute participated in the work of the Supervisory Board and intersectoral working groups to support the implementation of the aforementioned projects.

□ Project 1: Contribution of sustainable forest management to a low-emission and resilient development in Serbia (FSP).

□ Project 2: Creating conditions for forest and landscape restoration (FLR) at the political, field, and market levels to achieve land degradation neutrality (LDN) in Serbia GCP/SRB/007/GFF - Forest and landscape restoration (FLR) to achieve Land Degradation Neutrality (LDN) in Serbia

□ Participation in the IPA II project "Data mobilization for the Emerald Network for the Western Balkans in preparation for biogeographic seminars".

□ Participation in the work of the working group on reporting under Resolution 8 of the Bern Convention.

□ Participation in the activities of the project "Supporting Public Administration Reform in Serbia in the European Integration Process".

-2023 Workshops and International Cooperation:

□ Online workshop "Nature-based Solutions", organized by the United Nations Development Programme (UNDP) as part of the project "Protecting and Investing in Biodiversity and Water to Strengthen Resilience to Climate Change" funded by the Government of Sweden.

□ Workshop on Serbian legislation in the field of wildlife trade.

□ Workshop "The Return of Vultures to Stara Planina" in Dimitrovgrad organized by the Society for the Protection and Study of Birds of Serbia.

□ Eco-workshop "Know Your Environment".

□ Roundtable - Development of the Urban Development Strategy of the City of Novi Pazar.

□ Roundtable - Development of the Urban Development Strategy for the City of Kragujevac and the Municipalities of Batočina, Lapovo, Rača, Knić, Topola and Arandelovac.

□ Roundtable - Improving regulations in the field of by-products and the cessation of waste status.

□ Introductory meeting on the implementation of the project "Together for the Environment". The project "Together for the Environment" is a five-year project funded by the United States Agency for International Development (USAID), and implemented by the civil society organization Belgrade Open School in cooperation with the Young Explorers of Serbia, the International Union for Conservation of Nature (IUCN), the

International Ecological Organization (The Nature Conservancy - TNC), the organization ENECA (EcoNomic Expert Community Association) from Niš and the American Chamber of Commerce in Serbia (AmCham), in the period 2022-2027.

□ Participation in the activities of the project "Support to Public Administration Reform in Serbia in the European Integration Process".

□ Participation in the 26th International Green Technology Fair ECOMONDO 2023 Cooperation with the Serbian Chamber of Commerce - visit of the Serbian delegation to the 26th International Green Technology Fair ECOMONDO 2023 in Rimini - Italy. The aim of the visit is to get acquainted with innovative technologies, which should contribute to finding solutions to slow down global warming and mitigate climate change, as well as to consider the possibility of opening green funds.

~~in (for example Capacity building for the implementation of standards and conventions of the acquis in the field of environmental protection – establishing the Natura 2000 network” and “Planning the preservation of biological diversity at the national level, as support for the implementation of the Strategic Plan of the Biodiversity Convention in the Republic of Serbia for the period 2011-2020”). Through participation in professional workshops and events, the INCS also expanded previously established cooperation with international organisations such as IUCN, WWF and UNESCO, and established active cooperation in the work of the ENCA network (European Nature Conservation Agency Heads Network). These are conservation events and projects where special attention is placed on the development of an open dialogue and cooperation with partner non-governmental organisations. An example of international cooperation, in which one of the parties is the INCS, and which implements the principles of the Aarhus Convention, is the implementation of the “MAB-UNESCO” programme. The second biosphere reserve in the Republic of Serbia “Bačko Podunavlje” was declared in the first half of 2017. Additional material was prepared to present the Reserve in June in Paris, when the area was formally declared and protected by the MAB (Man and Biosphere) programme. In 2018, the Institute’s representatives participated in an introductory workshop within the project “Regional Network for Biodiversity Information Management and Reporting 2” (BIMR-2 project) with the aim of building capacity in six economies of the Southeast European region for biodiversity data management and reporting to various conventions, as well as the European Union. One of the national priorities is the implementation of the Habitats Directive and the Birds Directive, as a basis for the establishment of the European Union’s ecological network, NATURA 2000, which in 2019 included the execution of the IPA2016 project “EU for Serbia – Continued support to implementation of Chapter 27 in the area of nature protection (NATURA 2000)”, implemented by the EPTISA consortium, with the aim of preparing the area of the Natura 2000 ecological network in Serbia. In 2019, as an expert institution in charge of making international nominations in the field of national level nature protection, the INCS worked on the nomination of internationally protected areas within the UNESCO programmes Man and Biosphere (MaB), World Heritage (WH) and Global Geoparks, which includes the nomination of Geopark Đerdap, cross-border biosphere reserve “Tara-Drina” on the border with Republika Srpska (B&H), as well as the expansion of world natural heritage “Ancient and primeval beech forests of the Carpathians and others region of Europe”, which registered the first world heritage site for the Republic of Serbia in 2020. The implementation of the IPA 2016 project “EU for Serbia – Continued support in the implementation of Chapter 27 in the area of nature protection (Natura 2000)”~~

began in May 2019. This project, funded by the European Union, aims to prepare for the establishment of an EU ecological network in the Republic of Serbia. A representative of the INCS participated in the World Heritage Young Professionals Forum in Baku, Azerbaijan in 2019. The forum is organised for the fourth time within the UNESCO World Heritage Programme and aims to bring together young people who are actively involved in world heritage issues, with experience in solving them, who are ready to apply the experience gained during the Forum in their countries. The INCS had a representative at the 13th Meeting of the Group of Experts on Invasive Alien Species organised by the Secretariat of the Bern Convention. On that occasion, national reports on the implementation of the European Strategy on Invasive Alien Species were presented through the implementation of EU Regulation 1143/2014 on invasive alien species and the application of the IUCN Environmental Impact Classification for Alien Taxa. An international meeting on the initiative of the establishment of a cross-border Biosphere Reserve on the Drina River between the Republic of Serbia and Republika Srpska, the Republic of Bosnia and Herzegovina was held in 2019, which was attended by the INCS' representatives. The Institute also participated in the regional workshop Facilitating Reaching and Reporting on Aichi Target 11 for Biodiversity Conservation in Eastern Europe and Central Asia—a global partnership for achieving Aichi Target 11, which aims at increasing the surface under protected areas and their efficient management. By 2020, the aim is to reach 17% of terrestrial and inland water areas and 10% of coastal and marine protected areas, which are effectively managed, as ecologically representative and well-connected systems of protected areas of special importance for biodiversity and ecosystem services.

- Representatives of civil society organizations have participated in numerous conferences, meetings and workshops organized by MEP, such as:

- Two conferences on climate change—in the framework of participation of the Serbian delegation at the Conference of the United Nations COP 23 (Belgrade, November and December 2017).

- During the “Third EkoBioMorf 2017” Conference (Novi Sad, November 2017) a panel discussion was held on the topic—“Cooperation between the public and civil society in the protection of nature—how to achieve a common goal?”, which was aimed at proposing and establishing possible ways to improve future cooperation between the governmental and non-governmental sector by presenting positive and negative past experiences in terms of the cooperation between the mentioned sectors, as well as the ways to identify the relevant civil society organizations working in the field of nature conservation and protection.

- The MEP organized a presentation of the “Communication Strategy for Climate Change” (Belgrade, December 2017). The promotion of the Strategy for Communicating Climate Change was organized as a concluding event, following a six-month-long joint endeavour of the MEP and the OSCE Mission to Serbia, during which the draft of the Strategy was developed and finalized following public scrutiny. The Strategy provides a framework for delivering key messages on climate change issues to target audiences and offers communication tools intended to raise public awareness on the opportunities and threats brought about by climate change. Its practical implementation will ultimately motivate citizens to accept their responsibilities to adapt to climate change and take action to mitigate its impacts. This activity supports Serbia's commitments taken up after the ratification of the Paris Agreement, aimed at keeping global temperature rises below 2°C.

At the meeting, it was pointed out that the problem of climate change is one of the major problems of modern civilization, the addressing of which is among the priorities of the international and EU agenda, both in the field of environmental protection, as well as in the field of energy, transport, industry, agriculture and finance. It was also noted that the MEP is making efforts to communicate and raise awareness on the significance of climate change; however, the Ministry is aware of the need to establish partnerships with professional and scientific public, civil society organizations and other stakeholders in order to make sure that the significance of this topic is properly understood, as well as to include the climate change issues in the national agenda. One of the topics of the conference was the “Role of civil society in promoting the fight against climate change”;

–In cooperation with the United Nations Development Program (UNDP), on November 6, 2018, the MEP organized a meeting with representatives of civil society ahead of the 14th UN Biodiversity Conference – „COP 14” and the 24th UN Climate Change Conference – „COP 24”. Also, on February 8, 2019, the MEP organized a meeting with representatives of civil society regarding the conclusions and results of the mentioned conferences. Ahead of the 25th Climate Change Conference – „COP 25”, on November 29, 2019, the MEP organized a meeting with representatives of civil society.

–In the reporting period, representatives of civil society were on several meetings presented with information related to the negotiation process within Chapter 27 – Environment and Climate Change. They were also informed about the status of drafting the Negotiating Position for Chapter 27, but also discussed areas where further cooperation is needed in order to improve the Negotiating Position itself and strategic documents that support the Negotiating Position. The negotiating position for Chapter 27 – Environment and Climate Change, with all relevant annexes, was adopted by the Government of the Republic of Serbia on January 21, 2020, and then sent to the European Council in Brussels on January 22, 2020. The Republic of Serbia has thus created the condition for the opening of a very important chapter in 2020 within the process of accession to the European Union.

–Participation of MEP representatives on 14th May 2018. and on 8th May 2019. in Belgrade at the presentation of Coalition 27's annual "shadow reports" on Serbia's progress in preparing for EU membership negotiations, in the section on Chapter 27 – Environment. Coalition 27 brings together 11 non-governmental organizations, to critically reflect on what has been achieved in the areas of Chapter 27 and to make recommendations for improving the environmental situation in Serbia).

–Representatives of the MEP actively participated in the events organized within a Human Rights Week from 3 to 10 December 2018. in Belgrade (the commemoration of the 70th anniversary of the adoption of the Universal Declaration on Human Rights). For the first time, the environmental protection as human right is marked in Belgrade within the panel discussion „This is our environment – Share, show that you care about and get involved” during which were discussed the current opportunities and obstacles of a stronger involvement of citizens in decision-making processes related to the environment.

–MEP organized round table "Towards better implementation of SEA" for civil society organization on 26.04.2018. in Novi Sad, with the support of the sub-grant project CO-SEED (EU funded Civil Society Acts for Environmentally Sound Socio-Economic Development) and the CSOnnect Program implemented by the Regional Environmental Center (REC), and funded by the Swedish Agency for the Environment International Development and Cooperation (SIDA).

-The Ministry of Agriculture, Forestry and Water Management, the Republic Directorate for Waters and the public water management companies "Srbijavode" and "Vode Vojvodine" organize Sava River Day every June 1st and Danube River Day on June 29th in accordance with the principles of the Convention on Cooperation for the Protection and Sustainable Use of the Danube River and the Framework Agreement on the Sava River Basin. The activities aim to raise awareness, primarily through numerous sports and art competitions, exhibitions, nature lectures, and other activities for the youngest citizens, about the importance of preserving rivers in our country and the environment in general.

(e) With respect to paragraph 8, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed

Answer

- Article 18, Paragraph 2 of the Constitution of the Republic of Serbia guarantees, and as such, directly implements human and minority rights guaranteed by the generally accepted rules of international law, ratified international treaties and laws. Article 34 stipulates that no person may be held guilty for any act which did not constitute a criminal offence under law or any other regulation based on the law at the time when it was committed, nor shall a penalty be imposed which was not prescribed for this act.

-The Republic of Serbia has ratified the key international agreements in the field of human rights and combat against corruption by adoption of the following laws, such as: Law on Ratification of European Convention on Human Rights ("Official Gazette of SM-International Treaties", No. 9/03); Law on Ratification on Criminal Law Convention on Corruption ("Official Gazette of FRY- International Treaties", No. 2/02 and Official Gazette of SM, No 18/05); Law on Ratification on Civil Law Convention on Corruption ("Official Gazette of RS- International Treaties", No. 102/07); Law on Ratification of the United Nations Convention against Corruption (UNCAC) ("Official Gazette of RS-International Treaties", No. 12/05); Law on Ratification Aarhus Convention ("Official Gazette of RS- International Treaties", No. 38/09). Basic strategic and legal acts regarding the human rights, corruption and environment in the Republic of Serbia are the following: Constitution; National Strategy of Combating Corruption in the Republic of Serbia for the period ~~2013~~2024. to ~~2018~~2028. („Official Gazette of RS", No. ~~6357/1324~~) and Action Plan to the National Strategy ~~(„Official Gazette of RS", No.79/13)~~; Law on State Servants; Law on Prevention of Corruption, („Official Gazette of RS", No. 35/19 and 88/19); Law on Data Secrecy; Law on Protection of Personal Data („Official Gazette of RS", No. 87/18); Law on Free Access to Information of Public Importance; Law on Prevention of Harassment at Work („Official Gazette of RS", No. 36/10); Criminal Code („Official Gazette of RS", No. 85/05, 88/05, 107/05, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16, ~~and~~ 35/19 ~~and~~ 94/24); Criminal procedure Code („Official Gazette of RS" No. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14, ~~and~~ 35/19, ~~27/21 and 62/21~~); Law on Offences („Official Gazette of RS", No. 65/13, 13/16, 98/16, 91/19, ~~and~~91/19 ~~and~~ 112/22). The Republic of Serbia has adopted environmental laws and subsidiary regulations which prescribes and ensures the right for healthy environment, public access to information, public participation in decision making and access to justice in order to implement Aarhus Convention.

- The Commissioner has implemented the project 'Protection of Whistleblowers' with the financial support of the British Embassy in Belgrade and the Government of the Kingdom

of the Netherlands since July 2012. This project has two goals: 1. to provide preparation of the model law on protection of whistleblowers which will be submitted to the responsible authorities for consideration and adoption, since Serbia is still lacking a comprehensive regulatory framework relating to the protection of whistleblowers, and 2. to contribute to the improvement of knowledge and understanding of different interested parties on necessity and benefit of the whistleblower protection. The Model Law on Whistleblowing and Protection of Whistleblowers was prepared during this project and submitted in May 2013 to the responsible Ministry (Ministry of Justice and Public Administration) for further action. The Law on the protection of the Whistleblowers is adopted in 2014. The Whistleblowers Protection Act („Official Gazette of RS”, No. 128/14) was adopted in 2014, came into force on 4th December 2014 and its implementation began six months later, on 5th June 2015. This Act regulates whistle-blowing, the whistle-blowing procedure, rights of whistle-blowers, obligations of the state and other authorities and organisations, and private and legal entities in relation to whistle-blowing, as well as other affairs of importance to whistle-blowing and the judicial protection of whistle-blowers. Whistle-blowing may be internal (an act of disclosing information to an employer), external (an act of disclosing information to a designed authority) or alarming the public (an act of disclosing information using mass media, the Internet, at public gatherings or in any other way information may be made available to the public). The employer of a whistleblower must not, by doing or by failing to do, put a whistleblower or an associated person in an unfavorable position, in particularly related to: recruitment; disciplinary measures and penalties; working conditions; termination of employment; job assignments or transfer to another job; etc. With a motion for the issuance of a preliminary injunction, a court may be requested to delay the legal effect of an act, prohibit adverse action from being taken and order for the consequences of the adverse action to be eliminated. Based on the Whistleblowers Protection Act two subsidiary acts have adopted, as follows: Rulebook on the internal whistle-blowing procedure, the manner of appointment of an authorised person working with/for the employer („Official Gazette of RS”, No. 49/15 and 44/18) and Rules on the program for acquisition of specific knowledge related to the protection of whistleblowers („Official Gazette of RS”, No. 4/15). The former Ministry in charge for environmental protection has adopted the Rulebook on Internal Whistle-blowing Procedure on 3rd December 2015. In the period 2017/2020 there were no cases of internal whistleblowing in the MEP. Various public institutions work with whistleblowers, and they attempt to protect them and investigate their disclosures. These include the Anti/Corruption Agency, the Anti-Corruption Council, the Ombudsman, the Ministry of Justice, and the Commissioner for Access to Public Information on and Personal Data Protection. The Bureau for Social Research (BIRODI) advises and supports whistleblowers, including analyzing their disclosures, providing legal advice and referring them to the proper authorities. Transparency Serbia operates an Advocacy and Legal Advice Centre (ALAC) to which victims and witnesses of corruption can report cases and receive advice on filing official complaints. Several NGOs in Serbia support whistleblowers, investigate cases and work for stronger legal protections. Pistoljka (Serbian for “whistle”) documents and monitors whistleblower cases. The acquisition of special knowledge and professional training of persons dealing with whistle-blower protection cases shall be run by the Judicial Academy in cooperation with the ministry competent for matters of the judiciary. Judicial Academy has trained judges (1387) and their assistants (326).

IV. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 3

Describe any obstacles encountered in the implementation of any of the paragraphs of article 3 listed above.

Answer

- The overall level of public awareness about the need for environmental protection and environmental culture in the Republic of Serbia does not exist at a high enough level.
- Associations in the Republic of Serbia mostly face problems with regard to financing, and consider that the state does not do enough to stimulate them and does not treat them as equal participants in the political process.
- In the course of the public debate, associations claimed that the support they receive is not sufficient, namely that the support is, as a rule, restricted to short-term solutions and campaigns, rather than a systemic effort focusing on strengthening the non-governmental sector in the field of environmental protection.
- One of the obstacles is a low level of awareness, especially, at the level of local self-government about the need and necessity of partnership with the civil sector in the process of raising environmental awareness and solving environmental problems.
- Media coverage of the sustainable development and the environment is insufficient, which reflects the lack of interest of the media for these issues, the lack of expertise and awareness about the necessity of covering strategic topics and topical issues.
- The need to create the material and technical conditions enabling associations to play the role of stakeholders having access to information and judicial procedures and participate in the decision-making process was highlighted.
- Citizen associations engaged in environmental protection receive support for the implementation of their activities through competitions by MEP, as well as other ministries. The schedule and amount of this cooperation varies, it is frequently not sufficiently efficient, but is certainly well received by the associations, with ongoing activities aimed at its improvement. Also, in a number of local self-governments, activities of associations engaged in environmental issues within local frameworks are being financed through a competition, but such support is unbalanced, non-continuous, and only a few local self-governments use the proceeds of local environmental budgetary funds, etc.
- Likewise, the Council for Creating an Enabling Environment for Civil Society Development Office for Civil Society of the Republic of Serbia is providing significant support to organizations, primarily through the creation of a positive social environment, as well as a legal basis for the work of organizations. One important document is the Guidelines for inclusion of the civil society organisations in the regulations adoption process, adopted by the Government of the Republic of Serbia as a document defining the method of cooperation with civil society during the EU membership negotiation process. Weakness of this document is that local self-governments only received a recommendation for thereof implementation. ~~There is also the National Strategy for provision of enabling environment for civil society development, which was the subject of exhaustive discussion, but is not adopted yet.~~ Unfortunately, there are a number of problems in practice, and

environmental organizations in general are not recognized by all institutions as potential collaborators, activity implementers or sources of relevant information.

- Certain associations states that civil society organisations are only formally represented in the decision-making processes, scope of influence is very small.

-Certain associations believe that although the Aarhus Convention was ratified in Serbia several years ago, and since the date of ratification until present, dozens of regulations, plans, programs, strategies and other documents have been prepared and adopted, both at the national and local levels, the measures listed in paragraphs 2, 3, 4 and 7 of Article 3 of the Aarhus Convention do not lead to the desired goal and application of the principles of the Aarhus Convention in full.

-Certain associations believe that there are numerous initiatives and projects of civil society organisations that are focused at education and raising awareness of environmental protection, but are usually planned on the basis of analysis of environmental issues by the organisations themselves and not on the basis of systematic analysis in cooperation with institutions, while the compliance of CSO plans with government administration plans is not sufficient. The Ministry in charge of environmental protection supports the work of citizens' associations through competitions, which is a positive practice, but there is a need to synchronise the work of associations with the strategic goals of the Republic of Serbia. The impression of the association is that even after many years of cooperation, the government administration still does not recognise the expertise and work of citizens' associations, and that support for projects is implemented due to the obligation and not out of actual desire and understanding of the benefits.

-Measures taken to ensure that persons exercising their rights under this Convention are not punished, convicted or ill-treated are not sufficiently clear and not known to the public.

-From the perspective of civil society organisations, the obstacles are numerous: the first and most important one is that the measures taken in regards to Article 3 in the Republic of Serbia are insufficiently clear, which makes their monitoring and implementation difficult. Then, there is an obvious lack of cooperation between national and local decision makers, as well as cooperation between different sectors. The assistance which should be provided by the officials to citizens in the process of seeking information depends on their "goodwill", and differs greatly from one local government to another, as well as from one to another Ministry.

-Some associations believe that a favourable environment is not created for citizens to provide their contribution or feedback, in order to help reach a more responsible, innovative and efficient administration. In addition to the obstacles faced by citizens' associations, there are also obstacles for individuals to participate in decision-making processes at the local level.

-Certain associations believe that the Aarhus Convention does not contribute sufficiently to the protection of the rights of all people in Serbia because its implementation is still not complete. Insufficient implementation is the result of forced economic development and other economic problems. A huge but so far unrealised potential lies in the Aarhus Centres in Serbia, as well as in other civil society organisations that can be a real link between the government and citizens in the implementation of the Aarhus Convention. This requires good planning, as well as strategic support from the competent authorities and institutions.

- Certain associations believe that the process of strengthening and forming new Aarhus Centers, which should be a link between public authorities, environmental associations and citizens in the implementation of the provisions of the Aarhus Convention, has been particularly slow.

- Certain associations point out that the amendments to the Law on Local Self-Government changed the article which precisely defined which areas of environmental protection all local self-governments must deal with. A short principled text remains that local self-government, among other things, deals with environmental protection (Article 20, item 8 of the Law on Amendments to the Law on Local Self-Government). These associations

believe that the MEP and the Ministry of State Administration and Local Self-Government should prepare a list of specific areas of the environment that local governments will deal with.

-Certain associations believe that there is a need for more active promotion of the Convention, i.e. the importance of information sharing and public involvement in all sectors that significantly affect the environment (e.g. agriculture, forestry, water management, infrastructure, energy).

- Certain associations believe that the lack of the Environmental Protection Fund is an obstacle in the implementation of the Aarhus Convention in Serbia. The Republic of Serbia has a legal and institutional framework for the implementation of the provisions of the Convention, but does not have a financially viable instrument to support the implementation of the Convention, especially at the local level.

V. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE GENERAL PROVISIONS OF ARTICLE 3

Provide further information on the practical application of the general provisions of article 3.

Answer

-The INCS devotes a special place in its work to the implementation of educational programs for students and teachers. In the period 2021-2023, as part of cooperation with scientific and educational institutions that have subjects with topics in the field of nature protection within their study departments and majors, the INCS implemented programs for elementary school students and pupils.

-Presentations:

• In 2021, the publication "Ichthyofauna and riparian vegetation of the Timok basin in the Stara Planina Nature Park" was published. The presentation of the project and publication was made at the conference "Celebrating the 20th year of protection of the Golija Nature Park".

• In 2021, the INCS continued to inform the public through public information media about its work and activities in the field of nature protection and the presentation of the value of protected areas and the importance of bio and geo diversity in our country. In the period January-February, information was related to the implemented nature protection programs in the past year and planned activities for this year. In the period from March to May, information campaigns were aimed at familiarizing the public with the values of protected areas: Avala, Kalemegdanski rt, Blederiya, Kosmaj, Ovčarsko-kablarska klisura, Uvac, Peshter, etc. and topics related to the protection of waters and forests. From June to September, the public was presented with cleaning actions in protected areas, protection of areas around Belgrade, the appearance of bears on Golija and the promotion of natural assets Cerjanska pećina and Lalinacka slatina. In the period from September to the end of the year, the participation of the INCS in the Adria Media Group's "Plant a Tree" campaign was promoted in the media. The very end of the year was marked by news about the initiation of the procedure for two new national parks for which the Institute prepared the Protection Studies "Stara Planina National Park" and the "Kučaj-Beljanica" National Park.

• Participation in the multimedia exhibition "Presentation of the Essential Values of the Middle Danube" in Novi Sad with a poster on the topic "Protected Areas of the Middle Danube".

• An online presentation on the sustainable use and protection of medicinal plants was held for students of the Faculty of Pharmacy and the Faculty of Forestry of the University of Belgrade. On this occasion, the students were presented with the nature protection system in our country, within which measures to preserve plant species are also implemented.

• To motivate and educate the widest possible circle of the public about the importance of preserving natural values and resources, the Institute for Nature and Wildlife Conservation implemented actions for the general public through media campaigns.

-2022. Year of presentations of the INCS:

• Presentation held on the occasion of the development of new Protection Studies for the Jelica and Rudnik mountain areas.

• Presentation of activities on the development of a project for regulating the water regime of the Crvenka pond and associated channels in the SRP "Okanj bara", in which experts from the INCS participated, after which a meeting was held with the manager and the relevant water management companies regarding further activities on regulating the water regime in the SRP "Okanj bara".

• Scientific and professional meeting on national parks held at the Faculty of Forestry in Belgrade, organized by the PE "Srbijašuma" and the Academy of Engineering Sciences of Serbia, at which representatives of the Institute gave a presentation on protected areas in Serbia.

Panel discussions: "Promotion and preservation of cultural and historical heritage in protected natural areas," organized by the Center for the Study of Cultural Development and the Eco Center - Center for Socio-Ecological Research and Documentation.

-2023 public hearings of the INCS:

• Working group for the development of the urban area of the city of Niš and the municipalities of Svrljig, Merošina, and Gađin Han, held in Niš during February 2023.

• Preparation of a presentation for the Public hearing on the draft act on the proclamation of the Protected Habitat "Bela Reka - Ripanj".

• The INCS informed and established communication and cooperation with the interested public within the framework of the procedure for preparing a protection study, as well as within the framework of public discussions on the draft act on protection for the areas of the Radan Nature Park, the Uvac Special Nature Reserve, the Mojstira-Draške Mountains Nature Park, as well as for the properties for which Protection Studies were prepared this year: Povlen and Jastrebac.

Presentations:

• During 2023, a presentation was held on the state of forests in the Republic of Serbia and other results achieved within the framework of the Project "Contribution of Sustainable Forest Management to Low Emissions and Adaptive Development" (GCP/SRB/002/GFF).

• Participation in the activities of the initiative "Protection and investment in biodiversity and water to strengthen resilience to climate change" under the auspices of the project "EU for the Green Agenda in Serbia".

-In June 2022, cooperation between landscape architects of the Institute of Landscape Architecture and Design and colleagues from Germany was established. After the visit, presentations, discussions, and exchange of experiences, further cooperation is expected with German institutions in the field of nature protection and landscape management, Hochschule Geisenheim University, and Ministerium für Umwelt, Energie, Ernährung und Forsten Rheinland-Pfalz. The cooperation would be aimed at improving and exchanging

experiences of landscape architects of the Institute on the implementation of landscape policies with colleagues from Germany.

~~The INCS applies within its scope of work the principles of the Aarhus Convention by involving the public concerned in initiating the procedure for the protection of natural resources, i.e. by working on the valorisation and preparation of protection studies (public debates, presentations of natural resources, consultations, education programmes, etc.), as well as by supervising the implementation of protection measures, i.e. by developing various forms of cooperation and communication with local communities in the areas that are placed under protection. As part of public debates, as a special form of public involvement in the process of declaring protected areas, INCS' experts held two public debates in 2017 and eleven public debates and public presentations on the draft regulation on proclamation and protection studies in 2018 and four public debates in 2019. In accordance with the procedure for declaring protected areas, the INCS educated the local population, owners and users of the area about procedure on development of the study through public debates and thematic gatherings, as well as through participation in the promotion of protection studies in the municipalities where the protected area is located, and through participation in forums on planned SHPPs in the area of several municipalities. In March 2018, a public debate was held in the INCS as the end of the scientific-professional debate on the Proposal for technical adaptations (amendments) to the Habitats Directive and the Birds Directive for the territory of the Republic of Serbia, organised by the Faculty of Biology in Belgrade. In order to present the results of the project "Monitoring the brown bear in the Nature Park 'Golija', the Institute and PE "Srbijašume" organised a workshop in March 2018 on the importance of the implementation of the monitoring programme through a system of continuous monitoring and analysis of the overall population, area and habitats. The presentation of the project results was followed by the presentation "The importance of involving local communities in brown bear protection programmes – examples from European protected areas". Participation in the round table on the topic "The role and influence of national and local authorities, businesses, NGO sector, media and local population on nature conservation" was organised in Bosilegrad, in late October 2018, by the Press Club of the Bulgarian News Agency (BTA), association "Voice (Glas)" and the association "Eco-Bio Justice (Eko-Bio Pravda)". The INCS for many years maintains permanent exhibition "The Natural Resources of Serbia and Their Protection" undergoing the process of modernization through new presentation methods, name interaction with youth, students and pupils. The INCS exhibition is visited in an organized fashion annually by around 500 students and 2000 pupils, as well as 100 preschoolers from various educational institutions.~~

~~In accordance with the Declaration on Environmental Protection in the Autonomous Province of Vojvodina (APV), adopted by the Assembly of the Autonomous Province of Vojvodina on May 28, 2019 („Official Gazette of APV”, No. 24/19), SUEP started the action „Week for greener Vojvodina” in December 2019, which included greening of public areas of local self-governments as well as green areas around public institutions, established by APV: social and health institutions, primary and secondary schools and preschools on the territory of APV, with about 10,000 seedlings of poplar, EA poplar, birch, black pine, oak and catalpa. The greening action was organized by SUPEP in cooperation with public enterprise „Srbijasume” and public enterprise „Vojvodinasume”~~

~~with the aim of joint efforts and investments to improve the environment in local communities, and thus in the entire APV and the Republic of Serbia.~~

- The Secretariat for Urbanism and Environmental Protection (SUEP) of the APV in collaboration with the Provincial Secretariat for Education, Regulations, Administration and National Minorities – National Communities of the APV, Provincial Secretariat for Energy, Construction and Transport, Provincial Secretariat for Social Policy, Demography and Gender Equality and Provincial Secretariat for Agriculture, Water Management and Forestry have continued a long-term programme „For Cleaner and Greener Schools in Vojvodina”. The programme includes carrying out different activities, such as education of children, pupils and teachers, organizing eco-patrols, eco-newspapers and organizing a prize competition. Aimed at developing and improving the work in the field of environmental protection in educational institutions in the territory of the AP Vojvodina and in cooperation with a great number of partners, every year the public invitation for application and participation in the implementation of the Program was opened. ~~In the 2020/2021 school year, there was no regular application process for participation in the Program due to the coronavirus. By decision of the Commission, all 49 educational institutions that submitted reports were awarded. In the period from the school year 2016/2017 to 2019/2020, a total of 444 educational institutions were applied, 132 educational institutions and about 3,000 students were awarded. Also, in February 2020, within the Program „For cleaner and greener schools in Vojvodina”, a competition was announced for the selection of the best conceptual solution for the appearance of the mascot program „For cleaner and greener schools in Vojvodina”, for the idea of the mascot name and for making a short film on the topic: „Water protection or Forest protection”. On this occasion, a total of 7 educational institutions were awarded. In the school 2016/2021-2017/2022 year, 84-87 educational institutions applied to participate in the Program and 60-85 educational institutions submitted reports on successfully implemented activities. Based on the assessment of the expert jury, the 19-46 preschool institutions, primary schools, secondary schools and schools for pupils with development disabilities were awarded. In the school 2017/2022-2018-2023 year, 104-114 educational institutions applied to participate in the Program and 106-68 educational institutions submitted reports on successfully implemented activities. Based on the assessment of the expert jury, the 54-27 preschool institutions, primary schools, secondary schools and schools for pupils with development disabilities, were awarded. In the school 2018/2023-2019-2024 year, 105-128 educational institutions applied to participate in the Program while 88-110 educational institutions successfully implemented planned activities. The expert juries pronounced the best 53-60 preschool institutions, primary schools, secondary schools and special schools for children with developmental disabilities and they won the prizes. In the school 2019/2024-2020-2025 year, 89-128 educational institutions applied to participate in the Program while 73-65 educational institutions successfully implemented planned activities. The expert juries pronounced the best-all 73-26 preschool institutions, primary schools, secondary schools and special schools for children with developmental disabilities and they won the prizes. In 2019, the company NIS PLC. Novi Sad joined the program "For cleaner and greener schools in Vojvodina", by holding several educational presentations on the topic of realization of ecological projects and waste management in the gymnasium in Kikinda, as well as by participating in planting trees in the Limanski Park in Novi Sad.~~

- By establishing the Kragujevac Aarhus Centre on April 28th, 2010, on the basis of the Memorandum of Understanding signed by the Ministry of Environment and Spatial Planning and the town of Kragujevac (www.aarhuskg.rs/), the steps have been taken to ensure that the representatives of the local authorities, town officials and volunteers provide interested members of the public with advice on the ways of requesting information, facilitate the participation of citizens in the decision-making process and legal protection regarding environmental protection issues. Besides, Kragujevac is the first town in Serbia and 29th in Eastern Europe to have an Aarhus Centre. Aarhus Center in Kragujevac on 1 August 2012 became the Association „Aarhus Center.”

- On the basis of the Memorandum of Understanding signed by the former Ministry, the town of Subotica and the Open University of Subotica, and with the support of the OSCE, the Aarhus Centre was established in Subotica on 4 March 2011. The goals of this centre include improvement of access to environmental information and education, enabling mechanisms for the participation of citizens in the decision-making process and education of different target groups for better implementation of the Aarhus Convention in the AP Vojvodina. One of the most important activities of the Subotica Aarhus Centre is resolving environmental problems of citizens in cooperation with the Contact Centre 024 in local – self government and inspections.

- Based on the Memorandum of Understanding signed by the former Ministry, the City of Novi Sad and the Administrative District of Juznbacki, the Aarhus Center of the city of Novi Sad was opened on December 23rd, 2011.

-In early 2013, the former MEDEP, local self-government of the City of Niš and the Aarhus Center for the South and East Serbia signed the Memorandum of Understanding in Support of opening the Aarhus Centre in Nis.

- The Opening of the 5th Aarhus Centre in Serbia – The Aarhus Centre Novi Beograd, established by the former Ministry and the civil society organization “Young Researchers of Serbia”, in Belgrade on 27 November 2015.

-On February 27, 2025, the Aarhus Centre was opened in Sombor, where citizens will be able to obtain information on environmental protection issues, participate in decision-making, and receive assistance in exercising their rights before institutions in this area. The opening of the centre is part of the project "Strengthening the implementation of the Aarhus Convention through awareness-raising, public dialogue, networking and enhanced civic engagement", which is implemented by the Aarhus Centre Novi Sad with the support of the OSCE Mission to Serbia.

~~-In accordance with the Law on Meteorological and Hydrological Activities, the Law on Disaster Risk Reduction and Emergency Management and regulations adopted on their basis, in 2017 HIRS prepared the Assessment of Vulnerability of the Republic of Serbia to Natural Disasters for the needs of the Disaster Risk Assessment in the Republic of Serbia and the Protection and Rescue Plan. In the process of drafting the Assessment, HIRS held several expert meetings to inform and raise awareness of decision makers and public and private sector representatives about the high risk of meteorological disasters, which lead to human casualties and large-scale damage to the economy, environment protection, infrastructure and property, and the impact of climate change on changes in the frequency and intensity of extreme weather phenomena.~~

-Through the Program for marking the World Meteorological Day and the World Water Day, which are organised every year on 22 and 23 March by all national

hydrometeorological services of the member states of the World Meteorological Organisation, including the HIRS, including the attendance of interested public authorities, scientific and educational institutions, numerous users of meteorological and hydrological data and information and media, the basic principles of the Aarhus Convention are also promoted. Thus, in the period ~~2017~~2021-2019-2024 the above-mentioned programs marking the World Meteorological Day were dedicated to the following topics: „The Ocean, Our Climate and Weather“; „Valuing Water“; „Early warning and early action“; „Groundwater: Making the Invisible Visible Groundwater: Making the Invisible Visible“; „The future of weather, climate and water across generations“; „Be the change“; „At the frontline of climate action“; „Water for prosperity and peace“ “Understanding Clouds“; “Weather ready, climate smart“; “The Sun, the Earth and the Weather“, while at the occasion of celebration of the World Meteorological Day and the World Water Day 2020 dedicated to the theme “Climate and Water“, there was no official gathering was held due to the state of emergency due to the Covid-19 virus pandemic”.

-Upon request of the Ministry of Environmental Protection, in 2021, the OSCE Mission to Serbia supported the development of a new Strategy and Action Plan (SAP) for the Implementation of the Aarhus Convention for the period of ten years. The SAP contains an overview of the current legislation, policies and practices, providing guidance to officials at all levels, civil society and interested stakeholders to exercise their legal rights granted by the Aarhus Convention. The SAP also outlines recommendations for future activities, aimed at achieving full transposition and implementation of provisions of Aarhus Convention and related international directives, through legislative, institutional and capacity building activities. The SAP was developed through the engagement of a team of three national experts, co-ordinated by the National Focal Point for the Aarhus Convention from the Ministry of Environmental Protection.

-Upon request of the Ministry of Environmental Protection, in 2022, the OSCE Mission to Serbia supported the development of a Feasibility Study relevant to the new Strategy and Action Plan for the Implementation of the Aarhus Convention. The Feasibility Study contains an overview of the economic effects of the public policy options outlined in the draft Strategy for the Implementation of the Aarhus Convention as well as a review of the costs addressing the economic benefits of solutions proposed by the Strategy.—With support of the OSCE Mission in the RS, the Strategy for the implementation of the Aarhus Convention in the Republic of Serbia—and the related Action Plan is made. The Strategy covers the following topics:

—Assessment of the overall legislation support to Aarhus Convention implementation in the RS;

—Assessment of institutional set up and stakeholders’ participation in the support to the Aarhus Convention implementation in the RS;——

—Assessment of the development of the information system and access to information in the RS;

—Assessment of the status regarding genetically modified organisms requirements in Aarhus convention in the RS;

—Education and awerness on rights to know, participation and right to access to justice in environmental matters in the RS;——

—SWOT analysis of the Strategy implementation in the RS.—

~~—The Conference “20th anniversary of the Aarhus Convention and Serbia’s nine-year experience”, which was jointly organized by the OSCE Mission to Serbia in partnership with the Ministry of Environmental Protection and the Network of Aarhus Centres in Serbia, was held in the National Assembly in Belgrade on June 15, 2018. The conference marked the 20th anniversary of the signing of the Aarhus convention and dealt with the state of implementation of this international agreement in Serbia since its ratification in 2009. This event gathered more than 50 representatives of national institutions (Ministry of Environmental Protection, Environmental Protection Agency, Commissioner for Information of Public Importance and Personal Data Protection, Protector of Citizens, Standing Conference of Towns and Municipalities, Judicial Academy, courts, etc.), experts and civil society organizations who presented activities, which have been carried out at state and local levels in support of the implementation of the Aarhus Convention principles. The conference enabled the participants to exchange knowledge and experiences, to address the needs and constraints, present recommendations, as well as to contribute to the formation of initiatives aimed at further improving the implementation of the Aarhus Convention in the Republic of Serbia.~~

~~—On November 28, 2018. in Belgrade representatives of the MEP participated on the consultative meeting with the representatives of the municipalities on the subject “20th anniversary of the Aarhus Convention” organized by the OSCE Mission to Serbia in partnership with the Aarhus Center New Belgrade.~~

~~—On 18 December 2018. in Belgrade representatives of the MEP participated on the meeting of Informal Green Parliamentary Group which was held to mark 20 years since the adoption of the Aarhus Convention. One of the conclusion of the meeting was that it is necessary to raise awareness of environmental protection in the population, especially through primary and secondary education as well as education of the judiciary. Also, the conclusion was that cooperation between different sectors is necessary for a more comprehensive approach to the topic.~~

~~—The management of certain protected areas in the Republic of Serbia is entrusted to associations.~~

~~—During 2019 there were several panels, lectures and conferences on circular economy, where they were as interested party and civil society representatives.~~

~~—Representatives of civil society organizations participated in the activities organized by the Ministry of Environmental Protection—in the manifestation Car Free Day, which was held in 2018, 2019 and 2020.~~

~~—The MEP has continued to cooperate with CSOs through the participation of representatives of the Ministry of certain events organized by CSOs in the projects for which the MEP provided financial support.~~

~~—The MEP invited the representatives of CSOs to participate in the event marking The European week for waste reduction (in Novi Sad, 26 November 2018).~~

~~—Third Action Plan for the implementation of the Open Government Partnership initiative in the Republic of Serbia for the period 2018-2020. was adopted on December 27, 2018. Open Government Partnership (OGP) is an international initiative aimed at providing support and greater engagement of governments around the world to improve the integrity, transparency, efficiency and accountability of public authorities, through building public confidence, cooperation with civil society organizations, strengthening the participation of citizens in governance, the fight against corruption, access to information, the use of new~~

technologies, and in connection with the realization of more efficient and responsible work of public authorities. As a participant in this global initiative, the Republic of Serbia supports the core values contained in the OGP Declaration. Given the priorities expressed by civil society organizations and the authorities of the Republic of Serbia responsible for implementing certain obligations in the process of drafting the Action Plan, the third Action Plan includes several topics: open data/fiscal transparency, government integrity, public services, access to information and public participation.

~~-Successful cooperation of the INCVP has been achieved with over 30 environmental organizations such as: Young Explorers of Serbia, Society for the Protection and Study of Birds of Serbia, Naturalist Society "Gea" Vršac, NIDSB "Josif Pančić" Novi Sad, Student Geographical Society "Branislav Bukurov" Novi Sad, Association of Eco-Journalists "Eko Vest", Movement of Highlanders of Vojvodina, Association of Cattle Breeders "Dunav" from Kovilja, Society of Mineral, Rock and Fossil Lovers "Geo Pan" and others. The INCVP has achieved successful cooperation with numerous environmental associations and professional institutions. The Successful cooperation of INCVP has been achieved with over 30 environmental associations.~~ The INCVP helps the work of these associations with its expert advice, literature, space and equipment. In turn, environmental associations often contribute to the work of the INCVP with their field data and information.

~~-The MEP is in cooperation with TAIEX 19-20. September 2019 in Belgrade held a two-day workshop entitled „Soil Monitoring and Assessment for Protection and Sustainable Use of Natural Resources.” This was the largest gathering on the topic of land protection so far and gathered about 80 representatives of the state administration, local self-government, scientific research organizations and faculties.~~

~~-Representatives of the civil sector participated in the International Scientific Conference, entitled "Returning the Planet to People and Returning Man to the Planet", which was held in June 2019 in Belgrade, organized by the Higher Vocational School for Entrepreneurship, whose general sponsor was the MEP.~~

-The development of environmental awareness and environmental education is dealt with a large number of associations and guardians of protected natural resources, primarily administration of national parks, some utility companies, recyclers and others.

- In the framework of the „National Convent” on the European Union, a special working group for Chapter 27 - Environment and Climate Change was formed, which has over a hundred members representing CSOs, scientific, professional and other interested institutions and held a number of meetings to discuss environmental issues.

- 2020, the OSCE Mission to Serbia in partnership with the Aarhus Centre Network, regional economic chambers of commerce, the Provincial Secretariat and associations of female entrepreneurs organized five public e-discussions on sustainable business models that brought together 147 participants. These events highlighted the experiences of local female leaders in sustainable businesses and promoted the circular economy as a means to empower women entrepreneurs, reduce risks and identify opportunities for post-pandemic recovery by linking economic growth with environmental sustainability. As part of these efforts, Aarhus Centre Novi Sad conducted a survey to identify key obstacles to sustainable business development among 58 women-led small and medium-sized enterprises (SMEs) from Vojvodina, Belgrade and Central Serbia.

-In partnership with the Novi Sad City Council and the CSO Novi Sad Environmental Movement, representing the coalition of the four CSOs comprising the „Green Chair“

initiative in Novi Sad, in October 2020, the OSCE Mission to Serbia organized an e-seminar on local environmental policy and sustainable development for 34 participants including Novi Sad city councillors, members of the Council for Environmental Protection, and representatives from institutions and CSOs. Renowned national experts highlighted the role of local policy-making in promoting green growth, focusing on energy efficiency, recycling, and renewable energy, while four CSOs involved in the "Green Chair" initiative emphasized the importance of inclusive dialogue and proposed concrete measures to enhance co-operation in addressing local environmental challenges.

-The OSCE Mission to Serbia supported the CSO Zeleni Sad, a member of the "Green Chair" mechanism in the Novi Sad City Assembly, and the Novi Sad City Administration for Environmental Protection in organizing a capacity-building seminar for members of the Council for Environmental Protection and local councillors that took place on 5 December 2022. The event gathered 30 participants, including 17 councillors, CSO representatives, and journalists and focused on promoting climate-friendly policies through energy efficiency, diversification and low-carbon practices. The agenda also included national strategy documents, local policies, and practical energy efficiency measures aligned with the Green Agenda for the Western Balkans. As part of the seminar, a study visit to a solar-powered facility was organized to demonstrate clean energy production and its relevance to climate action at the local level. To reinforce learning outcomes and support policy development, CSO Zeleni Sad produced a brochure featuring good practices in energy efficiency, local climate-resilient initiatives and the establishment of new value chains.

- The Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) organizes annual Aarhus Centres meetings to exchange experiences, promote good environmental governance and define future priorities. On 15 and 16 October 2024, the OCEEA and the OSCE Mission to Serbia co-hosted the 2024 Aarhus Centres Meeting in Belgrade, gathering more than 50 participants from Aarhus Centres, national focal points, CSOs, international organizations and OSCE field operations. The Ministry of Environmental Protection delivered the opening remarks and actively participated in the meeting.

-In 2024, the OSCE Mission to Serbia supported the University of Belgrade Faculty of Law in the development of Monograph: 25 years of the Aarhus Convention in South Eastern Europe . The publication is based on the expert contributions from the conference on the 25th Anniversary of the Aarhus Convention, organized by the OSCE Mission to Serbia and the University of Belgrade Faculty of Law in May 2023 within the Hub of young environmental lawyers. Authored by leading environmental law experts, the publication offers an in-depth analysis of the Aarhus Convention's implementation in South Eastern Europe, addressing legal and practical challenges related to access to information, public participation and access to justice. By identifying key obstacles and proposing reforms, the monograph supports ongoing efforts to strengthen environmental governance, transparency, and public engagement in the region. Published in English to ensure regional achievements are recognized in international forums, the monograph is available on the websites of the Faculty of Law and the OSCE Mission. (<https://www.osce.org/mission-to-serbia/585902>).

-The Ministry of Agriculture, Forestry and Water Management, the Republic Directorate for Waters, during the preparation of strategic and planning documents, includes all stakeholders in order to prepare the documents in the most transparent manner possible and

to take into account all aspects of the impact on water resources that can be addressed during the preparation of the documents. The participation of stakeholders was active during the preparation of the Water Management Plan for the Territory of the Republic of Serbia until 2027, the Flood Risk Management Plan for the Territory of the Republic of Serbia until 2027, and the Action Plan for Monitoring the Implementation of the Water Management Strategy for the Territory of the Republic of Serbia.

VI. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 3

Give relevant web site addresses, if available

www.parlament.gov.rs

National Assembly of the Republic of Serbia

www.srbija.gov.rs

Government of the Republic of Serbia

www.ekologija.gov.rs

Ministry of Environmental Protection

www.minpolj.gov.rs

Ministry of Agriculture, Forestry and Water Management

www.sepa.gov.rs

Serbian Environmental Protection Agency

www.srbatom.gov.rs

Directorate for Radiation and Nuclear Safety and Security of Serbia

www.natureprotection.org.rs

Institute for Nature Conservation of Serbia

<http://www.pzpz.rs/rs/st/>

Provincial Institute for Nature Conservation

www.minrzs.gov.rs

Ministry of Labor, Employment, Veterans and Social Issues

www.mpn.gov.rs

Ministry of Education, Science and Technological Development

<http://www.mduls.gov.rs/>

Ministry of Public Administration and Local Self-Government

<http://www.mpravde.gov.rs/lt/>

Ministry of Justice

www.mfa.gov.rs

Ministry of Foreign Affairs

<http://www.rdvode.gov.rs/>

Directorate for Water

www.zdravlje.gov.rs

Ministry of Health

www.zdravlje.org.rs

Public Health Institute of the City of Belgrade

<http://www.poverenik.rs>

Commissioner for Information of Public Importance and Personal Data Protection
<http://www.ombudsman.rs/>

Protector of Citizens

www.hidmet.gov.rs

Hydrometeorological Institute of the Republic of Serbia

<http://webrzs.stat.gov.rs>

Statistical Office of the Republic of Serbia

www.aarhuskg.rs

Aarhus Centre Kragujevac

www.aarhussu.rs

Aarhus Centre Subotica

www.aarhusns.rs

Aarhus Centre Novi Sad

www.aarhuscentarjis.rs

Aarhus Centre for the South and East Serbia

<http://www.arhusnbg.mis.org.rs/>

Aarhus Centre New Belgrade

www.icpdr.org

International Commission for the Protection of the Danube River

www.savacommission.org

International Sava River Basin Commission

<http://www.csonnect.rs/opste-informacije/o-projektu/o-projektu>

Programme CSOnnect

www.euprava.gov.rs

Portal eУправа Republic of Serbia

<http://civilnodrustvo.gov.rs/почетна.8.html>

Office for Cooperation with Civil Society

<https://ogp.rs/akcioni-plan-2018-2020/>

Third Action Plan for the implementation of the Open Government Partnership initiative in the Republic of Serbia for the period 2018-2020

<http://www.ekourbapv.vojvodina.gov.rs/>

Secretariat for Urbanism and Environmental Protection (SUEP)

VII. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON ACCESS TO ENVIRONMENTAL INFORMATION IN ARTICLE 4

List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4.

Answer

- The Constitution of the Republic of Serbia, Law on General Administrative Procedure, Law on Free Access to Information of Public Importance
- Law on Prohibition of Discrimination (Official Gazette of the Republic of Serbia No. 22/2009) (LPD)
- Law on Administrative Disputes (Official Gazette of the Republic of Serbia No. 111/09)

- Law on Environmental Protection; Law on Environmental Impact Assessment; Law on Nature Protection, Law on Waters, Law on Air Protection, Law on Protection against Environmental Noise, Law on Forests, Law on Chemicals
- Law on Strategic Environmental Impact Assessment (Official Gazette of the Republic of Serbia No. 135/04 and 88/10) (LSEIA)
- Law on Radiation and Nuclear Safety and Security (Official Gazette of the Republic of Serbia No. ~~94/2495/18 and 10/19~~) (LRNSS)
- Law on Waste Management (Official Gazette of the RS No. 36/09, 88/10, 14/16 and 95/18 ~~and 35/23~~) (LWM)
- Law on Official Statistics (Official Gazette of the Republic of Serbia No. 104/09)
- Law on Police (Official Gazette of the RS No. 6/16, 24/18 and 87/18) (LP)
- Law on Defence (Official Gazette of the RS No. 116/07, 88/09, 104/09, 10/15 and 36/18) (LD)
- Law on Fundamental Principles of Organizing Security Services of the Republic of Serbia (Official Gazette of the Republic of Serbia No. 116/07 and 72/12)
- Law on the Security Information Agency (Official Gazette of the Republic of Serbia No. 42/02, 111/09, 65/14, 66/14 and 36/18) (LSIA)
- Law on Military Security Agency and Military Intelligence Agency (Official Gazette of the Republic of Serbia No. 88/09, 55/12 и 17/13) (LMSAMIA)
- Law on Foreign Affairs (Official Gazette of the RS No. 116/07, 41/09) (LFA)
- Law on General Product Safety (Official Gazette of the RS No. 41/09 and 77/19) (LGPS)
- Law on Market Surveillance (Official Gazette of the Republic of Serbia No. 92/11) (LMS)
- Law on Personal Data Protection (Official Gazette of the RS No. 87/18) (LPDP)
- Law on Data Secrecy (Official Gazette of the Republic of Serbia No. 104/09) (LDS)
- Law on Copyright and Related Rights (Official Gazette of the Republic of Serbia No. 104/09, 99 /11, 119/12, 29/16 and 66/19)
- Law on Energy (Official Gazette of the Republic of Serbia No. 145/14, ~~and~~ 95/18, 40/21, 35/23, 62/23 and 94/24) (LE)
- Law on Occupational Safety and Health (Official Gazette of the Republic of Serbia No. ~~35/23~~101/05, 91/15 and 113/17) (LOSH)
- Law on Biocidal Products (Official Gazette of the Republic of Serbia No. 36/09, 88/10, 92/11 and 25/15) (LBP)
- Decree on Fees Covering Necessary Expenses for Issuing Copies of Documents (Official Gazette of the Republic of Serbia No. 8/06),
- Rules of Procedure of the Government of Serbia (Official Gazette of the Republic of Serbia No. 61/06, 69/08, 88/09, 33/10, 69/10, 20/11, 37/11, 30/13, 76/14 and 8/19),
- LMHA
- Law on Protection from Hail
- Law on Waters ("Official Gazette of the Republic of Serbia", No. 30/10, 93/12, 101/16 and 95/18) (LW)

Explain how each paragraph of article 4 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer

The right to information is guaranteed to the citizens of the Republic of Serbia primarily in the Constitution itself as it specifies that everyone has the right to be informed accurately, fully and timely about issues of public importance, while the media has the obligation to respect this right. Moreover, everyone has the right to access information kept by state bodies and organizations with delegated public powers, in accordance with law (Article 51).

a)

- Article 3 of the LFAIPI defines a “public authority body” as 1) public authority of the Republic of Serbia; 2) public authority of an autonomous province; 3) public of a municipality, city, city municipality and the city of Belgrade; 4) a public enterprise, institution, organization and other legal entity established by a regulation or decision of the authority referred to in items 1) to 3) of this paragraph; 5) a company founded or a member by the Republic of Serbia, an autonomous province, a local self-government unit, or one or more authorities referred to in items 1) to 4) of this paragraph with 50% or more shares or stakes in total, or with more than half of the members of the management body; 6) a company founded or a member by one or more authorities referred to in items 1) to 5) of this paragraph with 50% or more shares or stakes in total; 7) a legal entity founded by a company referred to in items 5) or 6) of this paragraph; 8) a legal entity or entrepreneur performing activities of general interest, within the meaning of the law regulating the position of public enterprises, in relation to information related to the performance of such activities; 9) a legal entity or natural person exercising public authority, in relation to information related to the exercise of such authority; 10) a legal entity that, in the year to which the requested information relates, has generated more than 50% of its income from one or more authorities referred to in points 1) to 7) of this paragraph, in relation to information related to the activity financed by such income, with the exception of churches and religious communities.~~1) a central government body, a territorial autonomy body, a local self-government body or an organization vested with public powers (government body); 2) a legal entity founded by or fully or predominantly funded by a government body.~~ Furthermore, in Article 2, the law defines “information of public importance” as “information held by a public authority body, created during or relating to the operation of a public authority body, which is contained in a document and concerns anything the public has a justified interest to know”. For information to be considered information of public importance, it shall be irrelevant whether the source of information is a public authority or another person, which medium is used to store the document containing the information (paper, tape, film, electronic media, etc.), on which date the information was created or in which way the information was obtained, nor shall any other similar properties of such information bear any relevance for this purpose.

- Article 3, Item 26 of the LEP defines the “public”, while Item 28 defines the “public concerned” as the public which is influenced or likely to be influenced by the decision made by the competent authority or have an interest in their outcome, including non-governmental organizations dealing with environmental protection which are registered with the responsible authority. Both definitions can be said to be in keeping with the definitions provided in the Aarhus Convention. Similar provisions are found in Article 2,

Items 2 and 7 of the LEIA; Article 3, Items 5 and 6 of the LSEIA; Article 2, Items 16 and 17 of the LIPPC. The definitions of the “competent authority” in the LEIA (Article 2, Item 2) and the LIPPC (Article 2, Item 8) comprise all three levels of government: level of the republic, autonomous province and the local level.

- Amendments of the LEP provided definition of “environmental information” (Article 2, Item 3 of the Aarhus Convention).

b)

- Article 21 of the Constitution of the Republic of Serbia specifies that all are equal before the Constitution and law. Therefore, all direct or indirect discrimination based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability is prohibited.

- Article 3 of the LPD stipulates that “competent courts and other public authority bodies in the Republic of Serbia shall provide everyone with effective protection against all forms of discrimination. In accordance with international agreements, foreign citizens shall enjoy all the rights guaranteed by the Constitution and law, with the exception of the rights granted exclusively to the citizens of the Republic of Serbia. Exercising the rights guaranteed by this law in a way that is contrary to the aims of this law granting these rights or with intent to deny, violates or limit the rights and freedoms of others shall be prohibited”. Article 2, Paragraph 1, Item 1 of this law states the definitions of the notions of “discrimination” and “discriminatory act”.

- Article 6 of the LFAIPI specifies that everyone is able to exercise the rights in this Law under equal conditions, regardless of their nationality, temporary or permanent residence or place of establishment, or any personal characteristic such as race, religion, national or ethnic background, gender, etc.

- The Water Management Act stipulates that water management is based, among other things, on the principle of public participation (Article 25). Also, in order to ensure public influence in water management, the Government established the National Water Conference (Articles 142-143), and overall information on water management is provided through public information media, by issuing official information and through the work of the Water Information System (Articles 147-148).

In particular, describe:

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

(I) Any person may have access to information without having to state an interest;

Answer

- Article 15, Paragraph 4 of the LFAIPI expressly states that an applicant shall not be required to specify the reasons for a request. In addition to that, Article 2 of this law prescribes that justified public interest to know shall be deemed to exist whenever information held by a public authority concerns a threat to, or protection of, public health and the environment. The law thus favours this kind of information, namely, it does not allow the authorities to deny access to such information.

- Please refer also to the LEP: Article 78; the LEIA: Article 27.

(II) Copies of the actual documentation containing or comprising the requested information are supplied

Answer

- Article 5 of the LFAIPI stipulates that everyone has the right to access information of public importance by being allowed to examine a document containing information of public importance, by being entitled to make a copy of that document, and by being entitled to receive a copy of such document on request, by mail, fax, electronic mail or otherwise.

(III) The information is supplied in the form requested;

Answer

Article 18 of the LFAIPI specifies that access to a document containing requested information shall be made using the equipment available to a public authority, unless the applicant asks to have access to a document using his/her own equipment. A public authority shall issue a copy of a document (photocopy, audio copy, video copy, digital copy, etc.) containing the requested information in the form in which such information is stored, such copy being in the requested form where possible. If a public authority does not have the technical means to make a copy of the document in terms of paragraph 2 of this Article, it shall make a copy of the document in another form.

Article 78. Par. 4. of the LEP stipulates that when due to technical reasons public authority is not able to deliver the environmental information in the requested form, it shall deliver it in other form or format, stating the reasons for such action.

(b) Measures taken to ensure that the time limits provided for in paragraph 2 are respected;

Answer

- The LFAIPI (Article 16, Paragraph 1) stipulates that public authority shall process the request, without delay, and within 15 days of receipt of the request at the latest. The deadline can be extended when there are special circumstances where an extension may be justified. However, the new deadline shall not be longer than 40 days from the day of receipt of the request. In the case of deadline extension, there is an additional obligation to inform the applicant about it immediately, not later than within 7 days of receipt of the request.

- Article 16, Paragraph 2 stipulates that if the requested information concerns the protection or threats to the environment, the information must be given within 48 hours of receipt of the request. The law thus favours this kind of information in terms of public access.

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

(I) Provide for exemptions from requests;

Answer

- Article 9 of the LFAIPI envisages the option for authority to decline a seeker their right of access to information of public importance. If the public authority declines a seeker access to a given item of information, they shall prove that this is justified in the specific case due to the protection of an overriding interest. These reasons may include the security or defence of the country, discovering perpetrators of crime, an ongoing court procedure, privacy protection or other issues, but in each case they are to be reasons explicitly envisaged by law. Access to information of public importance may be declined only under exceptional cases, when there is overriding interest, and when the limitation is necessary in a democratic society, and the measure of limitation is proportional. If access to information formally classified as confidential is requested, it is necessary to determine whether making such information public would seriously jeopardize some important interest and whether that interest overrides the interest to make that information public. In addition, the public authority has a special obligation to explain the reasons for determining confidentiality and the reasons why the information should continue to be kept confidential.

The necessity of declining access is determined based on the merits of a democratic society. In a democratic society it is not necessary to deny required access if this would not protect the interests as stated under the Law or if the protection of the stated interests can be achieved equally in another way. Considering the nature of democratic society, a public authority will always enable access to information when there is particularly justified interest for the public to know, when the information is in regards to violations of the law by authorities, overstepping of authorization, unconscionable operation, endangerment of life and environment. If the required information is found in a document containing information the authority is not obliged to provide insight into, the authority shall enable the seeker insight into the segment of the document containing only the extracted information. This will be implemented adequately for the given situation, e.g. by extracting a paragraph or by striking out confidential segments of the document (Article 12 of the LFAIPI).

- Article 102, paragraph 2, item 4 of the Law on Defence stipulates that classified data important for the defense system are data on military facilities and other real estate important for the country's defense, except for data that are necessary for environmental impact assessment according to environmental regulations.

- Provisions regarding the confidentiality (secrecy) of information are also found in the following regulations in the field of environmental protection: Law on Integrated Environmental Pollution Prevention and Control: Article 23, Paragraph 4; Law on Chemicals: Article 85, Paragraph 1. Item 4; Law on Waste Management: Article 69. Paragraph 3; Law on Biocidal Products: Article 46, 47; Law on Energy: Article 18, Paragraph 4; Article 46, Paragraph 2; Article 91, Item 3. and Article 169; Law on Genetically Modified Organisms: Article 12, 14, 32, 47. Item 1, Article 48, Item 1; Law on Official Statistics: Article 44-49; Law on General Product Safety: Article 13; Law on Fundamental Principles of Organizing Security Services of the Republic of Serbia: Article 16. Paragraph 2; Article 19, Paragraph 2; Article 20.

- Moreover, regulations in other fields contain provisions on the confidentiality of information: Law on General Administrative Procedure: Article 70, Paragraph 4; Article

140, Paragraph 2, Item 4; Article 141, Paragraph 2; Article 165; Article 166, Paragraph 1, Item 2; Article 188; Law on Administrative Disputes: Article 31; Law on Police: Article 4, Paragraph 2, Item 2; Article 5, Article 12, Paragraph 2, Article 74, 75, Article 136, Paragraph 2, Item 1,2,3; Article 160; Article 175, Paragraph 4; Article 181; Article 183, Paragraph 2, 3, 5; Article 193, Paragraph 2, Item 20; Law on Defence: Article 12, Paragraph 2, Item 21; Article 14, Paragraph 2, Item 26; Article 102; Law on the Security Information Agency: Article 11, 13, 14, 19, 23; Law on Military Security Agency and Military Intelligence Agency: Article 6, 8, 9, 13 a, 14, 30, 31, 34, 35, 38, 43, 54, 58, 60, etc.; Law on Foreign Affairs: Article 50, Item 4; Rules of Procedure of the Government: Articles 43-45, 54, 59, 62, 96.

- Please refer also to: Law on Personal Data Protection, Law on Data Secrecy, Law on Copyright and Related Rights

(II) Ensure that the public interest test at the end of paragraph 4 is applied;

Answer

- Article 8 of the LFAIPI specifies that access to information of public importance may, in exceptional circumstances and only for the reasons stated in Articles 9 and 14 of the LFAIPI and only when it is necessary in a democratic society for the purpose of protection against a serious violation of an overriding interest based on the Constitution or the law referred to in Articles 9 and 14, be declined only if an overriding interest exists and to the extent necessary in a democratic society. If access to information formally classified as confidential is requested, it is necessary to determine whether making such information public would seriously jeopardize some important interest and whether that interest overrides the interest to make that information public.

- Article 27, Paragraph 2 of the LEIA states that the data relating to emissions, risks from accidents, monitoring results and inspection surveys shall not be classified as business, official or state secrets.

(d) With respect to paragraph 5, measures taken to ensure that a public authority that does not hold the environmental information requested takes the necessary action

Answer

- Article 19 of the LFAIPI defines that where a public authority does not hold a document containing the requested information, it shall refer the request to the Commissioner and inform accordingly the Commissioner and the applicant who, to its knowledge, holds the document.

(e) With respect to paragraph 6, measures taken to ensure that the requirement to separate out and make available information is implemented;

Answer

Article 12 of the LFAIPI stipulates that if requested information of public importance can be extracted from other information contained in a document which a public authority has the duty of disclosing to an applicant, the public authority concerned shall allow the applicant access only to a part of the document which contains the extracted information and advise him/her that the remainder of the document is not available.

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

Answer

Article 16, Paragraph ~~10~~12 of the LFAIPI specifies that if a public authority refuses to inform an applicant, either entirely or partially, whether it holds the requested information, to grant an applicant access to a document containing the requested information or to issue or send to an applicant a copy of the document, it shall have the duty to pass, without delay, and within 15 days of receipt of the request at the latest, a decision rejecting the request and provide rationale for such decision in writing, and shall furthermore be required to notify the applicant of the available relief against such decision.

(g) With respect to paragraph 8, measures taken to ensure that the requirements on charging are met.

Answer

- Article 17, Paragraph 1 of the LFAIPI stipulates that access to a document containing requested information shall be granted free of charge. A copy of a document containing requested information shall be issued to the applicant, charging him/her with only the basic costs of reproduction, while if such copy is delivered to the applicant, he/she shall also be required to reimburse any delivering-related costs in accordance with the bill of charges adopted by the government. Article 17, Paragraph 41 of the Law on Free Access to Information of Public Importance defines the cases in which applicants shall be exempted from the duty of reimbursing costs. Thus, it is specified that the exemption refers, among others, to all persons who request information regarding a threat to, or protection of, public health and environment.

VIII. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 4

Describe any obstacles encountered in the implementation of any of the paragraphs of article 4.

Answer

-Obstacles in the work of the Commissioner for Information of Public Importance and Personal Data Protection:

-The number of complaints filed with the Commissioner for violations of the right to access environmental information in relation to the total number of complaints filed is increasing year by year, starting from 1.40% in 2018 to 2.98% in 2024, which indicates a deterioration in the situation in this area.

-The number of complaints resolved annually by the Commissioner regarding complaints regarding violations of the right to access environmental information is generally lower than the number of complaints received in this area. The reason for this lies in the enormous workload of the Commissioner's Office, the influx of cases that is growing year by year, the insufficient number of employees, and, above all, due to the enormous abuse of the right to access information.

-The largest number of complaints is filed against ministries and local government bodies, which are responsible for performing state administration tasks related to the system of environmental protection and improvement, or which are entrusted with tasks related to environmental protection.

- The data regarding complaints filed due to the "silence of the administration" and unimplemented decisions of the Commissioner are particularly worrying. The percentages of complaints filed due to the silence of authorities on requests for access to environmental information in relation to the total number of complaints filed due to violations of the right to access this information range from 47.32% in 2021 to as much as 81% in 2019 (In 2018, this percentage was 50%, in 2020, 52.77%, in 2022, 69%, in 2023, 59.35% and in 2024, 55.78%).

The percentage of unenforced decisions of the Commissioner ordering the making available of requested environmental information is also high, ranging from 23.5% in 2018 to as much as 56.60% in 2022 (the exception being 2020, when all decisions of the Commissioner were enforced). However, the good thing is that the latest legal amendments have eliminated systemic problems related to the possibility of enforcing the Commissioner's decisions, so progress has already been noted in 2023 and 2024, i.e. the number of unenforced decisions has decreased, which was 9.09% in 2023 and 13.04% in 2024. Although the percentage of unenforced decisions is still high, the data shows that it is a good solution, and the Commissioner has been authorized to submit requests for initiating misdemeanor proceedings against heads of authorities in the event of non-enforcement of decisions.

The largest number of complaints is filed by citizens' associations dealing with environmental protection, which is logical to expect.

An analysis of the information requested in complaints indicates that the public is often forced to request information that should be available to the public on a proactive basis (active information), i.e., information that is prescribed to be publicly published without a special request from the party.

a) The authorities do not meet the deadlines for answering requests for information.

b) During 2015, amendments to LEP eliminated the lack of harmonization between this law and LFAIPI, thus eliminating the obstacle that represented a serious impediment during the preceding period to the consistent implementation of the Aarhus Convention as guaranteed in the legal system of our country by the Constitution, due to the existence of a parallel system of access to information of public importance - one in the field of environmental protection, and another in other walks of public life.

c) Understaffing in the competent bodies

e) A technical problem that arises in the process of acquiring information following a request, because in some situations information is requested about the documents after the period during which they had to be kept has expired. Such documents are then taken away and destroyed.

d) During the public debate, was particularly highlighted that exist the need to regulate the issue of confidentiality of commercial and industrial information related to the development and implementation of the environmental impact assessment study.

-Certain associations consider that access to information in the field of environment protection has progressed, bearing in mind that both the Constitution and the laws of the Republic of Serbia contain measures that guarantee access to information. But the process of accessing information is long and exhaustive and the measures do not show good enough results. The number of requests for access to information in the field of environment protection is growing; however the number of instances of “the silence of administration” is also growing.

-Certain associations consider that public enterprises, in most cases, regardless of who their founder is, do not provide access to information in an appropriate way, which is very problematic given that public enterprises are responsible for managing a large number of commons (forest, water, land) in the Republic of Serbia.

-Certain associations believe that the citizens of Serbia are still insufficiently informed about the status of the environment, especially when they need to obtain information from economic entities, as well as from public authorities that are not directly related to environmental protection. In general, citizens are not sufficiently aware of the possibility to request information on the status of the environment and local governments do not sufficiently promote these measures.

-Certain associations believe that there are certain restrictions on people seeking information about the environment, particularly at the local level.

-Certain associations consider that the mechanism of access to information of public importance in accordance with the Law on Free Access to Information of Public Importance is functional, with occasional ignoring of requests for information of public importance by certain administrative bodies.

-Certain associations believe that public authorities tend to interpret the legal deadline of forty (40) days stipulated for the issuance of information of public importance in situations when, for justified reasons, they cannot act within fifteen (15) days, more often as a rule than as an exception. Also, it can be noticed that a significant number of public authorities act upon the applicant's request only after a complaint has been submitted to the Commissioner for Access to Information of Public Importance and his intervention. A particularly aggravating circumstance is that the Law on Free Access to Information of Public Importance does not provide for the possibility that, due to the silence of the high level authorities, the information seeker may address the Commissioner for Access to Information of Public Importance, but instead he/she is to file a lawsuit before the Administrative Court, which further prolongs the process of obtaining information. This is particularly significant in situations when the requested information refers to the documentation whose urgent obtaining is considered particularly important due to the prescribed deadlines within which the applicant must act in order not to lose any right he is entitled to and which is important for deciding in the procedure. Also, certain public enterprises often reject requests for access to information of public importance, stating that

the delivery of such information would make available the documents whose delivery could hinder achieving of the legitimate economic interests of the public enterprise.

-Certain associations believe that although the associations have used all possible legal means and opportunities, the requested information/documents are not provided in certain cases.

-Certain associations believe that an aggravating circumstance is that the Law on Free Access to Information of Public Importance does not provide for the possibility that, due to the silence of the public authority, the information seeker must contact the Commissioner for Access to Information of Public Importance, but must instead file a lawsuit with the Administrative Court, which further prolongs the process of obtaining information, taking into account the efficiency of the judiciary.

-Certain associations believe that information is most often denied to requesters on the grounds that there is an abuse of rights by the requester, that the information is confidential, or that providing information would violate someone's privacy, all of which, very often, without adequate reasoning.

-In a large number of procedures initiated upon a request for access to information of public importance, it happens that a public authority refuses to provide access to the information, in the form of a "letter". Namely, the provisions of the Law on Free Access to Information of Public Importance stipulate that if a public authority refuses to fully or partially inform the requester about the possession of the information, to provide him with a document containing the requested information, to issue him with or send him a copy of that document, it is obliged to issue a decision rejecting the request without delay, and no later than within 15 days of receiving the request, and to explain that decision in writing, as well as to refer the requester to the legal remedies that he may avail himself of against such a decision. The purpose of prescribing such a provision is precisely the legislator's intention to ensure that the information seeker receives a clear explanation of the impossibility of providing him with access to the requested information, but that he is necessarily provided with the right to a legal remedy against such a decision. A legal remedy implies a two-stage process, through the possibility of filing a complaint (or lawsuit) if the response is unsatisfactory or turns out to be illegal. Therefore, a request cannot be rejected by a letter indicating that access to the information will not be granted, which does not contain elements of a solution (such as a justification) or instructions on a legal remedy. However, authorities avoid making decisions precisely for the aforementioned reasons.³

-Certain associations believe that one of how public authorities cite as a reason for not providing information is to respond to a request for access to information with instructions to specify the information, despite the fact that the request contains all the elements in accordance with Article 15, paragraph 2 of the Law on Free Access to Information of Public Importance, which stipulates that the request must contain "the name of the authority, the name, surname and address of the requester and a precise description of the information".

-Certain associations state that certain public authorities refuse to provide information on projects, citing the confidentiality of data as a reason for excluding the right to access information of public importance, i.e. Article 9, paragraph 1 (5) of the Law on Free Access to Information of Public Importance, with the explanation that the requested information constitutes a business or professional secret, the disclosure of which could result in serious

³ Report on the work of the Commissioner for Information of Public Importance and Personal Data Protection for 2021, 26

legal or other consequences for interests protected by law that outweigh the public's interest in knowing.

IX. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 4

Provide further information on the practical application of the provisions on access to information in article 4, e.g. are there any statistics available on the number of requests made, the number of refusals and the reasons for such refusals?

Answer

PROCEEDINGS OF THE COMMISSIONER ON COMPLAINTS RELATED TO ENVIRONMENTAL INFORMATION

-1. Statistical data for 2020

In 2020, a total of 3281 new complaints were filed with the Commissioner, of which 88 complaints (2.68%) concerned access to environmental information. In that year, 72 complaints were resolved in which the subject of the access to information request was access to environmental information.

In terms of resolved complaints, 15 complaints were against local government bodies, six against local public enterprises, 17 against ministries, one against independent state bodies and bodies, three against provincial bodies, two against judicial bodies, 15 against republican public enterprises, eight against republican directorates, institutes, funds, etc., two against institutions in the field of science, culture and information, two against institutions in the field of health and one against other authorities.

Of these, 38 complaints were filed due to the silence of the administration at the request of the complainant (52.77%), 14 complaints were against the response of the authorities (19.44%), six complaints were filed against the decision contained in the act (8.33%), and 14 against the conclusion or resolution of the authorities (19.44%).

The requested information in most cases related to: air pollution; work of competent inspections regarding environmental accidents and other actions of project holders that endanger the environment; conditions for the operation of mini-hydropower plants; waste management; environmental impact assessment studies; water quality; soil condition, soil and wastewater monitoring; disposal of industrial and hazardous waste, information on investment projects that may have a significant impact on environmental protection.

The complainants were citizens in 25 cases, the media in 5, citizens' associations in 41, mainly those dealing with ecology and a few with anti-corruption, and one complaint was filed by a lawyer.

The complaints were resolved as follows:

- four complaints were rejected for formal reasons;

- in three cases, the complaint was rejected as unfounded;

- in 31 cases, the procedure was suspended ex officio or due to the complainant withdrawing the complaint, because the authority acted upon the request for access to information after the complaint was filed with the Commissioner;

- in a total of 21 cases, the Commissioner ordered the first-instance authorities to make the requested information available to the complainants (all decisions were implemented (100%);

- in five cases, the acts of the first-instance authorities were annulled (decisions contained in the act, decisions and conclusions) and the cases were returned for re-decision;

- in eight cases, the acts of the first-instance authorities were annulled (decisions contained in the act, decisions and conclusions).

-2. Statistical data for 2021

In 2021, a total of 5,175 new complaints were filed with the Commissioner, of which 129 complaints (2.49%) concerned access to environmental information. In that year, 131 complaints were resolved in which the subject of the request for access to information was access to environmental information.

Considered in relation to resolved complaints, 64 complaints were against local government bodies, eight against local public enterprises, 18 against ministries, three against provincial bodies, one against judicial bodies, 19 against republican public enterprises, 11 against republican directorates, institutes, funds, etc., three against institutions in the field of economy, agriculture, forestry and water management, one against institutions in the field of health and three against institutions of higher education. Of these, 62 complaints were filed due to the silence of the administration at the request of the complainant (47.32%), 42 complaints were against the response of the authority (32.06%), five complaints were filed against the decision contained in the act (3.81%), and 22 against the conclusion or resolution of the authority (16.79%).

The requested information mostly related to the "Jadar" project of the Rio Tinto company; the work of the competent inspections and the supervision of major polluters; operation of mini-hydropower plants; air pollution; waste management; environmental impact assessment studies; noise pollution; water quality and information on approved financing of projects in the field of environmental protection.

The complainants were: lawyers in one case, citizens in 51 cases, the media in seven cases, citizens' associations in 71 cases (mainly dealing with ecology and a few of them with anti-corruption), and a political party in one case.

The complaints were resolved as follows:

- 13 complaints were rejected for formal reasons;

- in 16 cases, the complaint was rejected as unfounded;

- in 42 cases, the procedure was suspended ex officio or due to the complainant's withdrawal of the complaint, because the authority acted upon the request for access to information after the complaint was filed with the Commissioner;

- in two cases, the authority was ordered to act upon the request of the applicant, without deciding on the merits of the request;

- in a total of 47 cases, the Commissioner ordered the first-instance authorities to make the requested information available to the complainants (of which 32 decisions were implemented (68.08%), 13 were not implemented (27.65%), and two were partially implemented (4.25%));

- In 11 cases, the acts were annulled by first-instance bodies (decisions contained in the act, resolutions, and conclusions) and cases returned for re-decision.

-3. Statistical data for 2022

In 2022, a total of 9214 new complaints were filed with the Commissioner, of which 258 complaints (2.80%) concerned access to environmental information. In that year, 200 complaints were resolved in which the subject of the access to information request was access to environmental information.

In terms of resolved complaints, 56 complaints were against local government bodies, eight against local public enterprises, 87 against ministries, one against independent state bodies, four against provincial bodies, one against judicial bodies, 25 against republican public enterprises, nine against republican directorates, institutes, funds, etc., two against institutions in the field of science, culture and information, five against institutions in the field of health, one against higher education institutions and one against other government bodies.

Of these, 138 complaints were filed due to the administration's silence at the complainant's request (69%), 27 complaints were against the government body's response (13.5%), eight complaints were filed against the decision contained in the act (4%), and 27 against the conclusion or decision of the government body (13.5%).

The requested information mainly related to the work of the competent environmental protection inspectorates and the measures they took; the operation of mini-hydropower plants; waste management; environmental impact assessment studies; strategic environmental impact assessments; water quality; issued permits for the management of industrial, hazardous and non-hazardous waste; wastewater monitoring; soil monitoring; measurements from stationary sources of pollution; information regarding the construction of the Kolubara thermal power plant; the "Jadar" project; tree felling; failure to obtain documents related to public policies in the field of environmental protection, etc.

The complainants were lawyers in three cases, citizens in 85 cases, the media in five, and environmental citizen associations in 107 cases.

The complaints were resolved as follows:

- five complaints were dismissed for formal reasons;

- in five cases, the complaint was rejected as unfounded;

- in 55 cases, the procedure was suspended ex officio or due to the complainant withdrawing the complaint, because the authority acted upon the request for access to information after the complaint was filed with the Commissioner;

- in 54 cases, the authority was ordered to act upon the request of the applicant, without deciding on the merits of the request;

- in a total of 53 cases, the Commissioner ordered the first-instance authorities to make the requested information available to the complainants (of which 23 decisions were implemented (43.39%), and 30 were not implemented (56.60%);

- 26 decisions were issued annulling the act of the first-instance authority (decision, conclusion of the authority, or decision contained in the act) and returning the case for retrial;

- two decisions annulling the act of the first-instance authority (decision, conclusion of the authority, or decision contained in the act).

Actions of the Commissioner in connection with new powers to issue misdemeanor orders and submit requests for initiating misdemeanor proceedings

Since 17.02.2022, when the Law on Amendments and Supplements to the Law on Free Access to Information of Public Importance began to be implemented, i.e. since the

Commissioner received new powers, eight requests for initiating misdemeanor proceedings were filed, of which only in one case was a request for initiating misdemeanor proceedings due to failure to implement a decision ordering the making available of environmental information, against a responsible person in the City Administration of the City of Valjevo. In the same period, a total of 126 misdemeanor orders were issued, of which 35 (27.77%) were for “administration silence” upon requests requesting access to environmental information.

Misdemeanor orders due to “administration silence” upon requests requesting access to environmental information were issued to authorized persons employed in the following public authorities:

- EDB, one misdemeanor order issued;
- City of Valjevo City Administration, four misdemeanor orders issued;
- Mayor of the Municipality of Mionica, one misdemeanor order issued;
- Corridors of Serbia, one misdemeanor order issued;
- PE Srbijagas, one misdemeanor order issued;
- Ministry of Environmental Protection, 26 misdemeanor orders issued;
- Ministry of Health, one misdemeanor order issued.

4. Statistical data for 2023

In 2023, a total of 16,704 new complaints were filed with the Commissioner, of which 324 complaints (1.93%) concerned access to environmental information.

In that year, 155 complaints were resolved in which the subject of the request for access to information was access to environmental information.

In terms of resolved complaints, 54 complaints were against local government bodies, 13 against local public enterprises, 62 against ministries, 1 against the highest state bodies, 1 against judicial bodies, 9 against republican public enterprises, 2 against republican directorates, institutes, funds and etc., 1 against institutions in the field of science, culture and information, 1 against institutions in the field of health, 3 against institutions of higher education, 7 against institutions in the field of economy, agriculture, forestry and water management and 1 against other authorities.

Of these, 92 complaints were filed due to the silence of the administration upon the complainant's request (59.35%), 40 complaints were against the response of the authorities (25.80%), 15 complaints were against the notification with elements of the decision (9.67%), 6 complaints were filed against the decision of the authorities (3.87%) and 2 complaints were against costs (1.29%).

The requested information mainly related to the work of the competent environmental protection inspectorates and the measures they took; polluting emissions into the air; waste management, especially hazardous waste; environmental impact assessment studies that should have been proactively published; strategic environmental impact assessments that should be proactively published; water quality; the Jadar project, inspection measures regarding construction on the Sava Embankment, etc.

The complainants were lawyers in three cases, citizens in 77 cases, the media in one, environmental citizen associations in 68 cases, 4 political parties and 2 others.

The complaints were resolved as follows:

- eight complaints were rejected for formal reasons;
- in 16 cases the complaint was rejected as unfounded, with one of those complaints being rejected due to the protection of the public interest;

- in 50 cases the procedure was suspended ex officio or due to the complainant's withdrawal of the complaint, because the authority acted on the request for access to information after the complaint was filed with the Commissioner;

- in 41 cases, the authority was ordered to act upon the request of the applicant, without deciding on the merits of the request;

- in a total of 22 cases, the Commissioner ordered the first-instance authorities to make the requested information available to the complainants (of which 20 decisions were implemented (90.90%), and 2 were not implemented (9.09%);

- 16 decisions were issued annulling the act of the first-instance authority (decision, conclusion of the authority or decision contained in the act) and returning the case for retrial;

- two decisions approving the request for reimbursement of costs.

Against these decisions of the Commissioner, 23 lawsuits were filed with the Administrative Court, according to the information available to the Commissioner, as follows: 12 against the decision to suspend the procedure, 6 against the decision to reject the appeal as unfounded, 1 against the decision to dismiss the appeal due to public interest, 3 against the decision ordering the action to be taken upon the request and 1 against the decision ordering the authority to act upon at the request of the complainant.

During 2023, 43 requests were submitted to initiate misdemeanor proceedings, of which 4 cases involved a request to initiate misdemeanor proceedings due to failure to implement a decision ordering the making available of environmental information, three against the Ministry of Environmental Protection, and one against a responsible person in the Public Enterprise "Srbijagas".

In the same period, a total of 383 misdemeanor orders were issued, of which 40 (10.44%) were due to "administration silence" upon requests requesting access to environmental information.

Misdemeanor orders due to "administration silence" upon requests requesting access to environmental information were issued to authorized persons employed in the following public authorities:

- City of Leskovac - City Administration, two misdemeanor orders issued;

- City of Smederevo - City Administration, three misdemeanor orders issued;

- City of Valjevo- City Administration, one misdemeanor order issued;

- Mayor of Bački Petrovac Municipality, one misdemeanor order issued;

- Corridors of Serbia, one misdemeanor order issued;

- Ministry of Environmental Protection, 26 misdemeanor orders issued;

- Ministry of Mining and Energy, two misdemeanor orders issued;

- PWW Leskovac doo, one misdemeanor order issued;

- PUC Stari grad Šabac, one misdemeanor order issued;

- Faculty of Technology and Metallurgy, one misdemeanor order issued and

- ZOO hygiene Čuprija, one misdemeanor order issued.

5. Statistical data for 2024

In 2024, a total of 10,911 new complaints were filed with the Commissioner, of which 326 complaints (2.98%) were the subject of a request for access to information was access to environmental information.

In that year, 147 complaints were resolved in which the subject of the request for access to information was access to environmental information.

When viewed in relation to resolved complaints, 69 complaints were against local government bodies, 11 against local public enterprises, 40 against ministries, 1 against the highest state bodies, 1 against judicial bodies, 5 against republican public enterprises, 8 against republican directorates, institutes, funds, etc., 1 against institutions in the field of science, culture and information, 4 against institutions in the field of health, 4 against institutions of higher education, 3 against institutions in the field of economy, agriculture, forestry and water management. Of these, 82 complaints were filed due to the silence of the administration upon the complainant's request (55.78%), 52 complaints were against the response of the authorities (35.37%), 3 appeals were filed against the decision contained in the act (2.04%), 8 appeals against the conclusion or decision of the authority (5.44%) and 2 appeals against costs (1.36%).

The requested information mainly related to waste management, environmental impact assessment studies, strategic environmental impact assessments, water quality, measurements from stationary sources of pollution, the "Jadar" project, demolition of the "Jugoslavija" hotel, and information related to the spatial plan.

The complainants were lawyers in 2 cases, citizens in 88 cases, the media in 10, citizens' associations dealing with ecology in 46 cases, and 1 authority.

The complaints were resolved as follows:

- in 16 cases, the complaint was rejected as unfounded;
- eight complaints were rejected due to formal deficiencies;
- in 71 cases, the procedure was suspended ex officio or due to the complainant's withdrawal of the complaint, because the authority acted on the request for access to information after the complaint was filed with the Commissioner;
- in 21 cases, the authority was ordered to act on the request of the applicant, without deciding on the merits of the request;
- in a total of 23 cases, the Commissioner ordered the first-instance authorities to make the requested information available to the complainants (of which 20 decisions were implemented (86.95%), and 3 were not implemented (13.04%);
- 5 decisions annulling the act of the first-instance authority (decision, conclusion, notification with elements of the decision) and returning the case for re-trial;
- 1 decision annulling the decision of the authority;
- 2 decisions on the adoption of costs.

A total of 29 lawsuits were filed with the Administrative Court against these decisions of the Commissioner, according to the information available to the Commissioner, as follows: 9 against the decision to suspend the procedure, 8 against the decision to reject the appeal as unfounded, 11 against the decision ordering action upon the request, and 1 against the decision to reject.

During 2023, 99 requests were filed to initiate misdemeanor proceedings, none of which were based on a decision issued upon an appeal whose subject matter was environmental protection.

In the same period, a total of 802 misdemeanor orders were issued, of which 12 (1.49%) were for "administration silence" upon requests seeking access to environmental information.

Misdemeanor orders for “administration silence” upon requests seeking access to environmental information were issued to authorized persons employed in the following public authorities:

- City of Belgrade- City Administration, one misdemeanor order issued;
- Pharmacy Institution Belgrade, one misdemeanor order issued;
- Municipal Administration of the Municipality of Kladovo, one misdemeanor order issued;
- Preschool Institution, “Boško Buha Indija”, one misdemeanor order issued;
- Preschool Institution, “Naša radost” Varvarin, one misdemeanor warrant;
- Ministry of Environmental Protection, 5 misdemeanor warrants issued;
- PE Komunalac Bujanovac, one misdemeanor warrant issued and
- PUC "Zelenilo", one misdemeanor warrant issued.

- Article 1 of the Law on Prohibition of Discrimination introduces the Commissioner for the Protection of Equality as an autonomous public authority body performing his duties independently. The duties of the commissioner are defined in Article 33 of this law and include, among other things, monitoring the implementation of the law, putting forward initiatives for adopting and amending laws with the aim of providing and improving the protection against discrimination, giving opinions about draft versions of laws and other regulations, etc.

- In [20172021](#), the MEP considered the requests submitted by: associations ([75111](#)), citizens ([2056](#)), media ([28](#)), public authorities ([21](#)), others ([2](#)). In [4617](#) cases, complaint was lodged to the Commissioner for Information of Public Importance.

- In [20182022](#), the MEP considered the requests submitted by: associations ([28104](#)), citizens ([8874](#)), media ([1114](#)), public authorities ([3](#)), others ([7](#)). In [98](#) cases, complaint was lodged to the Commissioner for Information of Public Importance.

- In [20192023](#), the MEP considered the requests submitted by: associations ([63148](#)), citizens ([84127](#)), media ([124](#)) political parties, ([2](#)), public authorities ([1](#)), others ([15](#)). In [258](#) cases complaint was lodged to the Commissioner for Information of Public Importance.

- In [2024](#), the MEP considered the requests submitted by: associations ([110](#)), citizens ([162](#)), media ([10](#)), public authorities ([1](#)), political parties ([3](#)), others ([2](#)). In [20](#) cases, complaint was lodged to the Commissioner for Information of Public Importance.

~~- In accordance with the provisions of the Law on Free Access to Information of Public Importance, 24 requests for access to information of public importance were submitted to the Secretariat for Environmental Protection of the City of Belgrade in 2017. The most frequently asked questions were related to: public private partnership in providing municipal waste treatment and disposal services in the Vinča landfill, construction of mobile phone base stations, City of Belgrade Development Strategy 2017-2021, use of the budget funds of the City of Belgrade for environmental protection, construction of motor vehicle fuel supply stations, etc. In 2018, 16 requests for access to information of public importance were submitted. The most frequently asked questions were related to: public-private partnership in providing municipal waste treatment and disposal services in the Vinča landfill, implementation of contracts in specific stages, allocation of funds from the Belgrade budget to citizens' associations, use of the budget funds of the City of Belgrade for environmental protection. During 2019, 10 requests for access to information of public importance were submitted. The most frequently asked questions were related to: public-~~

~~private partnership in providing municipal waste treatment and disposal services in the Vinča landfill, implementation of contracts in specific stages, protected natural goods, use of the budget funds of the City of Belgrade for environmental protection. All requests were acted upon in a timely manner.~~

~~—In 2017 the Commissioner's service received 34 complaints related to environmental protection, or 0.92% of the total of 3680 complaints received. In 2018 there were 40 complaints received related to environmental protection, or 1.19% of the total of 3346 complaints received. In 2019 there were 85 complaints received related to environmental protection, or 1.61% of the total of 5275 complaints received. Between the beginning of 2020 and 31 May 2020, there were 14 complaints received related to environmental protection, amounting to 1.40% of the total of 1001 complaints received. Statistical data indicates that the most frequent reasons for denying the requested information are: data secrecy, abuse of the right by seekers and violation of the right to privacy.~~

~~—The Commissioner submitted initiatives to the Ministry of Public Administration and Local Self Government for the implementation of supervision over the application of LFAIPI and initiating misdemeanour proceedings against the persons responsible in the public authority, namely: During 2017—251 initiatives, during 2018—489 initiatives, during 2019—353 initiatives and by June 2020—114 initiatives (data refer to all public authorities).~~

~~—Characteristic cases of filing complaints to the Commissioner were due to the silence of the administration of public authorities when requested:~~

~~—copy of the National Emission Reduction Plan (NERP) by the previous Ministry of Agriculture and Environmental Protection;~~

~~—report on checking the geomechanical stability of working slopes by the Ministry of Mining and Energy of the Republic of Serbia;~~

~~—information from the Ministry of Environmental Protection whether it has a request for the need to prepare a Study on Environmental Impact Assessment of the Preliminary Design for providing the necessary quantities of coal for the operation of existing TPPs in Kostolac.~~

- In 2012, former MEDEP and the Environmental Protection Agency, with the support of the OSCE (Mission to Serbia), launched a project to create the first National Metaregister for Environmental Information. The project is being implemented in order to implement the Strategy for the Implementation of the Aarhus Convention. The first National Metaregister for Environmental Information, i.e. Ecoregister, is in electronic form, and it is actually a database and a web portal with links to the existing databases and documents with information referring to the environment which are available on-line. Ecoregister contains information kept by the competent ministries and other government agencies and organizations, municipal and city authorities dealing with the environmental matters and the management of protected areas, as well as all the available data on the flora and fauna, pollutants, the degree of air, water and soil pollution, etc. The main objective of Ecoregister is to provide the public an easy, quick and user-friendly access to information about the environment and improve the general accessibility of information to the public in this area. In terms of information that is not available in electronic or some other form, the Ecoregister will refer its users to the relevant institution which is responsible for the collection and publication of such data, provide the contact information of the competent person in the particular institution and a description of the procedures for submitting

requests for the access to the requested information or document. The Ecoregister is created as a sub-domain on the website of the Environmental Protection Agency at the following address: <http://www.ekoregistar.sepa.gov.rs>. During the 2013th the project on the improvements and updates of the Ecoregister was implemented. In the period from 2013 to 2020 the Eco-register ~~is-was~~ updated once a year. The Environmental Protection Agency is working on collecting updated data and developing a new version of the Ecoregister.

- The SCTM network of eco-commissioners was established in order to obtain verified data from town and municipal administrations on employees in the sector of environmental protection who want to participate in the work of the Network. The SCTM network of eco-commissioners brings together all employees in town and municipal administrations who work in the sector of environmental protection, environmental protection inspectors and several heads of departments and chief of sections of departments and sections that deal with the environmental protection issues within their scope of work. The engagement in the Network is voluntary and it is a part of everyday job duties. The Network is a communication form that should contribute to the better exchange of all types of information and data in the field of environmental protection. It is a two-way communication used for faster and more efficient exchange of data important for preparation of practical policies and plan and strategic documents and identification of needs of local self-government units in the implementation of regulatory framework at local level. The first meeting of the Eco-Commissioner Network was held on 10 October 2013 in Belgrade. Currently, 259 members from 161 town and municipal administration are involved in the Network activities.

-The INCVP has appointed an authorised person for free access to information of public importance. Information on issued information of public importance for the period 2017-2021-2020-2024 is published in the newsletters and can be found on the INCVP website as well as on the Portal for submitting annual reports of the Office of the Commissioner for Information of Public Importance. The number of issued information of public importance in the observed period is 9726, out of which for 2017-2021 it is (46), for 2018-2022 also (625), in 2019-2023 (4014) information articles were issued, while by June Octobre 2020-2024 (412) information of public importance were issued. The largest number of information seekers were environmental citizens' associations, (17), business organisations (3), followed by citizens (2), media (2), public authorities (1) and others (1). ~~Pursuant to the Law on Free Access to Information of Public Importance, in the period from 2017 to 30 June 2020, the INCS received a large number of requests, according to the following review: In 2017, a total of 23 requests were sent, 5 of which were sent by the citizens, 3 by media representatives, 10 by citizens' associations and 3 by other information seekers. Also, in accordance with the Law on Free Access to Information of Public Importance, the Commissioner submitted 2 decisions based on the appeals filed by information seekers, and the INCS duly acted upon them. During 2018, a total of 39 requests were sent, 13 of which were sent by the citizens, 14 by media representatives, 9 by citizens' associations and 3 by other information seekers. Also, in accordance with the Law on Free Access to Information of Public Importance, the Commissioner submitted 1 decision based on the appeal filed of information seekers, and the INCS acted properly upon them. In 2019, the INCS received a total of 40 requests, 21 of which were sent by the citizens, 15 by media representatives, 3 by citizens' associations and the Commissioner sent 1 request asking for a statement on the submitted appeal by a non-governmental~~

~~organisation. A total of 14 requests were submitted by 30 June 2020, 7 of which were sent by the citizens, 5 by media representatives, 1 by citizens' associations and 1 by other information seekers. There is a noticeable increase in the number of requests sent by the citizens, as well as by media representatives, whereas the number of requests submitted by citizens' associations is declining. In general, all submitted requests were met.~~

- Based on the Law on Consumer Protection, and aiming to improve the system of consumer protection and cooperation among competent bodies, organizations and other bearers of consumer protection, the Government formed the National Council for Consumer Protection in 2017 (Official Gazette of the Republic of Serbia No. 36/17). This governmental body was established to improve the system of consumer protection and consumer protection cooperation holders and other entities dealing with consumer protection. National Council for Consumer Protection is comprised of representatives of ministries and other state bodies and public authorities, associations and alliances for consumer protection, chambers of commerce and professional chambers, as well as representatives of the professional public. The task of this government body is, inter alia, to report to the public on all issues of importance for consumer protection. Likewise, the National Council may request data, notifications and reports from other state bodies and organizations regarding issues of importance for consumer protection policy, such as in cases of founded suspicion of jeopardizing the rights of consumers to safety, i.e. that the protection of consumers from goods and services hazardous for life, health, property or the environment, or from goods prohibited for possession or use, is jeopardized.

~~In the first quarter of 2019, the Standing Conference of Towns and Municipalities conducted a survey on the situation in the environmental protection sector at the local level in Serbia. The subject of the survey was, among other things, to determine whether a "Green Council" or other mechanism for the implementation of the Aarhus Convention was established in local self-government units. The results from the surveyed local self-government units showed the following: slightly more than a fifth of the surveyed local self-government units (12 out of 55, or 22%) established the "Green Council" or a similar mechanism for informing the citizens about environmental issues. In cooperation with the association "Ecological Movement of Odžaci" and with the support of MEP and the Municipality of Odžaci, the association "Let's save Vojvodina" published a publication-guide "Practical Application of the Aarhus Convention". After a promotion held on 15 November 2018, 700 copies of the publication were sent to ecological associations throughout Serbia. The publication is intended primarily for ecological associations and refers to instructions for the application of the Aarhus Convention. The publication provides basic information on the procedure for obtaining information of public importance, as well as information on administrative and judicial proceedings, if the requested information is not obtained. Examples from practice are provided for all stated procedures.~~

-In 2023, in partnership with the Commissioner for Information of Public Importance and Personal Data Protection, the OSCE Mission to Serbia organized an awareness-raising campaign to promote the recent amendments to the Law on Access to Information of Public Importance. The campaign included the development of the publication Achieving Rights to Environmental Information which focuses on the first pillar of the Aarhus Convention - public access to environmental information (<https://www.poverenik.rs/sr-yu/publikacije/prirucnici/4015-publikacija-ostvarivanje-prava-na-pristup->

[ekolo%C5%A1kim-informacijama.html](#)) and provides a clear overview of the amended legal framework and the expanded rights it guarantees. As part of the campaign, four seminars were held in Belgrade (30 June 2023), Novi Pazar (20 October 2023), Kragujevac (3 November 2023) and Subotica (23 November 2023), bringing together 81 participants, including representatives of academia, local government, environmental institutions, civil society, journalists and the interested public. The seminars explored the current state of access to environmental information, common challenges in exercising these rights, and the Commissioner's new powers to enforce compliance, highlighting the media's role in raising public awareness. These events served as a valuable platform for discussion and contributed to a greater understanding of the strengthened legal guarantees for public access to environmental information.

-When enacting the Law on Free Access to Information of Public Importance, the legislator stipulated the obligation of public authorities to provide information regarding certain legally prescribed goods that are of particular importance (protection of life or freedom of a person, endangerment or protection of the health of the population or the environment) within 48 hours of receiving the request. The legal rationale for prescribing this provision lies in the importance of the legally prescribed goods to which the requested information relates, and the possible consequential damage that would require further urgent and immediate action. As an example of good practice, the RERI association highlights the example of providing information regarding the project for constructing a bypass around Novi Sad with a bridge over the Danube River on the route of state road IIA class No. 111, as provided by the Provincial Institute for Nature Protection. Also, the Ministry of Environmental Protection acted within the specified deadline, regarding the request for the submission of information of public importance related to the potential threat to the environment, all in connection with the project to build a new bridge on the site of the old Sava Bridge in Belgrade. In this regard, the RERI association points out that the above example is not an isolated case and that in similar situations, other authorities have acted within the specified deadline.

X. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 4

Give relevant web site addresses, if available:

www.poverenik.rs/

Commissioner for Information of Public Importance and Personal Data Protection

www.ekologija.gov.rs

[Ministry of Environmental Protection](#)

www.minpolj.gov.rs

[Ministry of Agriculture, Forestry and Water Management](#)

www.kultura.gov.rs

Minister of Culture ~~and Media~~

<http://www.mduls.gov.rs/>

Ministry of Public Administration and Local Self-Government

<http://www.mpravde.gov.rs/lt/>

Ministry of Justice

www.zdravlje.gov.rs

Ministry of Health

<http://www.mgsi.gov.rs/>

Ministry of Construction, Transport and Infrastructure

www.minrzs.gov.rs

Ministry of Labor, Employment, Veterans and Social Issues

www.mtt.gov.rs

Ministry of Trade, Tourism and Telecommunications

www.mpn.gov.rs

Ministry of Education, Science and Technological Development

www.mup.gov.rs

Ministry of the Interior

www.mod.gov.rs

Ministry of defence

www.hidmet.gov.rs

Hydrometeorological Institute of the Republic of Serbia

<http://www.ekourb.vojvodina.gov.rs/>

Secretariat for Urbanism and Environmental Protection of the Autonomous Province of Vojvodina

<http://www.aarhus.org.rs/>

Aarhus Centre Kragujevac

http://www.begrad.rs/lat/sekretarijat-za-zastitu-zivotne-sredine_3/ ;

Secretariat for Environmental Protection of the City of Belgrade

www.zdravlje.org.rs

Public Health Institute of the City of Belgrade

<http://www.nepro.gov.rs/default.aspx>

Information about unsafe products

<http://www.ekoregistar.sepa.gov.rs>

Ecoregister

XI. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON THE COLLECTION AND DISSEMINATION OF ENVIRONMENTAL INFORMATION IN ARTICLE 5

List legislative, regulatory and other measures that implement the provisions on the collection and dissemination of environmental information in article 5.

Answer

- Law on Consumer Protection (Official Gazette of the Republic of Serbia No. ~~6288/14~~~~21~~, ~~6/16~~ and ~~44/18~~)

- Law on Ministries (Official Gazette of the Republic of Serbia No. ~~128/20~~, ~~116/22~~ and ~~92/244/14~~, ~~14/15~~, ~~54/15~~, ~~96/15~~ and ~~62/17~~) (ZM)

- Law on Environmental Protection

- Law on Protection against Environmental Noise (Official Gazette of the Republic of Serbia No. ~~96/2188/10~~)

- Law on Packaging and Packaging Waste (Official Gazette of the Republic of Serbia No. 36/09 and 95/18)

-Law on Waste Management; Law on the Protection against Ionising Radiation and on Nuclear Safety; Law on Air Protection, Law on Waters, Law on Forests, Law on Protection and Sustainable Use of Fisheries, Law on the Protection against Ionising Radiation and on Nuclear Safety, Law on Waste Management, Law on Protection against Environmental Noise, Law on Chemicals, Law on Biocidal Products, Law on Genetically Modified Organisms

- Law on Disaster Risk Reduction and Emergency Management (Official Gazette of the Republic of Serbia No. 87/18)

- Law on Fire Protection (Official Gazette of the Republic of Serbia No. 20/15, 87/18 and 87/18)

- Law on Occupational Safety and Health

- Law on Official Statistics (Official Gazette of the Republic of Serbia No. 104/09)

- Law on Food Safety (Official Gazette of the Republic of Serbia No. 41/09 and 17/19)

- Law on Advertising (Official Gazette of the Republic of Serbia No. 6/16 and 52/19)

- Law on Public Health (Official Gazette of the Republic of Serbia No. 15/16)

-Law on Protection from Hail

[-Law on the control of major-accident hazards involving dangerous substances \(Official Gazette of the Republic of Serbia No. 94/24\) \(LCMAHIDS\)](#)

- Decree on the Content and Ways of Maintaining the Environmental Information System, Methodology, Structure, Common Grounds, Categories and Levels of Data Collection and on the Content of Information that the Public is Regularly and Obligatorily Notified about (Official Gazette of the Republic of Serbia No. 112/09)

- Rule Book on conditions for the issuance of air quality permit and permit for measuring emissions from stationary sources of pollution (Official Gazette of the Republic of Serbia No. 1/12)

- Decree on limit values of emissions of pollutants into the air from combustion plants (Official Gazette of RS No. 6/16);

- Decree on measurements of emissions of pollutants into the air from stationary sources of pollution (Official Gazette of RS No. 5/16);

- Decree on limit values for emissions of pollutants into the air from stationary sources of pollution, except for combustion plants (Official Gazette of RS No. 111/15);

- Rule Book on the manner and conditions for measuring the quantity and testing of wastewater quality and the content of the report on performed measurements (Official Gazette of the Republic of Serbia No. 33/16)

- LMHA

- Decree on Establishment of National Network of Meteorological Stations, Programme of Work and Manner of Information within the National Network of Meteorological Stations (Official Gazette of RS No. 123/12)

- Decree on determining the locations of meteorological and hydrological stations of state networks and protection zones in the vicinity of these stations, as well as the types of restrictions that may be introduced in protection zones (RS Official Gazette, No. 34/13)

- Rule Book on the Content of Accident Prevention Policy and Content and Methodology of Development of Safety Report and Plan of Protection from Accidents (Official Gazette of the Republic of Serbia No. 41/10)

- Rule Book on the Content of the Notice about a New Seveso installation or Complex, the Existing Seveso Complex and Permanent Closure of a Seveso installation or Complex (Official Gazette of the Republic of Serbia No. 41/10)
- Rule Book of notification, or the exchange of information on Seveso installation or complex whose activities may lead to the development of chemical accidents with transboundary effects (Official Gazette of the Republic of Serbia No. 26/13)
- Decree on the composition, manner and organization of the work of the headquarters for emergency situations (RS Official Gazette, No. 27/20)
- Rulebook on the manner of maintaining the register of companies and legal entities handling hazardous substances (Official Gazette of the Republic of Serbia, No. 34/19)

Explain how each paragraph of article 5 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer

The answer is the same as for Article 4.

Also, and in particular, describe:

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

(i) Public authorities possess and update environmental information;

Answer

- Article 60f of the Law on Ministries defines the duties of the MEP in the domain of the environment including activities related to providing information about the environment, information system, etc.
- Article 69 of the Law on Environmental Protection stipulates that the republic, autonomous province, and local self-governance unit, within their respective competencies under the law, shall provide for continual control and monitoring of the state of the environment (hereinafter: monitoring) in compliance with this and special laws. Article 73 State authorities, organizations, authorities of autonomous province and local self-governance unit, authorized organizations and polluters are obliged to submit the data on monitoring from Articles 70 and 72 of this Law to the Environmental Protection Agency in a way prescribed by regulations. Article 120, Item 13 specifies that a responsible person within competent authority or organization shall have to pay fine for the offence.
- In Article 2 of the Law on Official Statistics, environmental protection is comprised by the “definition of official statistics”; data collection is regulated in Articles 24-31, data processing and storage in Articles 32-36, while Articles 39-43 regulate the dissemination of data and information.
- Please refer to the following laws:
 - Law on Integrated Environmental Pollution Prevention and Control: Article 6. Items 5, 7; Article 8, Item 11; Article 9, Paragraph 1, Item 3; Article 16; Article 17; Article 22, Paragraph 1, Item 7; Article 23, Paragraph 6; Article 29, Paragraph 1, Item 3; Article 30, Paragraph 1, Item 2, 3; Law on Environmental Impact Assessment; Law on Air Protection: Article 13. Paragraph 3; Law on Waters: Article 20, 74, 78, 99, 105, 107-112, etc.; Law on

Forests: Article 8. Item 10; Article 15; Law on Protection against Environmental Noise: Articles 23-26, LMHA: Article 5, Law on Public Health: Article 13, Item 11; Article 14, Item 6; Article 15, etc.

(ii) There is an adequate flow of information to public authorities;

Answer

- Please refer to Article 73 of the Law on Environmental Protection (see above).
- Article 76. Paragraph 3 of the Law on Environmental Protection states that the competent authority of the autonomous province or local self-government unit shall provide data necessary for drafting a report on the state of the environment to the Environmental Protection Agency on a quarterly basis, namely, for the first, second and third quarter not later than two months after the end of the quarter and for the last quarter not later than January 31st of the following year.
- Please refer to the following laws:
 - Law on Integrated Environmental Pollution Prevention and Control: Article 17;
 - Law on Air Protection: Article 13, Paragraph 4, Article 15, Paragraph 8 and 9; Article 17, Paragraph 1; Article 41, Paragraph 1, Item 6; Articles 42, 58, Article 68; Article 76, Item 3.
 - Law on Waters: Article 56; Article 74, Paragraph 3; Article 78, Paragraph 7; Article 90, Paragraph 2, Item 2; Article 99, Paragraph 1; Article 109; Article 212, Item 9, etc.
 - Law on Protection and Sustainable Use of Fisheries: Article 15; Article 18; Article 19, Article 21 and Article 43.
 - Law on Radiation and Nuclear Safety and Security: Article 36, Paragraph 1, Item 13, Article 42-45 and Article 89.
 - Law on Waste Management: Article 19, Paragraph 1, Item 4; Article 20, Paragraph 1, Item 4; Article 47, Paragraph 8; Article 48, Paragraph 5; Article 49, Paragraph 2; Article 50, Paragraph 8; Article 51, Paragraph 4; Article 52, Paragraph 11; Article 54, Paragraph 3; Article 55, Paragraph 7, Item 1; Article 56, Paragraph 13, and 14; Article 57, Paragraph 3; Article 72, Paragraph 8; Article 74; Article 75; Article 76; Article 79, Paragraph 6, etc.
 - Law on Packaging and Packaging Waste: Article 17, Paragraph 1, Item 2; Article 34, Item 2; Article 39; Article 40-42; Article 51, Item 16, and 17; Article 53, Item 2;
 - Law on Protection against Environmental Noise: Article 19; Article 20; Article 23; Article 27; Article 28; Article 32, Item 10; Article 36, Item 7;
 - Law on Chemicals: Article 19, Paragraph 3 and 4; Article 38, Paragraph 3; Article 40; Article 42; Article 45; Article 46, Paragraph 3; Article 55, Paragraph 2 and 3; Article 58; Article 59; Article 67, Paragraph 4; Articles 69, 70, 78, 81, 83, 85, 88, etc.
 - Law on Biocidal Products: Article 9 - 20; Article 26, Paragraph 3 and 4; Article 27 - 32; Article 34; Article 35, Paragraph 3 and 5; Article 36, Paragraph 2; Article 38, Paragraph 2; Article 41, Paragraph 2, etc.
 - Law on Genetically Modified Organisms (Official Gazette of the Republic of Serbia No, 21/0, 101/05 and 41/09): Article 14; Article 23; Article 27; Article 29; Article 47, Item 4;
 - Articles 94 - 100 of the Law on Disaster Risk Reduction and Emergency Management prescribes early warning, notification and alerting of the obligation about all types of dangers that can endanger people, the environment, material and cultural goods.

- LMHA: Articles 5, 16 and 31;
- Law on Food Safety: Articles 66, 67, 68, etc.

(iii) In emergencies, appropriate information is disseminated immediately and without delay;

Answer

- Articles 94 - 100 of the Law on Disaster Risk Reduction and Emergency Management. Please refer also to Article 9 of this Law (principle of public information) stipulating that the competent authorities shall inform the public in a timely and complete manner of disaster risks, relevant data and measures for protection against their consequences, as well as of other measures taken to manage disaster risk.

- Please refer also to Article ~~60-38 LCMAHIDS Law on Environmental Protection (Obligations of the complex operator after a major accident reporting accidents); Article 58, Article 59, Article 60a;~~ Rule Book on the Content of the Policy of Accident Prevention, Content of Safety Report and Plan on Protection against Accident and Methodology of Their Development (Official Gazette of the Republic of Serbia No. 41/10); Articles 30 and 31 of the Law on Occupational Safety and Health, etc.

- Please refer to the following laws: Law on Air Protection: Article 36; Article 66, Paragraph 2; Law on Waters: Article 101, 106; Law on Chemicals: Article 84. Paragraph 4; Law on Radiation and Nuclear Safety and Security: Article 193, Paragraph 3, Item 11, and Article 206; Law on Occupational Safety and Health; LMHA: Article 24; Law on Food Safety: Article 9, Articles 38-44, etc.

- Please refer also to the National Strategy for the protection and rescue in emergency situations (Official Gazette of RS No. 86/11) and the Strategy of fire protection 2012 - 2017. (Official Gazette of RS No. 21/12).

- Please refer also to the Decree on the composition, manner and organization of the work of the headquarters for emergency situations.

(b) With respect to paragraph 2, measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible;

Answer

a)

- Article 2, Paragraph 2 of the Law on Free Access to Information of Public Importance specifies that the medium used to store the document containing information (paper, tape, film, electronic media, etc.) or the way the information was obtained shall bear no relevance as far as information of public importance is concerned. Article 39 of LFAIPI envisages, likewise, the obligation of state bodies to regularly produce ~~and publish~~ information sheets on their work.

- Article 115 of the Law on Nature Protection stipulates that “the public is entitled to access of statutory registers or records containing the information and data in compliance with this Law. Public authorities, autonomous province authorities, local self-government unit

authorities, Institute, protected areas managers, as well as authorised and other organisations, shall be obligated to provide public with information referring to nature performance and protection, unless confidentiality of data has been prescribed by special law or special regulations.”

-Different environmental regulations and those that apply to other fields of importance for the environment, stipulate the introduction of practical measures, such as lists, records and registers accessible to the public. Among these are:

- Law on Environmental Protection: Article 28 (Register of Permits for Trade in Endangered and Protected Wild Fauna and Flora); LCMAHIDS: Article 60+34 (Complex Register of Installations and a Register of Reported Accidents); Article 61a-37 (keeping records of higher order seveso-complexes whose activities may cause a chemical accident with transboundary effects); Law on Environmental Protection: Article 75 Law on Environmental Protection (Registers of Pollution Sources);

- Law on Environmental Impact Assessment: Article 34-44 (the obligation to maintain records of EIA procedures and decisions in the form of a public register); Article 45 (Central electronic database and central web portal);

-Law on Planning and Construction: Article 8 (register of consolidated procedures, central record of consolidated procedures) Article 43 (Central Register of Planning Documents);

-Law on Waste Management: Article 76. (Register of Issued Permits);

-Law on Packaging and Packaging Waste: Article 42 (Register of Packaging Waste Management Permits);

-Law on Nature Protection: Article 24. (Register of Cave Sites as a Digital Geographic Information System);

- Law on Genetically Modified Organisms: Article 32-36 (Register of GMOs and GMO-based Products and Register of Permits);

- Law on Waters: Article 130 (Register of Waters), Article 131 (Water Register), Article 110 (Register of Protected Areas);

- Law on Protection and Sustainable Use of Fisheries: Article 13 (Register of Issued Licences); Article 34. (Register of Commercial Fishermen); Article 39 (Records of Quantities of Fish caught by Commercial Fishermen);

- Law on Forests: Article 19;

- Law on Chemicals: Article 38-47. (Complete Register of Chemicals);

- Law on Biocidal Products: Article 34. (Register of Biocidal Products);

-Law on Disaster Risk Reduction and Emergency Management: Article 22 (Disaster risk register), Article 105. and Article 106 (Records);

- Law on Official Statistics: Article 37, 38. (Statistical Registers)

- LMHA: Article 33;

- Law on Protection from Hail: Article 4 and 5.

In addition to the above-mentioned laws, there are a number of by-laws regulating certain issues in this field, such as:

- Rule book on the content, layout and methods of keeping a public register on conducted procedures and decisions made related to environmental impact assessment (Official Gazette of the Republic of Serbia No. 69/05);

- Rule book on the content and methods for filing the register of issued integrated permits (Official Gazette of the Republic of Serbia No. 69/05);

- Rule book on the content and manner of keeping the register of protected natural resources (Official Gazette of the Republic of Serbia No. 88/10);
- Rule book on the content and method of filing the register of issued packaging waste management permits (Official Gazette of the Republic of Serbia No. 76/09);
- Rule book on the content and method of filing the register of issued waste management permits (Official Gazette of the Republic of Serbia No. 95/10);
- Rule book on numeration, abbreviations and symbols in the system of identification and labelling packaging materials (Official Gazette of the Republic of Serbia No. 70/09);
- Rule book on the ways of keeping record of the quantity of fish catch and on the layout and contents of a template for keeping records of the quantity of fish caught by sport fishermen (Official Gazette of the Republic of Serbia No. 104/09);
- Rule book on the register of chemicals (Official Gazette of the Republic of Serbia No. 16/16, 6/17, 117/17, 44/18, 7/19 and 93/19);
- Rule book on the content and data featured in the register of genetically modified organisms and products made of genetically modified organisms (Official Gazette of the Federal Republic of Yugoslavia No. 66/02);

c)

Article 38 of the Law on Free Access to Information of Public Importance stated that the responsible person in a public authority shall appoint one or more officials (authorized persons) to respond to requests for free access to information of public importance.

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

Answer

- Please refer to Article 80. par. 2 of the Law on Environmental Protection; Decree on content and manner of managing the information system of environmental protection, methodology, structure, common grounds, categories and levels of data collection, as well as the content of information that are regularly and obligatorily presented to the public (Official Gazette of the Republic of Serbia No. 112/09).

A number of other regulations contain provisions related to these issues:

- Law on Waters: Articles 148, 149 – water management information system;
- Law on Forests: Article 68 – forestry information system;
- Law on Air Protection: Articles 68-70, 85. – Air quality information system;
- Law on Chemicals: Article 38, Paragraph 4 – the complete register of chemicals;
- Law on Radiation and Nuclear Safety and Security: Article 22, Paragraph 1, Item 16 and 17.
- Law on Food Safety: Article 68.

a) State of the environment reports (from 2003 to ~~2018~~2023) is available on the website of the Environmental Protection Agency:

<https://sepa.gov.rs/publikacije/http://www.sepa.gov.rs/index.php?menu=5000&id=1304&akeija=showDocuments>

b) The regulations relating to environmental protection are available on the website of the MEP:

<https://www.ekologija.gov.rs/dokumenta><https://www.ekologija.gov.rs/dokumenti/e>) The Website of the MEP offers other information enabling implementation of national legislation that enforces the Aarhus Convention (inspection reports, environmental impact assessment studies, decisions on the approval for an EIA studies, decisions on the need for the impact assessment of projects for which an impact assessment may be required, decisions on the content and scope of the EIA studies, reports on the participation in international meetings), etc.:

<https://www.ekologija.gov.rs/dokumenti/>

<https://www.ekologija.gov.rs/obavestjenja/procena-uticaja-na-zivotnu-sredinu/>.

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

Answer

- The obligation of producing a National Report on the State of the Environment is specified in Article 76 of the Law on Environmental Protection. Namely, the government submits annual reports to the National Assembly, on the state of the environment in the country. The law also regulates the obligation of competent authorities of the autonomous province or local self-government units to submit data necessary for compiling the National Report on the State of the Environment to the Environmental Protection Agency on a quarterly basis. Moreover, Article 76, Paragraph 4 states that the reports on the state of the environment shall be published in official bulletins of the Republic of Serbia, the autonomous province and local self-government units.

- As to the content of the report, Article 77 defines the obligatory content of the report in accordance with the Aarhus Convention, that is, information about the quality of the environment and threats to the environment.

- Please refer also to the Article 21 of the Law on Public Health.

(e) Measures taken to disseminate the information referred to in paragraph 5;

Answer

Please refer to the answer regarding Paragraph 3 of this Article.

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

Answer

- Article 53 of the LEP stipulates that an ecolabel is established for products intended for general consumption, except for foodstuffs, agricultural and other products made in accordance with the legislation regulating organic production, the production of beverages, pharmaceutical products and medical equipment whose production, marketing, consumption and disposal

cause less environmental pollution compared to similar products, or if they are produced from recycled waste.

- See also the Rule book on detailed conditions, criteria and procedure for obtaining the right to use the ecolabel, elements, appearance and manner of using the ecolabel for products and services (Official Gazette of the Republic of Serbia No. 49/16).

- Article 44 Paragraph 3 of the LEP states that legal persons, entrepreneurs and organizations with an established environmental management system may take part in the eco-management and audit scheme (EMAS system), in accordance with this law.

- The National Programme for Protection of the Environment specifies that environmental protection management systems (ISO 14001, EMAS) for industrial sites should be widely promoted as a voluntary measure. Businesses should be stimulated to implement the environmental protection management system. A register of businesses that set up environmental protection management systems should also be established.

- The data obtained from the Chamber of Commerce of the Republic of Serbia, [23821459](#) businesses have ISO 14001 certified systems.

(g) Measures taken to publish and provide information as required in paragraph 7;

Answer

a) and b) Please refer to the answer regarding Paragraph 3 of this Article.

c) Article 39 of the LFAIPI and the Instructions for [Development and Publishing the Review on the Work of the Public Authority](#), specify that state and other public bodies of authority bearing that status, as far as this law is concerned, shall compile an Review booklet in electronic [and machine-readable](#) form and publish it [through a unified information system of labor information sheets managed and maintained by the Commissioner for Information of Public Importance and Personal Data Protection. online i.e. on their websites](#) in a manner that complies with the above-mentioned instructions. ~~They are also given the option of publishing the booklet in some other form.~~

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

Answer

- Article 52 of the LEP states that producer or distributor shall be obliged to issue a warning on the declaration of raw material, semi-product or finished products of environmental pollution and damage to human health, which the product or its packaging causes or may cause. The warning must contain instructions for use or handling of the product, its contents and packaging in the process of production, use and disposal in compliance with the standards in force and instructions for handling.

- Please refer to the provisions of Article 53-54 of the LEP (ecolabel) and Article 84 Item 4 of the Law on Food Safety.

- Law on Consumer Protection in Article 2, paragraph 1 prescribes the basic rights of consumers, of which point 8) prescribes the right to a healthy and sustainable environment

- living and working in an environment that is not harmful to health and well-being of

current and future generations, timely and full information on the state of the environment.

- Article 10. Paragraph 1 Item 5 of the Law on Advertising prescribes that it is forbidden to advertising message encouraging behavior that endangers the health or safety of the recipient of the advertising message, especially encouraging or approving procedures prohibited by the regulations on environmental protection, as well as presenting false claims (eg by emphasizing the words "environmentally safe", "environmentally friendly", "eco food", "organic product" and similar words or symbols) that the goods or services have a positive or harmless impact on health or the environment. The behaviour violating Article 10 is defined as an offence in Article 70, Paragraph 1, Item 1.

- The Law on Food Safety contains special provisions related to “tracking and labelling new food, genetically modified food and genetically modified animal feed, food and animal feed obtained from genetically modified organisms, in accordance with special regulations genetically modified food and genetically modified animal food” (Article 12. Par. 1. Item 1.63).

- Article 32 of the Law on Food and Safety regulates the traceability of all food in more detail. Traceability must be ensured at all stages of production, processing, and trade in food and feed. A food and feed business operator is obliged to identify each entity from which it purchases and further supplies food, feed, animals used for food production, or any substance incorporated or expected to be incorporated into food or feed. The entity referred to in paragraph 2 of this Article is obliged to have a system and procedures in place that ensure the availability of traceability data. Food or feed placed on the market in the territory of the Republic of Serbia or likely to be placed on the market must be appropriately labelled and recorded for identification and traceability of food and feed.

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

Answer

Article 75 of the Law on Environmental Protection states that national and local pollutant registers shall be maintained in accordance with this law in order to monitor qualitative and quantitative changes in the environment and measures for the protection of the environment.

XII. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 5

Describe any obstacles encountered in the implementation of any of the paragraphs of article 5.

Answer

- A system for monitoring the state of waste management has been established. Work is ongoing on its harmonization with the EU acquis.
- It has been pointed out, in the course of public debate, that most local self-government units do not fulfil obligations of publishing reports on the state of the environment. Certain

non-government organizations believe that obligation to adopt Air Quality Plans is also not fulfilled by most local self-governments.

- Certain non-government organizations believe that the information provided by public authorities is not accessible in a visible and practical way to the general public in RS. Measures being undertaken cover a certain population, but a strategic approach and communication adapted to various population categories are lacking. There is insufficient environmental information in public media (national television, newspapers with the highest circulation).

- Certain non-government organizations also believe operators are not informing regularly on their activities, and the Ministry should undertake additional measures and additionally oblige operators to report on emissions. Sanctioning system for failure to inform is unsatisfactory, inspection capacity is insufficient, non-informing operators are not adequately sanctioned

- The activities of Aarhus centres encourage the participation of the interested public in decision-making processes, along with the activities of numerous associations. Continuous work in this field is lacking.

- Certain non-government organizations also believe that in most cases it is difficult to obtain all the information, particularly regarding projects and activities recognized as being of national interest by certain political groups.

- Certain associations believe that although there is a system for collecting and processing data and information on the environment, the implementation of measures is not satisfactory and that information is still being disseminated in a way that is not accessible to the majority of citizens. Certain associations consider that public authorities treat data submitted by the civil sector as relevant if an institution has an interest in publishing them or as insufficiently professional and irrelevant if there is no such interest.

- Some associations believe that information is not always updated, many local governments and the economy do not submit data, the quality of information presented is questionable and very often presented in a way that is difficult to understand for citizens. It is often difficult to find information on the websites of public authorities or the search requires a good knowledge of terms and processes in order to follow the schedule on the site.

- Certain associations believe that the application of the concept of open data and partnerships for open government at the level of local self-governments is slow.

- Responsibility for collecting data on mining waste has been transferred from the Environmental Protection Agency to the Ministry of Mining and Energy. The cadastre of mining waste for Vojvodina has been put on the Internet, while the database of mining waste for the rest of Serbia, which needs to be updated by the Ministry of Mining and Energy, has not yet been put on the Ministry's website, nor is the active mine waste database being filled.

- Certain associations consider that there is no coherent system for the exchange of information relevant to the environment and that, although published, information is not always easily accessible to the general public (complicated search of relevant information on the websites, etc.). Also, the information is not always in a form that is understandable

to the public concerned. The data are generally not machine-readable and open for reuse (open data).

-Certain associations consider that the activity of public authorities is insufficient to promote sources (sharing) of information and to adapt them to the needs of the public concerned.

-Certain associations believe that access to information is not accustomed to vulnerable groups.

XIII. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 5

Provide further information on the practical application of the provisions on the collection and dissemination of environmental information in article 5, e.g. are there any statistics available on the information published?

Answer

a)

- A list of valid environmental legislation can be found on the following website of the MEP: <https://www.ekologija.gov.rs/dokumenti>

- List of competent and authorized institutions (list of authorized institutions in the field of protection against ionising radiation; list of institutions authorized to perform systematic monitoring of the level of non-ionising radiation in the environment; list of organizations with a valid licence for conducting emission and immission measurements; list of organizations whose licence for conducting emission and immission measurements has been cancelled; overview of organizations meeting the criteria for measuring environmental noise; list of organizations authorized for waste examination) can be found on the following page on the website of the MEP:

- <https://www.ekologija.gov.rs/dozvole-obraci/zastita-od-nejonizujucih-zracenja/>

- https://www.ekologija.gov.rs/sites/default/files/inline-files/PRILOG%20%20-%20Spisak_ovla%C5%A1%C4%87enih_institucija%20-%202021.03.25.pdfhttps://www.ekologija.gov.rs/wp-content/uploads/nejonizujuce/Spisak_ovla%C5%A1%C4%87enih_institucija.pdf

-<https://www.ekologija.gov.rs/dozvole-obraci/zastita-vazduha-i-ozonskog-omotaca/>

-<https://www.ekologija.gov.rs/dozvole-obraci/zastita-od-buke-i-vibracija/pregled-organizacija-koje-ispunjavaju-uslove-za-merenja-buke-u-zivotnoj-sredini/>

- <https://www.ekologija.gov.rs/dozvole-obraci/upravljanje-otpadom/postupak-dobijanja-ovlasčenja-za-strucne-organizacije-za-ispitivanje-otpada/>

- and on the website of the Directorate for Radiation and Nuclear Safety and Security of Serbia: <http://www.srbatom.gov.rs/srbatom/ovlasčenja-pravna-lica/>

- List of licences, the necessary documentation and licence granting procedure (the papers necessary for obtaining a licence for importing/exporting wild fauna and flora species protected in accordance with the Decree on Controlling Exploitation and Trade in Wild Fauna and Flora and Mushrooms; the procedure for obtaining a licence for measuring the level of environmental noise, licence for importing/exporting controlled substances and those that damage the ozone layer (freon) and a licence for importing/exporting fluorinated greenhouse gases; the procedure for obtaining an authorization for conducting emission

and immission measurements; the procedure for obtaining authorizations for organizations qualified for waste examination; the documentation to be submitted when applying for a licence for cross-border movement of waste, the papers necessary for obtaining CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) licences can be found on the following page on the website of the MEP:

- <https://www.ekologija.gov.rs/dozvole-obrasci/upravljanje-otpadom/>

- <https://www.ekologija.gov.rs/dozvole-obrasci/zastita-vazduha-i-ozonskog-omotaca/>

- <https://www.ekologija.gov.rs/dozvole-obrasci/zastita-biodiverziteta/>

-<https://www.ekologija.gov.rs/dozvole-obrasci/zastita-biodiverziteta/cites-dozvole-i-potrde/>

-<https://www.ekologija.gov.rs/dozvole-obrasci/zastita-od-buke-i-vibracija/>

b) The Environmental Protection Agency has set up or is the process of setting up databases containing information from a number of fields related to environmental protection. A networked application for displaying the results of monitoring obtained through the national automatic air quality monitoring network is available on the website of the Environmental Protection Agency. The Agency enabled the publishing of the results of the monitoring of the quality of air in state and local networks within the territory of the Republic of Serbia with support by the IPA 2012 project “Supply of ICT equipment and software for Air Quality Monitoring System” at the website <http://77.46.150.215/http://amskv.sepa.gov.rs/stanicepodaci.php>.

c) The information subsystem of the environmental information system – National Register of Pollution Sources (NRPS), which is the register of information and data on environment polluters, was established within the Environmental Protection Agency. It is a register of systematized information and data on sources of environment pollution including the data on their location, production processes, characteristics, material balance of entry and exit of raw material, semi-products and products, purifying plants, waste and polluters flow and the place of its release, treatment and disposal. This register is developed in accordance with law and relevant by-laws of the Republic of Serbia. The information necessary for reporting in accordance with the undertaken international obligations of reporting, conventions and agreements in the environmental protection sector that were ratified or signed by the Republic of Serbia are also collected within this register.

The companies are bound by law to submit data on quantity of pollutants emitted to air, water and land and waste and product management up to the 31 March for the previous year.

The information system NRPS developed in the Agency covers: PRTR register and the information related to waste management, air, water and land pollutant emissions, products that become special waste flow after its use and packaging and packaging waste.

Another software, which functioned until 2022, i.e. through which the last data was submitted for 2021, TEAMS software, is an environment developed with the financial support of the Kingdom of Norway intended for the companies that want to monitor the affect of their activities on the environment on a daily or weekly basis.

Both software packages (NRPS and TEAMS) have been developed with the financial aid of the Kingdom of Norway, implemented by the international organization Regional Environmental Centre (REC) acting as the implementation agency for the project EMC (establishing an Environmental Management Centre - EMC). The EMC project was

implemented through the successful cooperation of the Agency, as the project bearer, and REC, as the implementation agency.

- Other reporting modules have been developed as part of the project Monitoring the Status of Waste in the Republic of Serbia, ~~such as PCB equipment and waste~~, the DEO6 form - daily report submitted by collectors and other owners of waste, electronic documents on the movement of waste, etc.

The LEP and other laws, as well as international obligations, provides for the public availabilities of data and information that have to be available to all parties concerned, with only one exemption foreseen by law which relates to the confidentiality of data that may be a trade secret of a company. The data are available at the following links:

<https://www.nriz.sepa.gov.rs/DostavljanjePodataka/http://www.sepa.gov.rs/index.php?menu=20173&id=20006&akeija>ShowAll>
<https://sepa.gov.rs/registri-u-oblasti-upravljanja-otpadom/>

- The Environmental Protection Agency, Department of the National Register of Pollution Sources, developed a special website in 2015 and 2016 for data on PRTR companies, emissions into the air and waters, and waste management, with all data accessible to the public:

<https://www.nriz.sepa.gov.rs/TeamsPublic/teamssr.aspx?FormName=PRTRPublicForm>
<https://www.nriz.sepa.gov.rs/TeamsPublic/teamssr.aspx?FormName=AirEmissionsperYearForm> ;
<https://www.nriz.sepa.gov.rs/TeamsPublic/teamssr.aspx?FormName=WaterEmissionsperYearForm>
<https://www.nriz.sepa.gov.rs/TeamsPublic/teamssr.aspx?FormName=WasteGeneratedperYearForm>
<http://80.93.233.116/TeamsPublic/teamssr.aspx?FormName=AirEmissionsperYearForm>;
<http://80.93.233.116/TeamsPublic/teamssr.aspx?FormName=WaterEmissionsperYearForm>;
<http://80.93.233.116/TeamsPublic/teamssr.aspx?FormName=WasteGeneratedperYearForm>.

- ~~Data on major sources of pollution are also available at: <https://sepa.gov.rs/prtr/TheEnvironmentalProtectionAgencypreparedaspecialportalin2016intendedforPRTRcompaniesinaccordancewiththerequirementsofthePRTRprotocoltotheAarhusConvention>. The portal is accessible at <http://prtr.sepa.gov.rs/>.~~

Also, the Environmental Protection Agency publishes ~~30 datasets~~~~all data~~ produced or collected (air quality, allergen pollen, water quality, emissions; into air and water, generated waste, condition of land in urban areas, cadastre of contaminated sites, illegal landfillswaste, etc.) on a Nationalspecial portal "open data" (<https://data.gov.rs/sr/organizations/agentsija-za-zashtitu-zhivotne-sredine/http://data.sepa.gov.rs/>) where the data is prepared and can be freely downloaded in a machine-readable format (JSON, XML, XLS, etc.).

d) The government adopted the Strategy-Program for the Development of Electronic Government in the Republic of Serbia from 2015-2020 to 2018-2022 (Official Gazette of

the Republic of Serbia No. ~~10785/1520~~) with an Action Plan for its implementation by which the Government plans the development of electronic governance in the Republic of Serbia for that period, that defines the main priorities in the field of advancing the state of the information society and specifies the activities that will influence the creation of infrastructural and other conditions making it possible for information from all the domains, including the environment, becomes more accessible through databases which the general public can access via public telecommunication networks. ~~The Guidelines for the use of social networks in public authorities of the state administration, autonomous provinces and local self-governments units were also adopted in order to encourage the use of modern technologies in communication with the public and citizens. Guidelines for the use of social networks in public authorities of the state administration, autonomous provinces and local self-governments units are made with a view to the whole public administration begins to communicate with the public in a quick, two-way and transparent manner. Guidelines drafted 2015 Directorate for Electronic Government, the Ministry of State Administration and Local Self-Government.~~

e) The INCS' website (www.zzps.rs) contains information that enables site visitors to easily obtain information about nature protection in a simple manner – they may find in one place all the laws that, directly or indirectly, relate to nature protection; instructions for the submission of a request for the issuance of Terms or Opinions are positioned in a visible place; links to the presentation of the MEP are positions on the pages about controlled trade in wild species, i.e. trade in species and items covered by the CITES Convention, with the intention of making the information of interest to the citizens more accessible. A special part of the website refers to comprehensive information on protected areas, protected species, geodiversity, biodiversity and areas of international importance, and its concept ensures availability of various relevant data owned by the INCS, being a professional institution for nature conservation. The concept also includes geographical digital data on protected areas, whose availability will be developed in the following period. In addition to the website, professional data, i.e. protection studies and other professional and scientific documentation are available to the public in the INCS' library. By filling in a library form, which is uploaded on the website, or with direct registration, all interested citizens have free access to INCS' documentation, i.e. they may inspect professional documentation on protection as public data. The Institute for Nature Conservation of Serbia regularly submits data related to the protection of natural resources to the Environmental Protection Agency and the Statistical Office of the Republic of Serbia, thus they become part of their database, easily accessible to the public.

f) Web page of the Subotica Arhus Centre is daily updated with news from all over the Republic of Serbia (<http://www.aarhussu.rs/index.html>), and collaborates on updating the web site of the City of Subotica (<http://www.subotica.rs/sr/7344/zastita-zivotne-sredine>), particularly in informing on the public debate on the environmental impact assessment projects.

g) A system of informing citizens has been established on the website of the City of Belgrade, which contains important information regarding the quality of the environment in Belgrade. Among other things, the application "Air Quality" has been established (<http://www.beoeko.com/>). This application enables providing information to the citizens about the level of air quality on an hourly basis, including recommendations for behaviour in case of increased pollution. The assessment of air quality in Belgrade is performed on

the basis of data obtained from automatic measuring stations managed by the City Institute for Public Health and is performed every hour on the basis of data obtained by measuring the concentration of pollutants in the previous hour. As a separate organisational unit, the Secretariat for Environmental Protection on its website provides all relevant information regarding environmental protection. The data on the quality of environmental factors per month obtained through the implementation of programs for testing and monitoring the air quality, soil, surface and groundwater and measuring the levels of ultraviolet radiation, radioactivity and noise in the environment, are published in the current month for the previous. The publishing of the publication "Quality of the environment in Belgrade", enabled the providing of information to the expert community and other public about the level of the quality of the environment on the territory of the City of Belgrade. The publication contains data relating to the previous year and is available in PDF format on the Secretariat's website. The data on the quality of environmental factors, sorted by months (ZIP file) can be viewed/downloaded from the Internet address <http://www.beograd.rs/lat/gradska-vlast/1746715-podaci-o-kvalitetu-cinilaca-zivotne-sredine/>.

h) The HIRS regularly deliver general purpose information and emergency information on the current state and forecast of weather, climate and water and disseminate them to media in a form of regular media releases and/or via electronic or postal mail in written form, in tables, graph or charts on the current state and forecast of weather, climate and water, and inform the public via the HIRS website and the HIRS page on social networks.

- In accordance with the Law on Meteorological and Hydrological activities, a bylaw was adopted in 2015 on the contents, method of keeping and maintaining the fund of official meteorological and hydrological data and information, as well as methods of quality control and verification of the reliability of data and methods of their publication and use, contributing to the implementation of the provisions of Article 5 of the Aarhus Convention on the systematic collection and dissemination of information on the state of weather, climate and waters, as environmental components.

-Every year, HIRS published over ~~6080~~6080,000 pieces of information, analyses, forecasts, announcements and warnings in order to daily, timely inform the general public, competent authorities, legal entities and individuals about the status of weather, climate and water, as well as extreme meteorological, climate and hydrological phenomena and natural disasters on the territory of the Republic of Serbia.

-Law on Protection from Hail (LPH) in Art. 4 and 5 specifies that the entities of the hail protection system are public administration authorities, public authorities of autonomous province and local self-government units, and that these authorities, in accordance with the principle of publicity, shall inform the public about the status of the hail protection system and make information available, in accordance with the law. In accordance with this Law, HIRS shall submit to the competent authorities, emergency headquarters and all other entities of the hail protection system, regular and extraordinary reports on the readiness, condition and functioning of the unified hail protection system.

-HIRS operatively issues general purpose information on the status and forecast of weather, climate and water and emergency information and warnings on hydrometeorological and climatic disasters and catastrophes, and makes it available to the public through the media, electronic or postal traffic, the HIRS website and the social networks. In the reporting

period, the information published on the HIRS website was accessed by about ~~22~~24 million people a year, with a steady increase in the number of users of this information.

- Statistical Office of the Republic of Serbia is in the period ~~2017~~2021-~~2019~~2023. regularly published the "Eco-bulletin" which contains an review of the most important trends and results in the field of environmental protection in the Republic of Serbia, in these years. In addition to detailed data from the statistics on waste, hazardous chemicals and water, which are presented for the territory of the Republic of Serbia, other data necessary for completing the picture of the state of the environment are also presented.

-YRS-ACNBG are trying to make as much information as possible familiar to the citizens through their activities, but also to draw the attention of the public authorities to the issues. One of the activities of the civil sector that aims, among other things, to present and promote environmental information are the Shadow Report of Coalition 27. The Shadow Report is a complex document in which, in addition to information and attitudes of civil society, information from competent institutions is presented. The report is available in Serbian and English on a number of CSO websites, and is also distributed internationally and promoted in the media.

-Informing the public about the issues related to the status and conservation of nature is of exceptional importance. For that reason particularly, the INCVP ~~as well as all relevant institutions in the APV dealing with nature protection: SUEP, managers of protected areas, PE NP "Fruška Gora", PE "Vojvodinašume", PE "Vojvodina Vode", PE "Palić—Ludaš", the Gorani Movement of Sremska Mitrovica (SNR "Zasavica"), FF "Ečka" (SNR "Carska Bara") etc.,~~ have modern interactive and regularly updated website (www.pzzp.rs) and as well as Facebook and Instagram internet presentations. On the INCVP website you can find information ~~on~~ about the institution, its competencies and activities, on protected natural good in APV, on areas which are in the process of gaining the conservations status, elements of the ecological network, protected species, inventory of geoheritage of Vojvodina, issuing decisions on nature protection conditions, current daily topics in nature protection, lectures and promotions. The INCVP regularly informs citizens about all current topics of nature protection by electronic and print media. The INCVP cooperates with the Public Broadcasting Service of Vojvodina and informs the public about issues related to nature conservation by specialised, but also general informative TV shows. Radio Novi Sad regularly reports on nature protection issues through regular and specialised radio programs, such as "Under a Bell Jar". Most newspapers, such as „Dnevnik” and „Poljoprivrednik”, have a special column related to environmental topics, and they also cooperate with the specialized magazine "Ekolist" that deals only with issues of nature protection and ecology. Printed materials: books, brochures, posters and leaflets, but also videos are a significant interactive way of informing the public concerned. In the previous period, the public was informed by new publications issued by the INCVP ~~., among which the most important being: Monograph: Biosphere Reserve "Bačko Podunavlje" (2019), Brochure: Profile of the Institute for Nature Conservation of Vojvodina Province (2019), Documentary Eco Film: Project EcoWET—Assessment of Wetland Ecosystem Services in the Cross-Border Area Croatia—Serbia (2019) as well as Video production of short eco films. In addition to the competent institutions and managers of protected natural goods, numerous public non-governmental environmental organisations also provide information to the public. The number of environmental associations in the APV, according to the latest~~

register of the Provincial Secretariat for Urbanism and Environmental Protection, includes 244 active environmental citizens' organisations.

Some of the publications are: Beauty or the Beast. Final publication of the Interreg project Conservation of Sava River Basin Habitats through International Management of Invasive Species. Sava TIES DTP2-096-2.3. Publisher: Provincial Institute for Nature Protection, Novi Sad, (2021); Guidelines for Intersectoral Cooperation on the Management, Control and Eradication of Invasive Alien Species in the Sava River Basin. Handbook for Users and Managers of Protected Areas. Sava TIES Project DTP2-096-2.3. Publisher: Provincial Institute for Nature Protection, Novi Sad, (2021); Brochure: Identity Card of the Provincial Institute for Nature Protection, Second Edition (2021).

Informing and engaging the public is an important step in active nature protection. More and more citizens are submitting information about the discovery of injured or killed protected animals, such as in the case of poisoning of birds of prey with Furadan. Reports of sightings of certain rare species of birds or other animals (bald eagle, beaver, etc.) are also frequent.

Members of environmental associations also submit news about irregularities and violations of nature protection regulations, which the competent inspectorates act on in accordance with the law. Such are, for example, news about the unauthorized use of decoys in hunting as well as the unauthorized shooting of songbirds.

~~-In cooperation with WWF Adria (World Nature Organization) in the period from February to March 2017 within the project "Protected Areas for Nature and People", in order to improve the cooperation of protected areas with the local community and create an interactive database which will in an easy-to-understand way show an average user socio-economic benefits that protected areas may have, the INCS conducted workshops and surveys in the national park (hereinafter: the NP) "Tara", NP "Đerdap", NP "Kopaonik", LEF "Gorge of the river Gradac", LEF "Vlasina", special nature reserve (hereinafter: the SNR) "Uvac" and SNR "Deliblato Sandstone".~~

-Association „Environmental Movement Odžaka” has established a database of all environmental associations in the Republic of Serbia: <http://www.epodzaci.org/k2/item/886-ekoloske-nvo-u-srbiji>.

-The new Ecodesign Regulation for sustainable products entered into force on 18 July 2024, Regulation (EU) 2024/1781, and is part of the European Commission's approach to more environmentally sustainable and circular products. It amends the old Directive 2009/125/EC. There are several key points in the application of the new Regulation that require our attention and taking a position regarding the adoption of the new Regulation:

-The Regulation no longer applies only to products that use electricity in their work, but also to all other physical products, including parts, intermediate products, and chemicals, with the exception of food and medical products.

-The introduction of a digital passport for products, the Digital Product Passport (DPP) is planned.

-The authority over the implementation of the previous Regulation was with the ministry responsible for energy; however, given the expansion of the scope of application to almost all products, it is necessary to determine a new division of competences. In communication with representatives of the Ministry of Mining and Energy and the Ministry of Economy, the need was expressed to organize a meeting to define the way to achieve the division of competences regarding this Regulation. The implementation of this new regulation should

also involve the Accreditation Body of Serbia, as the entity that accredits conformity assessment bodies (notified bodies), the Office and the Public Procurement Administration, as the next step in the implementation of digital product passports is their connection with "green public procurement" procedures, and the Serbian Chamber of Commerce.

XIV. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 5

Give relevant web site addresses, if available:

a) See the list of website addresses related to Article 4.

b)

Serbian Environmental Protection Agency: (www.sepa.gov.rs):

<https://www.nriz.sepa.gov.rs/DostavljanjePodataka/>

<https://77.46.150.221/nrizgis/index.html>

<https://sepa.gov.rs/publikacije/>

<http://www.sepa.gov.rs/index.php?menu=20173&id=20006&akcija>ShowAll> (National Register of Pollution Sources)

<http://www.sepa.gov.rs/index.php?menu=5000&id=13&akcija=showExternal>

(Reports on the State of the Environment)

<https://data.gov.rs/sr/organizations/agentsija-za-zashtitu-zhivotne-sredine/>

<http://data.sepa.gov.rs/>

(Open Data Portal)

<https://sepa.gov.rs/indikatori/>

<https://sepa.gov.rs/wp-content/uploads/2024/11/NLI-Pravilnik.pdf>

<http://indicator.sepa.gov.rs/>

National List of Indicators

<https://sepa.gov.rs/prtr/> <http://prtr.sepa.gov.rs/>

PRTR register of major pollution sources portal

<http://77.46.150.215/> <http://www.amskv.sepa.gov.rs/>

(Unified overview of the automatic monitoring of air quality in the Republic of Serbia)

<https://sepa.gov.rs/koncentracije/>

(Air quality - concentrations of pollutants)

<https://sepa.gov.rs/prekoracenja/>

(Air quality - exceedances of limit values)

<https://sepa.gov.rs/emisije-u-vazduh/>

(Air emissions)

<https://symapps.com/POLEN/>

(Data on the concentration of allergenic pollen in the air)

[http://77.46.150.213:8080/apex/f?p=406:4::::](http://77.46.150.213:8080/apex/f?p=406:4:::)

<http://biodiverzitet-chm.rs/>

(Serbian biodiversity portal)

<https://sepa.gov.rs/kvalitet-voda/>

(Water quality monitoring)

<https://sepa.gov.rs/havarijsko-zagadjenje-voda/>

Information on accidental water pollution

<http://www.sepa.gov.rs/index.php?menu=305&id=30000&akeija=showAll>

(Water quality monitoring)

<http://www.sepa.gov.rs/index.php?menu=315&id=1111&akeija=showExternal>

(Data on the concentration of allergenic pollen in the air)

<http://www.sepa.gov.rs/index.php?menu=320&id=2013&akeija=showAll>

(Information on excess concentrations of pollutants in the air and disaster pollution of waters)

<http://www.sepa.gov.rs/index.php?menu=20174&id=20055&akeija=ShowExternal>

<https://sepa.gov.rs/registri-u-oblasti-upravljanja-otpadom/>

(Waste management registers) (Waste management permits)

<http://www.sepa.gov.rs/index.php?menu=207&id=202&akeija=showXlinked>

<https://sepa.gov.rs/deponije/>

https://sepa.gov.rs/planovi_otpad/

<http://77.46.150.221/nrizgis/index.html>

<http://77.46.150.221/kdd/>

(Information about waste in the Republic of Serbia) (Documents on movement of waste)

<https://www.poverenik.rs/sr//o-nama/mесечни-статистички-извештаји.html>

http://www.poverenik.org.rs/sr/izvestaji_poverenika.html

(Statistical Reports 2015) (2015 Report on the Implementation of the Law on Free Access to Information of Public Importance)

c) Public information on weather, climate and hydrological operational (analyzes, forecasts, warnings) and published meteorological, agrometeorological, climatic and hydrological yearbooks, surveys and analysis can be found on the following websites of the HIRS:

www.hidmet.gov.rs;

www.meteoalarm.rs;

<http://www.hidmet.gov.rs/ciril/osmotreni/naslovna.php>;

<http://www.hidmet.gov.rs/ciril/meteorologija/agrometeorologija.php>

http://www.hidmet.gov.rs/ciril/hidrologija/naslovna_analize.php

http://www.hidmet.gov.rs/ciril/hidrologija/povrsinske_godisnjaci.php

www.hidmet.gov.rs/ciril/meteorologija/klimatologija_godisnjaci.php;

www.hidmet.gov.rs/podaci/dokumenti_ciril/delatnost_hid_hidro_analiza_odsek.pdf;

www.seevccc.rs.

d) Monitoring of radioactivity: <http://www.srbatom.gov.rs/srbatom/monitoring-radioaktivnosti/>

e) Statistical Office of the Republic of Serbia: www.stat.gov.rs

f) Statistical Office of the Republic of Serbia, environmental protection:

<https://www.stat.gov.rs/sr-cyrl/oblasti/zivotna-sredina/>

g) Statistical Office of the Republic of Serbia, „Eco-Bulletin”:

<https://www.stat.gov.rs/sr-cyrl/publikacije/publication/?p=15509>

<https://publikacije.stat.gov.rs/G2017/Pdf/G20175628.pdf>

<https://publikacije.stat.gov.rs/G2018/Pdf/G20185640.pdf>

<https://publikacije.stat.gov.rs/G2019/Pdf/G20195651.pdf>

h) Institute for Public Health of the Republic of Serbia „Dr Milan Jovanović Batut”:
<http://www.batut.org.rs/>.

i) The Guidelines for the use of social networks in public authorities of the state administration, autonomous provinces and local self-governments units:
<https://rju.gov.rs/wp-content/uploads/2022/02/smernice-za-koriscenje-drustvenih-mreza.pdf>
~~<https://www.pars.rs/images/info/vesti/2018/avgust-2018/pravosudna-portal-sm/smernice-za-koriscenje-drustvenih-mreza-u-javnoj-upravi.pdf>~~

j) Database of all environmental associations in the Republic of Serbia:
<http://www.epodzaci.org/k2/item/886-ekoloske-nvo-u-srbiji>.

XV. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON PUBLIC PARTICIPATION IN DECISIONS ON SPECIFIC ACTIVITIES IN ARTICLE 6

List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6.

Answer

The Law on Environmental Impact Assessment (LEIA) is the principal piece of legislation regulating the participation of the public in the process of making decisions on activities listed in Article 6 of the Aarhus Convention. The following bylaws elaborate the Law on Environmental Impact Assessment:

- Decree establishing the list of projects for which an impact assessment is mandatory and the list of projects for which EIA can be requested (Official Gazette of the Republic of Serbia No. 114/08);
- Rule book on the content of requests for evaluating the need of developing impact assessments and on the contents of requests for specification of scope and contents of the environmental impact assessment studies (Official Gazette of the Republic of Serbia No. 69/05);
- Rule book on the content of the environmental impact assessment study (Official Gazette of the Republic of Serbia No. 69/05);
- Rule book on the content, layout and methods of managing a public register on conducted procedures and adopted decisions related to environmental impact assessment (Official Gazette of the Republic of Serbia No. 69/05);
- Rule book on the work of the Technical commission for environmental impact assessment study (Official Gazette of the Republic of Serbia No. 69/05);
- Rule book on the procedure of public access, presentation and public debate on the environmental impact assessment study (Official Gazette of the Republic of Serbia No. 69/05).

Moreover, the participation of the public in the process of making the decisions regarding activities listed in Article 6 of the Aarhus Convention is regulated through the provisions of other pieces of legislation:

- Law on Environmental Protection;
- Law on Waters
- Law on Integrated Environmental Pollution Prevention and Control (Official Gazette of the Republic of Serbia No.135/04, ~~and~~ 25/15 and 109/21); (LIPPC)

- Decree on types of activities and plants for which an integrated license can be obtained (Official Gazette of the Republic of Serbia No. 84/05);
 - Law on Planning and Construction,
 - Law on Genetically Modified Organisms (Official Gazette of the Republic of Serbia No. 41/09) (LGMO)
 - Law on National Parks (Official Gazette of the Republic of Serbia No. 84/15 and 95/18).
- Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.***

Answer

The LEP and the LEIA contain definitions of the following notions: “public”, “public concerned” and “competent authority” (LEP: Article 3, Items 26, 28 and 29a; LEIA: Article 2, Items 1, ~~and 7~~ ~~and 2~~).

The LEIA also defines the meaning of other notions that can be of importance for the implementation of provisions of Article 6, such as: “project developer”, “authorities and organisations concerned”, “Environmental impact assessment study”, etc.

Also, and in particular, describe:

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

(i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed activities listed in annex I to the Convention;

Answer

- Please refer to the LEIA: Article 4, Paragraph 1, Item 1, and Article ~~5-9~~ (the obligation to obtain approval of an EIA study from the competent authority) and the Decree on establishing the list of projects for which the impact assessment is mandatory and a list of projects for which EIA can be requested (Official Gazette of the Republic of Serbia No. 114/08) – “List I”. The rules of public participation procedure apply to the projects that are found in the List of projects requiring mandatory environmental impact assessment.

- Please refer to the LIPPC: Article 4 (Types of activities and installations for which an integrated permit shall be granted) and the Decree on Types of Activities and Plants for Which an Integrated License Can be Obtained. The law defines the entire procedure of public participation in issuing integrated permits for plants to which the LIPPC refers.

- Please refer to the ~~LCMAHIDSLEP~~: Article ~~60e-9~~ (~~Public consultations and participation in decision-making~~~~Public insight, presentation and public discussion on the Security Report~~). This article defines that the public concerned has the right to express its opinion at an early stage and participate in decision-making on projects related to: 1) planning of new complexes in accordance with Article 8 of this Law; 2) changes to existing complexes and 3) planning of new developments in the area near the complex. The public participation procedure for projects referred to in paragraph 1 of this article shall be carried out in accordance with the regulations governing the assessment of the impact of projects on the environment. the obligation of the competent authority to provide public insight, organize a presentation and conduct a public hearing on the Security Report in the decision-making

~~process on giving consent to the Security Report, for seveso complexes, which are subject to the obligation to prepare that document.~~

(ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;

Answer

- Please refer to LEIA: Article ~~4~~5, Paragraph 1, Item 2; Article ~~5-9~~5-9 (the obligation to obtain the approval of the EIA study from the competent authority). The environmental impact assessment procedure applies equally to the projects that are not featured in “List I”, if the competent authority makes a decision to that effect, namely, if the projects in question are deemed to have potentially significant impact on the environment. The list of projects for which environmental impact assessment is not mandatory is defined in the Decree on establishing the list of projects for which the impact assessment is mandatory and the list of projects for which EIA can be requested (Official Gazette of the Republic of Serbia No. 114/08) – “List II”.

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

Answer

- Articles ~~14, 19, 25, 26, 34, 39, 40, 42, 44 and 45. 10, 11, 14, 15, 20, 25, 27, 29, 32~~ of the LEIA regulate the participation of the public concerned. Article ~~10-14~~10-14 of this law specifies that the competent authority shall inform the public, as well as the authorities and organisations concerned about the submitted application for a decision on the need for an impact assessment within ~~ten~~fifteen days from the date of receipt of a complete application.

- Articles 3, 6, 11, 12, 14, 15, 23 and 24 of the LIPPC regulate the participation of the public concerned. Article 11 specifies the procedure of informing the authorities, organisations and the public about the receipt of an application for an integrated permit.

- LW in Article 38 regulates the participation of public concerned in the preparation and adoption of a water management plan. Article 142 (LW) prescribes that the National Conference for Water is composed of the representatives of local self governments, representatives of water users' and associations.

(c) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of paragraph 3;

Answer

- The LEIA, namely, Articles ~~10, 11, 14, 19, 15, 20, 21, 23, 24, 25, 26, 34, 39, 27, 28~~ specify the deadlines for or related to the participation of the public in different stages of the environmental impact assessment procedure.

- Articles 11, 12, 14 and 15 of the LIPPC stipulate the deadlines for the participation of the public in different stages of the procedure of issuing integrated permits.

(d) With respect to paragraph 4, measures taken to ensure that there is early public participation;

Answer

- Article ~~10~~14, Paragraph 1 of the LEIA specifies that the competent authority shall inform the public, as well as the authorities and organisations concerned about the submitted application for a decision on the need for an impact assessment within ~~fifteen~~ fifteen days from the date of receipt of a complete application. Paragraph 3 of this article states that members of the public concerned may submit their opinions within ~~fifteen~~ fifteen days from the date of receipt of the notice referred to in Paragraph 1 of this Article. Paragraph 4 specifies that the competent authority shall decide on the application within 15 days from the expiry of the period set out in par. 3 of this Article, taking into account the opinions of the authorities, organisations and the public concerned. Then the competent authority delivers its decision to project developers and informs the authorities, organizations and the public concerned about it within ~~three~~ five days from the date when the decision was adopted (Paragraph ~~7~~8).

- Please refer to Article 11 of the LIPPC regulating the procedure of informing the authorities, organisations and the public about the receipt of an application for an integrated permit, while Articles 12 and 15 regulate the obligation of providing information about the draft of the permit and the issuance of an integrated permit, respectively. At the request of other authorities and organisations and the public concerned, the competent authority shall deliver a copy of the application for an integrated permit, as well as a copy of the draft permit. The competent authority shall inform other authorities and organisations and the public concerned through public media, by publishing information in at least one local newspaper covering the territory that will be affected by the impact of activities and plants. The information is to be made available via the Internet, as well.

~~Article 60e of the LEP stipulates that the competent authority within seven days from the date of receipt of the Security Report informs the submitter of the report, authorities, organizations and the public concerned about the time and place of the public insight, public presentation and public discussion on the Security Report.~~

(e) With respect to paragraph 5, measures taken to encourage prospective applicant to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;

Answer

No special measures aimed at motivating the applicants to recognize the public concerned, take part in discussions or provide information as to the goals of application before applying for a permit are planned.

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

(i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure;

(ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph;

Answer

a)

- Please refer to the LEIA: Article ~~10~~14, Paragraph 2; Article ~~12~~17, Paragraph ~~25~~.
- Article ~~20~~26, Paragraph 1 of the LEIA stipulates that the competent authority shall make ~~the EIA study available to public and arrange for~~ a public presentation and public debate on the study. Article ~~17-22~~ of the same law specifies the content of the environmental impact assessment study, namely, the content of all relevant information made available to the public. The Rule Book on Environmental Impact Assessment Study (Official Gazette of the Republic of Serbia No. 69/2005) gives a more detailed specification of the prescribed content of certain elements stated in ~~Article 17- Article 22~~ of the LEIA.

b)

- The public concerned is granted access free of charge to all relevant information specified in Article ~~17~~22, namely, the Rule Book on Environmental Impact Assessment Study. Please, refer also to Article 33 of the LEIA stipulating that project developer shall cover the costs, including those relating to the participation of the public.
- Please, refer to Article 3 of the LIPPC stating the basic principles of integrated environmental pollution prevention and control, including the principle of public character of work. Article 6 of the LIPPC defines that the competent authority shall provide, among other things, for public access to the contents of permit granting application, issued permits and monitoring results;

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

Answer

- Please, refer to the LEP: Article 81, Paragraph 4; LEIA: Article ~~10~~14, Paragraphs 2, 3; Article ~~14~~19, Paragraph 2; Article ~~20~~25 Paragraph 3, Article 26; Article ~~42~~1, Paragraphs ~~1, 2, 39, and 10~~; ~~Article 23; Article 32, Paragraphs 2, 4~~;
- Rule Book on Public Access Procedure, Presentation and Public Debate about the Environmental Impact Assessment Study: Articles 4, 5, 6, 7.
- Please, refer to the LIPPC stipulating that other authorities and organisations and representatives of the public concerned may submit to the competent authority their opinions within 15 days from the date of receipt of the notice. During the draft permit elaboration, the competent authority shall consider the opinions of other authorities and organisations and the public concerned (Article 12).

(h) With respect to paragraph 8, measures taken to ensure that in a decision due account is taken of the outcome of the public participation;

Answer

- LEIA: Article 14, Paragraph ~~34~~; Article ~~21~~19, Paragraphs ~~1, 23~~; Article ~~3231~~. Paragraph ~~43~~ item 4.
- Rule Book on Public Access Procedure, Presentation and Public Debate about the Environmental Impact Assessment Study: Article 7.
- Please, refer also to Article 15 of LIPPC stipulating that the competent authority shall decide on permit granting on the basis of the operator's application, the attached documentation, reports and evaluation of the technical commission, as well as on the basis of the opinions obtained from other authorities and organisations and the public concerned.

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

Answer

- Article ~~25-34~~ of the LEIA specifies the obligation to inform the public about the decision, including the reasons for the decision. See also Article ~~196-141~~ of the Law on General Administrative Procedure stating the form and elements of a decision.
- Please, refer to Article 15 of the LIPPC stipulating that the competent authority shall deliver to the operator the decision on granting permit, or refusal of the application for granting the permit and inform accordingly other authorities and organisations and the public concerned within eight days from the date of passing the decision. The competent authority shall deliver the written notice to other authorities and organisations. Article 31 defines that the responsible person in the competent authority shall pay a fine for a range of offences, including failure to inform other authorities, organisations and public in the prescribed way (Article 23);

(j) With respect to paragraph 10, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied making the necessary changes, and where appropriate

Answer

- Article ~~34~~. LEIA specifies that an environmental impact assessment is carried out in case of planned projects that may have a significant impact on the environment, taking into account in particular their size, characteristics or location of implementation, and Article 2, paragraph 1, point 3) a project means (1) construction of a facility, reconstruction of a facility, execution of works on a facility, expansion of capacity or cessation of work, installation or execution of installations, plants and equipment, their reconstruction, removal or change of technology (technology of work processes, raw materials, intermediate materials, energy sources and waste).~~and projects being implemented,~~

~~changes in technology, reconstruction, extension of capacity, termination of operations, and the removal of projects that may have significant impact on the environment. The procedure defined by law accordingly applies to projects that involve changes in technology, reconstruction, extension of capacity, termination of operations, etc.~~

- Please, refer also to Articles ~~18, 28-36~~ of the LEIA

- Article 18 of the LIPPC defines the review procedure and the situations when a review procedure is carried out. The procedure itself is the same as when granting a permit.

(k) With respect to paragraph 11, measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment.

Answer

In accordance with Article 15 of the Law on Genetically Modified Organisms (LGMO) (informing to the public), following the receipt of the application, the Ministry of Agriculture, Forestry and Water Management (hereinafter: MAFWM) shall make available to the public the contents of the application in at least one daily newspaper distributed on the entire territory of the Republic of Serbia, and through electronic media. The MAFWM shall organize and hold a public debate lasting up to 30 days from the day when the application contents were made available to the public.

The opinion of the Expert Council and the final decision with a rationale shall be published by the Ministry in at least one daily newspaper distributed on the entire territory of the Republic of Serbia and through electronic media.

~~-Article 63 of the Law on Food Safety refers to the labelling of novel foods: novel foods placed on the market must, in addition to the general requirements for labelling and labelling referred to in Article 30 of this Act, contain additional information on the properties of novel foods. Article 58, paragraph 3 of the Food Safety Act explains what novel foods do not include: novel foods do not include food additives, food flavourings, food enzyme preparations, processing aids (extraction solvents) and genetically modified foods, which are approved for use in food and animal feed, in accordance with special regulations. –Please, refer also to Article 63 of the Law on Food Safety specifying that upon placing genetically modified food and genetically modified feed on the market, including quantities in bulk, the business operator concerned shall provide the recipient of such food or feed the with the prescribed data in writing.~~

XVI. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 6

Describe any obstacles encountered in the implementation of any of the paragraphs of article 6

Answer

~~–The requirements to provide copies of the entire documentation constitute infringement of copyright of project designers/consultants.~~

- Low public participation in the EIA procedures at the level of the autonomous province. The absence of the obligation to inform the public concerned about the assessments in writing may be one of the factors contributing to that. Certain non-governmental organizations states that participation of citizens is low because decisions are adopted regardless of the adequate comments.

- Conspicuously low level of participation of the bodies and organizations concerned (except professional organizations, such as organization focusing on the protection of the environment).

- The fact that the LEIA has not been harmonized with the Aarhus Convention (the provisions regulating “the assessment of impact of the current status”).

- The most frequent obstacles and problems in the implementation of regulations related to public participation in decision-making affecting environmental impact assessments are insufficient public participation due to being uninformed, uninterested, late inclusion in the course of the case after the deadlines for the right to complaint have expired, as well as lack of trust in the work of the competent body regarding the protection of their interests (City of Niš).

~~– The problems that occur relate to lack of citizen satisfaction regarding the choice of location for planning the implementation of projects subject to the environmental impact assessment procedure. Another problem is the insufficient public participation. Although the public is informed in accordance with the regulations as well as through the local communities on whose territory the project is planned to be implemented, during the implementation of the procedure and in all phases, the public is not sufficiently interested in participating in the procedure. Occasionally there is a subsequent public interest when the case has already been completed and when all deadlines for the right to appeal have expired. (City of Novi Sad).~~

~~– Regarding obstacles and problems in the implementation of regulations related to public participation, the public is insufficiently informed and motivated to take part in environmental impact assessment procedures (City of Kragujevac).~~

- Having in mind that the public interest in inspecting the case documentation and attending public hearings is extremely small, it is necessary to devise a more transparent way of animating the public for inclusion in decision-making in the field of environmental protection. We noticed that citizens find out about the implementation of a project in their neighborhood only after the beginning of the project, when it is already too late for public participation. Authorities and organizations concerned very rarely participate in decision-making, although they are invited to give opinions during public scrutiny. The city municipalities on whose territory the project is planned should participate much more actively in informing citizens and inviting them to participate in decision-making in the field of environmental protection for projects planned in their environment (City of Nis).

- Certain non-governmental organizations states that: majority of the Environmental Impact Assessment Studies does not contain cumulative impacts, alternative scenarios are not developed; complex projects are divided into several individual projects to avoid large adverse effect; developers of the Study are at the same time the employees of the company; there is no evaluation as to whether the Study is prepared well or not, what is important is that it satisfies the Rulebook on the contents of the impact assessment study, hence there is no possibility of license withdrawal; there are no reviews in cases where there is documented reporting by citizens on destructive effects of a certain project; Impact

assessments are not carried out for the significant amendments to the existing projects – facilities; the mechanism of approving the as-is state is still being exercised.

- Certain non-governmental organizations states that decision on the necessity to prepare impact assessment for the list II projects is underspecified; in practice, it boils down to the discretion of the impact assessment department.

- Certain non-governmental organizations states that the impact assessments do not clearly specify the deadline for implementation of environmental protection measures; hence there is no monitoring of the implementation thereof and, in addition to the conditions, protective measures need to be updated as well.

- Certain non-governmental organizations states that most of the Environmental Impact Assessment Studies have been rejected due to formal deficiencies, not one of them was rejected due to the comments given, poorly prepared study or citizen dissatisfaction.

- Certain associations believe that in general, in regards to Article 6, the meaning of consultations with civil society is still not well understood in Serbia. Namely, during the organisation of consultation processes, the objective is primarily to comply with the technical form, and not to essentially and in good faith accept the expert opinion of the civil society.

- Certain associations consider that the provisions of Article 6 of the Aarhus Convention, which should be applied when deciding whether to allow the proposed activities listed in Annex I, do not apply sufficiently, especially if the operators are public enterprises. During the reporting period, a large number of public hearings were held where there were verbal conflicts between the organisers and participants.

- Certain associations consider that there are insufficient regulations and mechanisms to ensure the involvement of vulnerable groups in environmental decision-making and that, although there is a declarative commitment to involve members of vulnerable groups in decision-making and policy making, in practice there are no mechanisms that create conditions for their equal participation. The big challenge often lies in the (un)availability of information and the manner of informing the public, which is not always adapted to the needs of certain vulnerable groups. In addition, the importance of their involvement is largely not recognized in the field of environmental protection, which is largely caused by the lack of data on how environmental challenges affect different categories of the population differently.

- Certain associations consider that there is a lack of systematic, coherent and transparent public involvement in issues of public interest related to different sectors: nature protection, air protection, health protection, energy, climate change, water management and spatial planning. There is a difference between different sectors and institutions in the way of public involvement. In some, it is more functional in others less, so it can be said that there is an unequal and non-standardized approach to public involvement when looking at all areas that have an impact on the environment.

- Certain associations believe that there is a need to develop cooperation between civil society organisations and public authorities to develop a model of public involvement.

- Certain associations consider that there is insufficient activity of Aarhus Canters in terms of actively promoting the principles of the Aarhus Convention and supporting civil society organizations and the public for the purpose of being involved in environmental decision-making, especially at the local level.

~~The Association of the Regulatory Institute for Renewable Energy and the Environment (hereinafter: RERI) on 25 February 2019 submitted a request for information on the progress of administrative procedure (administrative procedure in which a construction permit was issued to the investor for the construction of the Jaruga small HPP), to the municipality of Bela Crkva, municipal administration. As the first instance body—the Municipality of Bela Crkva, the municipal administration, did not act upon the submitted request within the legally prescribed timeframe of 60 days, so the RERI Association filed a complaint due to the silence of the administration on 26 July 2019 to the second instance body—the Municipality of Bela Crkva—the Municipal Council. Bearing in mind that even after the complaint was filed, the second instance body did not act upon the submitted request, the RERI Association on 14 October 2019 submitted a request for urgent action which stipulated an additional period of 7 days for action. Considering that the acting body did not act even after that, the RERI Association filed a lawsuit due to the silence of the administration to the Administrative Court in Belgrade on 8 November 2019, with a request that the court orders the acting body to decide on the submitted request. Considering the above, the RERI Association pointed out that it was not enabled to participate in the decision-making process that may have an impact on the environment, given that it was denied the right to the necessary information on the construction of the Jaruga small HPP.~~

~~Certain associations point out that there is an inability of the public to participate in decision-making procedures that may have an impact on the environment due to the fact that the competent authorities invoked the ban on gathering more than 30 people indoors, prescribed by the Order on Banning Gatherings in Public Places Indoors and Outdoors (“Official Gazette of the RS”, Nos. 100/20 and 111/20) due to the Kovid 19 epidemic.~~

~~Certain associations state that there are cases when investors resort to dividing a project into several smaller units by presenting preparatory works as separate works that have their own independent purpose and function, and are not related to the construction of the main facility/activity. The Law on Planning and Construction defines the meaning of the term construction of a facility, which includes: preliminary works, preparation and control of technical documentation, preparatory works for construction, construction of the facility, and professional supervision during the construction of the facility. Therefore, the aforementioned works are not a project in themselves, nor do they have any independent purpose, except that they are preparatory works for the construction of other facilities, and a separate environmental impact assessment procedure cannot be carried out for them.~~

~~Certain associations report that there are cases when investors resort to splitting a project by initiating an impact assessment procedure for ancillary facilities before conducting an environmental impact assessment of the main project.~~

~~Certain associations state that if the environmental impact assessment of facilities and their technological processes is viewed as separate projects, it is not possible to adequately assess the environmental impact assessment of the entire project, and that investors, by observing the production process in phases, avoid evaluating the environmental impact of the entire process (from the first to the last phase).~~

XVII. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 6

Provide further information on the practical application of the provisions on public

participation in decisions on specific activities in article 6, e.g. are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defence purposes.

Answer

a)

- In ~~2021~~7 the MEP passed decisions for ~~119-102~~ requests on the need to conduct environmental impact assessment, ~~32-39~~ requests to determine the scope and content of the environmental impact assessment study, ~~44-52~~ requests for approval of issuing environmental impact assessment studies; ~~1 request related to the current situation, 3 update requests. gave 18 opinions/instructions related to the enforcement of the Law on Environmental Impact Assessment (competence for the procedure, study updating, interpretation of provisions, project list, response to information of public importance, etc).~~
- In ~~2018-2022~~ the MEP passed decisions for ~~217215~~ requests on the need to conduct environmental impact assessment, ~~36-31~~ requests to determine the scope and content of the environmental impact assessment study, ~~47-51~~ requests for approval of issuing environmental impact assessment studies, ~~3 requests related to the current situation; gave 84 opinions/instructions related to the enforcement of the Law on Environmental Impact Assessment (competence for the procedure, study updating, interpretation of provisions, project list, response to information of public importance, etc).~~
- In ~~2019-2023,~~ the MEP passed decisions for ~~210142~~ requests on the need to conduct environmental impact assessment, ~~46-21~~ requests to determine the scope and content of the environmental impact assessment study, ~~61-44~~ requests for approval of issuing environmental impact assessment studies, ~~1 update request, and 4 requests related to the current situation. ; gave 31 opinions/instructions related to the enforcement of the Law on Environmental Impact Assessment (competence for the procedure, study updating, interpretation of provisions, project list, response to information of public importance, etc).~~
- ~~In 2024, the MEP passed decisions for 218 requests on the need to conduct environmental impact assessment, 33 requests to determine the scope and content of the environmental impact assessment study, 38 requests for approval of issuing environmental impact assessment studies, 1 update request, and 4 requests related to the current situation.~~
- In ~~2017~~2021, the SUEP conducted ~~8947~~ environmental impact assessment procedures, out of which: Phase I – deciding whether it was necessary to conduct the environmental impact assessment: ~~4920~~ cases; Phase II – determining the scope and content of the environmental impact assessment study: ~~2013~~ cases; Phase III – deciding on the approval of the environmental impact assessment study: ~~1813~~ cases, study updating: ~~1-2~~ cases. The public did not participated in conducted procedures, while authorities and organizations concerned participated in passing of final decisions in ~~13-22~~ cases (Institute for Nature Conservation of the Autonomous Province of Vojvodina; ~~Public Enterprise National Park Fruska Gora, one association~~ and Local Self-Government of the Autonomous Province of Vojvodina, etc).
- In ~~2018~~2022, the SUEP conducted ~~11980~~ environmental impact assessment procedures, out of which: Phase I – deciding whether it was necessary to conduct the environmental impact assessment: ~~7934~~ cases; Phase II – determining the scope and content of the

environmental impact assessment study: ~~1422~~ cases; Phase III – deciding on the approval of the environmental impact assessment study: ~~2520~~ cases, study updating: ~~14~~ cases. The public ~~did not~~ participated in conducted ~~2~~ procedures, while authorities and organizations concerned participated in passing of final decisions in ~~40-10~~ cases (Institute for Nature Conservation of the Autonomous Province of Vojvodina, ~~Public Enterprise National Park Fruska Gora, MEP, Provincial Secretariat for Agriculture, Water Management and Forestry~~ and Local Self-Government of the Autonomous Province of Vojvodina).

- In ~~2019~~2023, the SUEP conducted ~~62-128~~ environmental impact assessment procedures, out of which: Phase I – deciding whether it was necessary to conduct the environmental impact assessment: ~~6728~~ cases; Phase II – determining the scope and content of the environmental impact assessment study: ~~3117~~ cases; Phase III – deciding on the approval of the environmental impact assessment study: ~~2416~~ cases, study updating: ~~10~~ case. The public did not participated in conducted procedures, while authorities and organizations concerned participated in passing of final decisions in ~~1728~~ cases (Institute for Nature Conservation of the Autonomous Province of Vojvodina, ~~Institute for Protection of Cultural Monuments~~ and Local Self-Government of the Autonomous Province of Vojvodina).

- In ~~2020-2024(until June 30th)~~, the SUEP conducted ~~10717~~ environmental impact assessment procedures, out of which: Phase I – deciding whether it was necessary to conduct the environmental impact assessment: ~~6710~~ cases; Phase II – determining the scope and content of the environmental impact assessment study: ~~176~~ cases; Phase III – deciding on the approval of the environmental impact assessment study: ~~17~~ cases. The public did not participated in conducted procedures, while authorities and organizations concerned participated in passing of final decisions in ~~132~~ cases (Institute for Nature Conservation of the Autonomous Province of Vojvodina and Local Self-Government of the Autonomous Province of Vojvodina).

-In the Secretariat for Environmental Protection of the City of Belgrade (SZZSGB), in the environmental impact assessment procedures of projects, within the scope of the Department for Environmental Impact Assessment of Projects, in 2021, 103 requests for decisions on the need for an environmental impact assessment, 3 requests for determination of the scope and content of an environmental impact assessment study, 3 requests for issuing consent for an environmental impact assessment study were resolved. In 2022, 129 requests for decisions on the need for an environmental impact assessment, 7 requests for the determination of the scope and content of an environmental impact assessment study, and 5 requests for issuing consent for an environmental impact assessment study were resolved. In 2023, 135 requests for decisions on the need for an environmental impact assessment were resolved, 4 requests for the determination of the scope and content of an environmental impact assessment study, and 6 requests for the issuance of consent to an environmental impact assessment study. In 2024, as of November 12, 85 requests for decisions on the need for an environmental impact assessment were resolved, 3 requests for the determination of the scope and content of an environmental impact assessment study, and 1 request for issuance of consent to an environmental impact assessment study. During the aforementioned period, the public concerned and non-governmental organizations expressed interest in participating and providing opinions in a total of 14 impact assessment procedures, while interested authorities and organizations submitted opinions in 45 environmental impact assessment procedures. Within the framework of the

right to appeal, the following was recorded: in 2021, 5 appeals were filed by project leaders, 2 by the public concerned, and 1 lawsuit by the interested public was filed with the competent court; in 2022, 8 appeals were filed, of which 5 were filed by project leaders and 3 by the public concerned; in 2023, 1 appeal was filed by the public concerned and 2 by project leaders; in 2024, 1 appeal was filed by project leaders, 1 by the public concerned, and 1 lawsuit by the public concerned was filed with the competent court.

~~–At the Secretariat for Environmental Protection of the City of Belgrade (SEPCB), under procedures for environmental impact assessment for projects, within the remit of the Department for Environmental Impact Assessment of Projects in 2017, 294 procedures were conducted based on applications for deciding on the need for impact assessment/granting consent to the study on environmental impact assessment, out of which 252 applications were resolved (by rejecting 10 irregular applications, for 31 applications the procedure was suspended, 1 application was forwarded to the competent ministry, for others appropriate decisions were made on the need for impact assessment/granting consent to an impact assessment study). In 2018, 152 procedures were conducted based on applications for deciding on the need for impact assessment/ granting consent to the study on environmental impact assessment, out of which 132 applications were resolved (by rejecting 8 irregular applications, for 12 applications the procedure was suspended, 2 applications were forwarded to the competent ministry, for others appropriate decisions were made on the need for impact assessment/granting consent to the impact assessment study). In 2019, 121 procedures were conducted based on applications for deciding on the need for impact assessment/granting consent to the study on environmental impact assessment, out of which 115 applications were resolved (by rejecting 5 irregular applications, for 16 applications the procedure was suspended, for others, appropriate decisions were made on the need for impact assessment/granting consent to the impact assessment study). During this period, citizens expressed interest in participating and giving opinions in a total of 15 impact assessment procedures, while authorities and organisations concerned submitted opinions in 50 environmental impact assessment procedures. Within the scope of the right to appeal, the following was recorded: in 2017, 6 appeals were filed by project developers, and 1 lawsuit of the public concerned was filed with the competent court; in 2018, 7 appeals were filed, out of which 6 were filed by project developers and 1 by the public concerned; in 2019, 3 appeals were filed, out of which 1 by the public concerned and 2 by the project developers.~~

~~–The SEPCB, regarding the public participation in the procedures for issuing permits for treatment, i.e. storage and recovery of waste, as well as issuing integrated permits for certain types of plants in the city of Belgrade, informs the public about submitted applications and adopted decisions, and organises public inspection of available documentation, in accordance with the law. Within the scope of the Licensing Department in 2017, 12 procedures were conducted on deciding on applications for issuing permits for treatment, i.e. storage and recovery of waste, out of which 8 were completed (by issuing 3 permits, rejecting 3 irregular applications, and 2 applications forwarded to the competent ministry for resolution). Also, 14 applications for the issuance of an integrated permit were considered, out of which 9 were resolved (by issuing 1 integrated permit, 2 procedures were suspended and 6 irregular applications were rejected). In 2018, 16 procedures were conducted on resolving applications for issuing a permit for treatment, i.e. storage and reuse of waste, out of which 10 were completed (by issuing 3 permits and amending 1~~

permit, rejecting 4 irregular applications and rejecting 2 applications). Also, 7 applications for the issuance of an integrated permit were considered, out of which 3 were resolved (by issuing 1 integrated permit and rejecting 2 irregular applications). In 2019, 21 procedures were conducted on resolving applications for issuing permits for treatment, i.e. storage and recovery of waste, out of which 18 were completed (by issuing 8 permits and amending 3 permits, rejecting 4 irregular applications, suspending 2 procedures and rejected 1 application). Also, 6 applications for issuance of an integrated permit were considered, whereby 2 applications were decided by being rejected as irregular. In the observed period (1 January 2017 – 31 December 2019) in the conducted procedures for issuing an integrated permit, public representatives did not respond to the invitation to participate in the public inspection procedure, whereas the notified authorities concerned submitted 3 opinions on the application submitted and one opinion on the draft decision on issuing the integrated permit. In the procedures for deciding on the request for the issuance of a permit for the operation of waste management facilities, representatives of the public and other notified authorities and organisations did not respond to the invitation to submit an opinion on the submitted request. Within the right to appeal against the adopted administrative act which ended the procedure of deciding on applications for issuing permits in the field of waste management, management of particularly hazardous chemicals, permits for stationary sources of air pollution and integrated permits, the following was recorded: in 2017 there were no appeals submitted; in 2018, 3 appeals were filed by the operator – the applicant; in 2019, 1 appeal was filed by the applicant operator; no lawsuits were filed with the competent court to initiate an administrative dispute.

– In 2017, in the Environmental Protection Office of the City of Novi Sad, there were 82 cases related to environmental impact assessment, in 2018 were 58 cases related to environmental impact assessment, in 2019 were 71 cases related to environmental impact assessment and in 2020 (until June 26th) were 27 cases related to environmental impact assessment. The complaints coming from citizens or associations regarding impact assessment procedures, namely, breaching environmental regulations are as follows: 2017 – 1 complaint, 2018 – 3 complaint, 2019 – 2 complaint and 2020 – 2 complaint and 2 lawsuits until June 26th 2020.

- In the City Administration for Property and Sustainable Development of the City of Niš City Administration of Nis, Secretariat for Environmental Protection, in the period from 2017-2021 to June 2020-2024, were filed 87-151 requests about the need for environmental impact assessment and, 16-26 requests for approval to the study of the environmental impact assessment. There were no appeals from citizens and non-governmental organizations regarding any of the environmental impact assessment procedures., was carried 5 public insights into the case documentation and filed 3 citizens' appeals against the decision of the competent authority related to the installation of base stations at certain locations.

– In the city administration for spatial planning, urban planning, construction and environmental protection (Kragujevac) the number of environmental impact assessments in 2017 was 18 cases, in 2018 it was 27 cases, in 2019 it was 22 cases and in 2020 it was 17 cases. Citizens' interest in giving opinions on impact assessments is low, they are very rarely submitted (there were only a few opinions in the mentioned period). The submitted requests for deciding on the need for environmental impact assessment, as well as the adopted decisions are announced in the local newspaper, on the official website of the City

~~of Kragujevac, and notifications are sent to authorities and organizations concerned. In addition to them, notifications are delivered to the local communities on whose territory the project is planned, where they are placed on a bulletin board and the president of the local community council is notified. In the submitted opinions, citizens often complain about problems that are not the subject of environmental impact assessment, but urbanism, illegal construction, property and the like. In the implementation of the Law on Environmental Impact Assessment since its adoption in 2004, 4 complaints were filed by citizens against issued decisions on impact assessment, 3 decisions were annulled and cases were returned for retrial, and one complaint of citizens was rejected as unfounded. NGOs did not file any complaints.~~

b)

-The obligation to establish Stakeholder Councils under the Law on National Parks is an example of good practice where the importance of involving stakeholders and local people in the management of national parks is recognized. Although there is room for improvement of this legal solution (for now, the decisions of the Stakeholder Council are not binding on the manager; the Council is obliged to meet once a year), the Stakeholder Councils are a good example that other protected areas should follow and involve the public in their work.

-Article 68a of the LNP stipulates the establishment of a Council of Users of a Protected Area for cooperation in the protection and sustainable use of natural values and resources, as well as ensuring the interests of the local population and other users of the protected area. The Council of Users is composed of representatives of local governments, organizations, and associations whose activities take place in the area of the protected area, including representatives of municipalities, users or owners of forests, hunting, fishing organizations, farmers, tourist organizations, and local non-governmental organizations. The Council of Users makes recommendations on locally significant matters within the framework of legally prescribed measures concerning the protected area and sends them to the manager of the protected area. The Council of Users also adopts rules of procedure and meets at least once a year to inform the population and align their interests with the interests of the protected area.

-The INCS informed and established communication and cooperation with the interested public within the process of preparing the protection study, as well as within the public debates on the draft act on protection for the areas.

-2021 year of public debates of the INCS:

• Public debate on the Draft Act on the Declaration of Protection and the Protection Study "Miocene Sprud - Tašmajdan";

• Notice of public inspection and public debate on the draft act on the declaration of a protected habitat and the Protection Study "Wintering Ground of the Little Black-backed Sparrow";

• Public hearings for the protection of: Special Nature Reserve "Uvac", Landscape of Exceptional Features "Ovčarsko-Kablarska klisura", Landscape of Exceptional Features "Left Bank of the Danube Foreland in Belgrade", Natural Monument "Miocene Sprud on Tašmajdan", and Natural Monument "Mrkonjski vis".

-2022. year of public hearings of the INCS:

- Public hearing for the protection of the Landscape of Exceptional Features "Cer", Landscape of Exceptional Features "Ada Ciganlija", and Natural Monument "Dubocka Cave - Gaura Mare".

XVIII. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 6

Give relevant web site addresses, if available:

a) See the list of website addresses related to Article 4.

b)

<https://www.ekologija.gov.rs/obavestenja/procena-uticaja-na-zivotnu-sredinu/>
MEP

<http://www.ekourbapv.vojvodina.gov.rs/rs/>

Secretariat for Urban Planning and Environmental Protection of the Autonomous Province of Vojvodina

beograd.rs/lat/gradska-vlast/2036-sekretarijat-za-zastitu-zivotne-sredine/

Secretariat for Environmental Protection of the City of Belgrade

<https://environovisad.rs/>

Environmental Protection Office of the City of Novi Sad

<https://www.ni.rs/gradska-uprava-za-imovinu-privredu-i-zastitu-zivotne-sredine/>

<http://www.ni.rs/gradska-uprava/uprave-i-sluzbe/uporzss/>

~~City Administration for Property, Economy and Environmental Protection City~~

~~Administration for Economy, Sustainable Development and Environmental Protection Office in Nis~~

~~<https://www.kragujevac.rs/lokalna-samouprava/gradska-uprava-za-prostorno-planiranje-urbanizam-izgradnju-i-zastitu-zivotne-sredine/>~~

~~City Administration for Spatial Planning, Urban Planning, Construction and Environmental Protection in Kragujevac~~

XIX. PRACTICAL AND/OR OTHER PROVISIONS MADE FOR THE PUBLIC TO PARTICIPATE DURING THE PREPARATION OF PLANS AND PROGRAMMES RELATING TO THE ENVIRONMENT PURSUANT TO ARTICLE 7

List the appropriate practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment, pursuant to article 7.

- Law on Strategic Environmental Impact Assessment;

- Law on Environmental Protection: Article 10; Article 14, Paragraph 1, Item 3; Article 35; Article 81, Paragraph 1, Item 1 and Paragraph 2; Law on Planning and Construction: Article 16, Article 33, Paragraphs 3, and 4; Article 41; Article 43 Paragraph 3 and 4, Article 45; Article 45a; Article 50 and 51; Law on Air Protection: Article 37, Paragraph 3; Law on Waters: Articles 37-39; Article 25, Item 7; Law on Nature Protection: Article 54, Paragraphs 6-8; Articles 115 and 116; Law on Forests: Article 28; Law on Energy: Article 5, 6; Law on Agriculture and Rural Development (Official Gazette of the Republic of Serbia No. 41/09, 10/13, 101/16, 67/21, 114/21 and 19/25): Article 5; Article 6; etc.

- Law on Planning System (Official Gazette of the Republic of Serbia No. 30/18) (LPS);
- Decree on the methodology of public policy management, analysis of the effects of public policies and regulations and the content of individual public policy documents (Official Gazette of the Republic of Serbia No. 8/19) (DMPPM);
- Decree on the conditions and procedure for issuing a waste management permit, as well as criteria, characterization, classification and reporting on mining waste ("Official Gazette of RS", No. 53/17).

Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9

Answer

The Law on Strategic Environmental Impact Assessment (LSEIA) contain definitions of the following notions: “public” and “public concerned” (Article 3, Item 5 and 6) that can be said to have been harmonized with the definitions in the Aarhus Convention.

XX. OPPORTUNITIES FOR PUBLIC PARTICIPATION IN THE PREPARATION OF POLICIES RELATING TO THE ENVIRONMENT PROVIDED PURSUANT TO ARTICLE 7

Explain what opportunities are provided for public participation in the preparation of policies relating to the environment, pursuant to article 7

Answer

- Article 81 of the LEP states that the participation of the public regarding strategic impact assessment shall be ensured by opening spatial and urban plans, i.e. any other plan or programme from Article 35 of this law to the public scrutiny. The strategic environmental impact assessment is developed for certain plans, programs and principles in the domain of spatial and urban planning or land utilization, agriculture, forestry, fishing, hunting, energy, industry, traffic, waste management, water management, telecommunications, tourism, infrastructure systems, protection of natural and cultural resources, flora and fauna and their habitats etc., and is an integral part of the plan, program or basis (Article 35). The strategic environmental impact assessment must be harmonized with other environmental impact assessments, as well as with environmental protection plans and programmes and is carried out in accordance with the procedure set out in a special law. Autonomous province or local self-government units, within their rights and responsibilities, define the types of plans and programmes for which the strategic impact assessment will be developed.

-The body responsible for the preparation of the plan and program shall submit the strategic assessment report together with the draft plan and program to the interested bodies and organizations for their opinion. The interested bodies and organizations shall be obliged to submit their opinion within 30 days from the date of receipt of the request for submission of an opinion on the report referred to in paragraph 1 of this Article. If the opinion is not submitted within the period referred to in paragraph 2 of this Article, it shall be deemed that there are no objections to the submitted strategic assessment report. (Article 26)

-Before submitting a request for approval of the strategic assessment report, the body responsible for the preparation of the plan and program shall ensure public participation in the consideration of the strategic assessment report and the draft plan and program. The authority responsible for the preparation of the plan and programme shall inform the public referred to in paragraph 1 of this Article of the manner, place and deadlines for access to the content of the report and draft plan and programme and for submitting opinions, as well as the time and place of holding the public hearing. The notification referred to in paragraph 2 of this Article shall contain, in particular, the following information: 1) the subject of the decision-making procedure; 2) the title, objective and geographical scope of the draft plan and programme; 3) the place, manner and time of public access to the draft plan and programme, the strategic impact assessment report, the non-technical summary and other data, notices and documentation relevant to the decision-making procedure; 4) the manner of electronic access to the data, notices and documentation referred to in point 3) of this paragraph; 5) the place and time of holding public consultations; 6) an invitation to the public to submit opinions and comments on the draft plan and programme and the strategic assessment report, with instructions on the method and deadlines for submission; 7) the name and address of the authority responsible for preparing the plan and programme and the electronic address to which questions, opinions and comments can be submitted. The public shall be informed of the information referred to in paragraph 2 of this Article by means of a public invitation published in at least one printed daily newspaper and on the website of the authority responsible for preparing the plan and programme. The deadline for submitting opinions and comments on the draft plan and programme and the strategic assessment report shall not be shorter than 30 days from the date of publication of the notice in the media, unless otherwise specified in the regulation governing the adoption of the plan and programme. Public inspection and public debate are organized, as a rule, within the framework of displaying the plan and program for public inspection and holding a public debate in accordance with the regulation governing the procedure for adopting the plan and program. If the regulation governing the procedure for adopting the plan and program does not provide for public inspection and public debate on the plan and program, the body responsible for preparing the plan and program shall, by a decision on the preparation of the plan and program or by a separate decision, determine the public inspection and holding of the public debate referred to in paragraph 2 of this Article. The authority responsible for the preparation of the plan and programme shall be obliged to present at a public hearing, in a manner accessible to the public, the identified, described and assessed significant impacts of the plan and programme on environmental factors, the proposed measures to prevent and/or reduce and monitor significant negative impacts identified in the strategic assessment report, the reasonable alternatives considered and the reasons for choosing the proposed solution, taking into account the objectives, subject matter and geographical scope of the implementation of the plan and programme. The authority responsible for the preparation of the plan and programme may ensure the participation in the public hearing of a part of the public that is not physically present at the place where the public consultations are held by using technical equipment that enables remote communication via video link via the internet. The authority responsible for the preparation of the plan and programme shall ensure easy and unhindered electronic access to the public to the draft plan and programme, the strategic impact assessment report, the non-technical summary, the opinion of the authority responsible for environmental

protection and the assessment of the expert commission, the opinions of interested authorities and organisations and other data and documentation relevant to the decision-making process no later than the date of publication of the notice referred to in paragraph 2 of this Article, i.e. as soon as the opinions of interested authorities and organisations, other relevant data or document become available to the authority responsible for the preparation of the plan and programme. The Minister shall prescribe in more detail the manner of informing the public and conducting a public debate on the draft plan and programme and the strategic assessment report. (Article 27)

- The body responsible for the preparation of the plan and programme shall prepare a report on the participation of interested bodies and organisations and the public, which shall contain the opinions referred to in Article 22, paragraph 3, Article 26, paragraph 2 and Article 27 of this Law, as well as the opinions and comments submitted and expressed in the procedure of cross-border consultations. The report referred to in paragraph 1 of this Article shall be prepared within 30 days from the date of completion of the public hearing, i.e., cross-border consultations, and shall contain an explanation of all accepted or rejected opinions and comments and information on the manner in which the opinions and comments were included in the draft plan and programme and the strategic assessment report. (Article 28)

- The body responsible for the preparation of the plan and programme shall submit the body responsible for environmental protection for approval of the strategic assessment report together with the draft plan and program and the report on the participation of interested bodies and organizations and the public referred to in Article 28 of this Law. Upon receipt of the report referred to in paragraph 1 of this Article, the body responsible for environmental protection may obtain the opinion of other authorized organizations or experts in certain areas, especially if this is necessary to clarify the significant impacts of the implementation of the plan and program on certain environmental factors and/or the effectiveness of the proposed measures to prevent and/or reduce the identified impacts. The body responsible for environmental protection shall assess the report referred to in paragraph 1 of this Article by applying the criteria set out in Annex 2 to this Law, taking into account the opinions and comments of the public and interested bodies and organizations. (Article 29).

~~— Article 19 of the LSEIA specifies that public participation is an integral part of the decision-making process. Prior to submitting the request for approval of the strategic assessment report the competent authority responsible for preparation of plans and programs shall provide for public participation in reviewing the strategic assessment report. The public shall review the report within the process of displaying the plans and programmes for public scrutiny and during public debate, unless otherwise provided by law. The competent planning authority informs the public about the method and deadlines for reviewing the content of the report and submission of opinion, as well as the time and venue of holding the public debate, in accordance with the law regulating the procedure of adoption of plans and programmes. The competent planning authority compiles the report on the participation of interested bodies, organisations and the public, which shall encompass all the inputs referred to in Article 18, Paragraph 2 of this law, as well as the inputs submitted during public scrutiny and public debate on the plans and programmes, and the strategic assessment report referred to in Article 19 of this law. The report is compiled within 30 days from the date of completion of public debate and includes~~

~~explanations on all the accepted or rejected opinions (Article 20). According to Article 22, based on the evaluation in Article 21 of this law, the competent environmental protection authority grants approval to the strategic assessment report or rejects the request for granting approval. The deadline for issuing approval is 30 days from the day of receipt of the request submitted by the competent planning authority. The authority competent for preparing the plan or program cannot submit the plan or program for further adoption without having obtained approval of the report on the strategic assessment, issued by the authority competent for environmental protection. The Ministry responsible for environmental protection shall conduct the exchange of information on transboundary impact of plans and programmes on the environment (Article 23). Article 24 stipulates that the strategic assessment report and the results of participation of the authorities, organisations and public concerned and other states in the cases of transboundary impact shall become an integral part of the documentation that provides the basis for plans and programmes. The competent planning authority shall provide access to the data referred to in Paragraph 1 of this Article after the adoption of plans and programmes, under the conditions set forth by law.~~

-The Law on Planning and Construction specifies that strategic environmental impact assessment is an integral part of the spatial plan of the area used for special purposes (Article 22). The decision on developing planning documents also includes, the obligation, or absence thereof, of producing the strategic environmental impact assessment (Article 46). The Law on Planning and Construction stipulates that public participation, as regards urban and spatial planning, takes place during public discussion, meaning that the strategic impact assessment report is reviewed at the same time. According to Article 41, planning documents with annexes must be accessible for public scrutiny during the period of validity of the documents, in the premises of the entity of the decision-maker except for a special annex relating to special measures for the arrangement and preparation of the territory for the needs of the country's defense. The planning document is displayed for public scrutiny takes place after technical review is completed and is announced in a daily and local newspaper and lasts for 30 days from the date of announcement (Article 50). In the event that the competent authority makes a decision to repeat the public scrutiny for a part of the draft planning document, the public scrutiny may not last shorter than 15 days from the day of announcement. The display of the planning document for public scrutiny is overseen by the ministry in charge of spatial planning i.e. the body of the local self-government unit responsible for spatial and urban planning. The responsible body, i.e. the Committee for plans, compiles a report on the conducted public scrutiny of the planning document, which contains information on the completed public scrutiny process, with all the remarks and decisions on account of every remark. The report is submitted to the developer of the planning document, who is obliged to act upon these decisions within 30 days from the day of delivery of the report. Moreover, in the event that, following public insight into the draft planning document, the responsible agency, i.e. the Committee for plans establishes that the adopted remarks fundamentally alter the planning document, it make a decision instructing the developer of the planning document to prepare a new draft of the planning document, within a deadline which cannot exceed 60 days from the day on which the decision was adopted (Article 51).

- Law on Local Self-Government prescribes that a municipality (city) through its bodies, in accordance with the Constitution and the law, ensure environmental protection,

protection from natural and other disasters, protection of cultural goods of importance to the municipality. (Article 20, item 8)

- Article ~~37-25~~ of the Law on Air Protection stipulates that the instruments of air protection policy and planning are: 1) Air Protection Program; 2) National Air Pollution Control Program; 3) National Plan for the Reduction of Emissions of Major Pollutants from Old Large Combustion Plants; 4) Air Quality Plans; 5) Short-Term Air Quality Action Plans; 6) Operator Plans for the Reduction of Emissions from Stationary Point Sources of Pollution.~~the government adopts a four-year National Programme for Gradual Reduction of Maximum Annual Emissions of Pollutants and that the public and the public concerned must have access to the programme.~~

- Article 37 of the Law on Waters specifies the obligation of carrying out the environmental impact assessment for the Strategy and water management plan and special water management plan in accordance with the legislation regulating the field of environmental protection. Articles 38 and 39 regulate the participation of the public in the preparation of the water management plan and the procedure for actions to be carried out following public remarks, respectively. Article 25, Item 7 states that the public has the right on information about the state of waters and the work of competent authorities responsible for water management and to participate in the processes of preparation and adoption of water management plans and control of their implementation.

- Article 43 of the Law on Nature Protection states that the competent authority provides public scrutiny and organizes a public debate about the draft of a protected area designation document, as well as about the supporting documents provided by experts – the protection study with the accompanying maps. Notices of public hearing are published in at least one daily newspaper, which is distributed throughout the territory of the Republic of Serbia and in the local newspaper of the local self-government unit on whose territory the area whose protection is proposed is located, and contains information on time and place of public scrutiny and public debate. According to Article 54, Paragraphs 6-8 of the Law on Nature Protection, the management of a protected area shall inform the public about the proposed plan for managing the protected area. Informing the public means also providing public scrutiny of the proposed plan. Article 116 states that public participation shall be provided in accordance with this law in the course of developing regulations and documents designating a protected area, protected area management plans and plans for utilization of natural resources.

- Article 21 of the Law on Forests specifies that the Forest Development Plan (as a document determining the directions of forest and forestry development, with a plan of implementation in the forest region) shall include, among other things a strategic environmental impact assessment report. The Forest development plan must be harmonized with the program from Article 19 of the Law on Forests and with the Spatial Plan of the Republic of Serbia.

- Article 34 of the LPS stipulates that a participant in the planning system responsible for drafting public policy documents (hereinafter: the competent proposer) is obliged to enable the participation of all stakeholders and target groups in the consultation process, which it conducts during drafting public policy documents. The competent proposer considers the suggestions made by stakeholders and target groups during the consultation. The competent proposer informs the participants of the consultations about the results of the conducted consultations, and especially about the reasons why certain suggestions are not

included in the public policy document. Article 36 of the LPS stipulates that the competent proposer is obliged to conduct a public hearing on public policy document before submitting it for consideration and adoption, and to prepare a report on the conducted public hearing.

-The Regulation on the Methodology for Drafting Public Policy Documents (Official Gazette of the Republic of Serbia, No. 20/25) (RMDPPD) in Article 31 stipulates that the procedure for public debate on a draft public policy document shall be conducted in accordance with the Rules of Procedure of the Government, when the competent proposer is a state administration body. The procedure for public debate on a draft public policy document when the proposer is a body, i.e., a service of an autonomous province, i.e., a unit of local self-government, shall be conducted for a period of at least 20 days. After the public debate has been conducted, the competent proposer shall prepare a report on the conducted public debate and publish it on its website, and when the proposer is a state administration body and on the "e-Consultation" portal, no later than 15 working days from the date of completion of the public debate. The report referred to in paragraph 1 of this Article shall, in particular, contain information on: 1) the time and place of the public debate; 2) the participation of public administration bodies, civil society organizations and business entities in the public debate; 3) the manner in which the suggestions were incorporated into the draft public policy document and, if not, for what reasons this was not done. The implementation of consultations is prescribed in Article 27. The competent proposer shall inform target groups and interested parties of the time and place of application of the selected consultation methods, on its website, and if the competent proposer is a state administration body, also on the "eConsultations" portal. The competent proposer shall, no later than 15 days from the date of completion of the consultations, publish a report on the consultations conducted, on its website, and if the competent proposer is a state administration body, also on the "eConsultations" portal. (Article 28) Submission of the Report on the conducted consultations is prescribed by Article 29. When controlling the implementation of the ex-ante analysis of the effects of the public policy document referred to in Article 24 of this Regulation, the competent proposer shall submit the Report on the conducted consultations referred to in Article 28 of this Regulation to the state administration body responsible for the coordination of public policies. The Report on the conducted consultations shall contain information on the results of the conducted consultations specified in Article 34, paragraph 4 of the Law. The consultation methods are: 1) collection of written comments; 2) survey; 3) focus group; 4) interview; 5) panel; 6) round table. The competent proposer shall conduct consultations by applying one or more consultation methods referred to in paragraph 1 of this Article. The application of the methods referred to in paragraph 1 of this Article shall be carried out in accordance with the by-law regulating the guidelines of good practice for achieving public participation in the preparation of draft laws and other regulations and acts of the minister responsible for state administration affairs, in accordance with the law regulating state administration. (Article 30).

~~Article 39 of the DMPPM provides for consultations to be conducted during public policy-making and drafting of public policy documents, as well as during drafting of regulations, and their purpose is to collect from stakeholders and target groups the data necessary to conduct an impact analysis, in order to defining optimal public policy measures, ie. solutions in regulations. The public debate is conducted immediately before the adoption~~

~~of the public policy document, ie. regulation. Article 40 of the DMPPM stipulates that proposers of public policy documents, ie. drafters of laws, are obliged to consult with representatives of all target groups and other stakeholders during the drafting of that document, ie. the law, using an appropriate consultation technique. The method (technique) of the consultation is chosen depending on the problem to be solved, the available time and resources, as well as the availability of potential participants in the consultation. The most commonly used consultation techniques are: 1) focus groups; 2) round table; 3) semi-structured interview; 4) panel; 5) survey; 6) collection of written comments (Article 41). Article 44 of the DMPPM stipulates that the competent proposer informs the participants of the consultations about the results of the conducted consultations, and especially about the reasons why certain suggestions were not accepted, and is obliged to publish the information about the results of the conducted consultations on its website no later than 15 days after the end of consultation. The procedure of public debate on the draft public policy document is conducted in accordance with the Rules of Procedure of the Government (Article 45).~~

~~-The Water Law provides for the active involvement of the public in the preparation of planning documents (Art. 38, 39, 49). Additionally, to ensure public influence in water management, the Government established the National Water Conference (Articles 142-143).~~

XXI. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 7

Describe any obstacles encountered in the implementation of article 7.

Answer

- Incompatibility of sectoral regulations that provide the basis for the adoption of plans and programmes with the LSEIA (since the strategic impact assessment is performed for plans and programmes from different sectors and not only those that refer to spatial and urban planning, a problem with public participation occurs for plans and programmes of different sectors where the laws applying to these sectors, based on which such plans and programmes are adopted, do not provide for public participation).

~~-Limited possibilities of protecting the right to equal treatment in administrative and judicial procedures because the public participate only in the third phase (phase I—preparation, phase II—development of an expert evaluation, phase III—decision on the strategic impact assessment report).~~

- Some associations consider that public participation in designing strategic state documents and processes related to drafting laws, by-laws and rule books is not at a satisfactory level. The role of the media, namely, media coverage of environmental issues is also unsatisfactory.

- Some associations consider that Strategic impact assessments in relation to Spatial Plans are being systematically breached and they do not at all have the role they should have, but are only documents resting in the drawers.

-Some associations believe that public authorities do not motivate citizens to engage in dialogue regarding policies or programs.

- Certain associations believe that the public authorities, especially local self-government authorities, are insufficiently capable of implementing the DMPPM.

-In the process of amending and supplementing planning documents, the drafting and adoption of draft plans by phases and stages is resorted to, along with which a Strategic Environmental Impact Assessment Report is also prepared for defined amendments and supplements, i.e., "phases" and "stages". This procedure is extremely risky, given that cumulative impacts that are visible only on a broader scale are excluded and represent a completely different character and scope of planning solutions, as well as the scope of the plans.

-Certain associations believe that there are cases where the Strategic Environmental Assessment Report states that alternative solutions were not considered during the preparation of a plan or program, and therefore are not presented in the Report. In the Strategic Environmental Assessment Report, the unjustified absence of presentation and comparison of alternative solutions is "compensated" by comparing the scenarios of adoption and non-adoption of the plan or program, without questioning the justification of the planning solutions themselves. The assessment that a solution is better than the unchanged situation does not say anything about the outcome of the selected option being the best possible option, which is required by the applicable domestic regulations governing strategic environmental assessment issues.

XXII. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 7

Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 7.

Answer

- In the period ~~2017~~2021-2020~~2021~~2024, the MEP issued ~~31~~206 decisions on the approval of the strategic environmental impact assessment, ~~49~~121 decisions on the development of the strategic environmental impact assessment and ~~67~~90 opinions on the strategic environmental impact assessment for local self-government units. No data is available about the total number of strategic impact assessments carried out at the level of local self-government units.

~~— In 2017 the SUEP held 88 procedures regarding strategic environmental impact assessments, namely: providing opinions on decisions on not initiating the drafting of a strategic environmental impact assessment – 67 requests, providing opinion on the decision on drafting a strategic environmental impact assessment – 10 requests, providing opinion on the Report on the Strategic Environmental Impact Assessment – 5 requests and providing approval to the Report on the Strategic Environmental Impact Assessment – 6 requests.~~

~~— In 2018 the SUEP held 68 procedures regarding strategic environmental impact assessments, namely: providing opinions on decisions on not initiating the drafting of a strategic assessment – 46 requests, providing opinion on the decision on drafting a strategic environmental impact assessment – 6 requests, providing opinion on the Report on the Strategic Environmental Impact Assessment – 9 requests and providing approval to the Report on the Strategic Environmental Impact Assessment – 7 requests.~~

~~In 2019 the SUEP held 58 procedures regarding strategic environmental impact assessments, namely: providing opinions on decisions on not initiating the drafting of a strategic environmental impact assessment – 38 requests, providing opinion on the decision on drafting a strategic environmental impact assessment – 10 requests, providing opinion on the Report on the Strategic Environmental Impact Assessment – 4 requests and providing approval to the Report on the Strategic Environmental Impact Assessment – 6 requests.~~

~~In 2020 the SUEP held 18 procedures regarding strategic environmental impact assessments, namely: providing opinions on decisions on not initiating the drafting of a strategic environmental impact assessment – 11 requests, providing opinion on the decision on drafting a strategic environmental impact assessment – 3 requests, providing opinion on the Report on the Strategic Environmental Impact Assessment – 2 requests and providing approval to the Report on the Strategic Environmental Impact Assessment – 1 request.~~

~~In 2020 (until June 30, 2020) 18 procedures were conducted in the SUEP relating to the strategic environmental impact assessment, as follows: delivering opinion on the decisions on failing to commence the preparation of the strategic impact assessment – 11 requests, delivering opinion on the decision on elaboration of strategic impact assessment – 3 requests, delivering opinion on the Report on the strategic environmental impact assessment – 3 requests and approving the Report on the strategic environmental impact assessment – 1 request.~~

-The Law on Planning and Construction (LPC) and the Rulebook on the content, manner and procedure of drafting spatial and urban planning documents (RCMPDSUPD) (“Official Gazette of RS”, No. 32/19 and 47/25) sets out the activities and describes the manner and procedure of presenting the planning documentation to the public and the obligations of the holder of these documents to act. Following the decision on the development of the spatial plan in accordance with the LPC and RCMPDSUPD, the main designer of the plan development makes arrangements for informing the public - legal and natural persons (phase of early public inspection). Early public inspection is announced in the media and in electronic form on the website of the local self-government unit included in the scope of the planning document and on the website of the plan owner, i.e. SUEP. The early public inspection procedure lasts 15 days. An adequate material is compiled for the purpose of presentation to acquaint the public with the general goals and purpose of the plan. In this way, the public is given the opportunity to express themselves through written remarks, suggestions or opinions, while the holders of public authorizations and other institutions are invited to submit conditions and other data of importance for the preparation of the planning document. After each early public inspection that is held, a Report is drawn up, containing a list of received conditions, opinions, remarks and suggestions. Public inspection - presentation of the planning document for the public inspection is performed in the further process of drafting the plan, after the expert control. The presentation of the planning document for public inspection is announced in the media and lasts for 30 days from the day of announcement. The planning document is presented in an analogue form, as well as in electronic or digital form, on the website of SUEP, and in the same way in the local self-government units whose territories are located within the scope of the plan to be presented. The content of the advertisement is prescribed by the LPC and RCMPDSUPD, therefore it contains all the necessary information required to acquaint the public concerned - legal and natural persons, with the proposed planning solutions and to submit their

comments and suggestions. The procedure of public inspection also includes arrangements for a public presentation of the planning document. The text of the advertisement contains precise information on the manner, place and time of the public presentation, as well as the place and time of the public meeting of the Commission for public inspection, which may be attended by the public concerned. After the public inspection of the planning document, a Report on the performed public inspection is prepared in accordance with the LPC and RCMPDSUPD. The report also contains data on the received objections and suggestions with the conclusion whether they are accepted or not. ~~During the public inspection of the planning document some objections and suggestions for certain plans were submitted from the public concerned, while for some plans there were no objections nor suggestions.~~

~~In the period from 2017 to 2020, SUEP, as the competent authority of AP Vojvodina for spatial and urban planning, conducted the procedure of public inspection, preceded by the procedure of early public inspection, for the following planning documentation:~~

- ~~1. — Spatial Plan for the Special Purpose Area of the infrastructure corridor of the transport gas pipeline collection station Tilva—Bela Crkva, with elements of detailed regulation;~~
- ~~2. — Spatial Plan for the Special Purpose Area of the infrastructure corridor of the transport gas pipeline Sremska Mitrovica—Sid, with elements of detailed regulation;~~
- ~~3. — Spatial Plan for the Special Purpose Area of the cultural landscape of Sremski Karlovci;~~
- ~~4. — Spatial Plan for the Special Purpose Area of the irrigation system of Srem;~~
- ~~5. — Spatial Plan for the Special Purpose Area of the water supply system "East Srem" ("Official Journal of APV", No. 57/17);~~
- ~~6. — Spatial Plan for the Special Purpose Area of protected natural assets "Okanj bara" and "Rusanda" (Decision of the Provincial Assembly on the adoption of the Spatial Plan);~~
- ~~7. — Spatial Plan for the Special Purpose Area "Fruska Gora";~~
- ~~8. — Spatial Plan for the Special Purpose Area of the special nature reserve "Slano Kopovo";~~
- ~~9. — Spatial Plan for the Special Purpose Area of the infrastructure corridor of the transport gas pipeline Futog—Beocin with elements of detailed regulation (Decision of the Provincial Assembly on the adoption of the Spatial Plan);~~
- ~~10. — Spatial Plan for the Special Purpose Area of the infrastructure corridor of the distribution gas pipeline Rivica—Jazak—Letenka, with elements of detailed regulation;~~
- ~~11. — Spatial Plan for the Special Purpose Area of the Nature Park "Ponjavica";~~
- ~~12. — Spatial Plan for the Special Purpose Area of the Landscape of Outstanding Features "Potamišje";~~
- ~~13. — Spatial Plan for the Special Purpose Area of the State Road IIa order No. 100 for the needs of reconstruction and modernization of the road and construction of a bicycle lane on the section Novi Sad—Stara Pazova (up to the border with the administrative area of the City of Belgrade), with detailed elaboration;~~
- ~~14. — Spatial Plan for the Special Purpose Area of dredging, deposition and remediation of sediments of the part of the DTD Hydrosystem channel network Vrbas—Bezdan from the confluence with the channel Becej—Bogojevo to the hydro junction Vrbas;~~
- ~~15. — Spatial Plan for the Special Purpose Area for collection, drainage and treatment of wastewater in the Sava River Basin in the region of Srem;~~

16. — ~~Spatial Plan for the Special Purpose Area of the infrastructure corridor of the Subotica State Border railway (Baja direction) with elements for direct implementation as well as for the planning documentation whose development is in progress;~~
17. — ~~Spatial Plan for the Special Purpose Area of the Nature Park "Jegrička";~~
18. — ~~Spatial Plan for the Special Purpose Area of the landscape "Vrsacke planine".~~
 - ~~The procedure of early public inspection is arranged for the following planning documentation, the preparation of which is in progress:~~
 1. — ~~Decision of the Provincial Assembly on the development of the Spatial Plan for the Special Purpose Area of revitalization of the Begej Canal;~~
 2. — ~~Decision of the Provincial Assembly on the development of the Spatial Plan for the Special Purpose Area of Nature Park "Begečka jama";~~
 3. — ~~Decision of the Provincial Assembly on the development of the Spatial Plan for the Special Purpose Area of the Special Nature Reserve "Pasnjaci velike droplje".~~
 - ~~Within the competencies of SUEP in accordance with LPC and RCMPDSUPD, for projects of importance for the Republic of Serbia, i.e. where the urban planning project is elaborated on the basis of the spatial plan of the special purpose area, public presentations of urban planning projects were organized as technical documents for the execution of the planning documents. The procedure for advertising and presenting the urban planning project is prescribed by LPC and RCMPDSUPD. The presentation of the urban planning project is announced in the media, on the official website of SUEP and on the official website of the local self-government unit 7 days before the day set for the beginning of the public presentation, and the public presentation is held for 7 days.~~
 - ~~Pursuant to the provisions of the Law on Planning and Construction, the Law on the Strategic Environmental Impact Assessment ("Official Gazette of RS", no. 135/04 and 88/10) and other relevant regulations, during the period 2017-2020 there were public reviews held for 33 draft spatial plans for special purpose areas (hereinafter: spatial plans) and reports on the strategic environmental impact assessment of spatial plans for special purpose areas (hereinafter: SIA reports), namely:~~
 1. — ~~The Draft Spatial Plan for the special purpose area of the infrastructure corridor of IB-class state road, highway E-75 Belgrade – Niš (interchange "Požarevac") – Požarevac (bypass) – Veliko Gradište – Golubac and the Report on the strategic environmental impact assessment of the Spatial Plan;~~
 2. — ~~The Draft Spatial Plan for the special purpose area for the construction of Kolubara B thermal power plant and the Report on the strategic environmental impact assessment of the Spatial Plan;~~
 3. — ~~Draft amendments to the Spatial Plan for the special purpose area of hydropower plants "Brodarevo 1" and "Brodarevo 2" on the Lim river and Report on the strategic environmental impact assessment of the Spatial Plan;~~
 4. — ~~The Draft Spatial Plan for the special purpose area of the infrastructure corridor of the Belgrade – Niš railway track and the Report on the strategic environmental impact assessment of the Spatial Plan;~~
 5. — ~~The Draft Spatial Plan for the special purpose area of the Nature Park "Šargan – Mokra Gora" and the Report on the strategic environmental impact assessment of the Spatial Plan;~~
 6. — ~~Draft Amendments to the Spatial Plan for the special purpose area of the infrastructure corridor of I-class state road I No. 21 Novi Sad – Ruma – Šabac and I-class~~

~~state road No. 19 Šabac—Loznica and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~7. — The Draft Spatial Plan for the special purpose area for the Implementation of the project for the exploitation and processing of Jadarite minerals “Jadar” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~8. — The Draft Spatial Plan for the special purpose area of the Barje reservoir basin and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~9. — The Draft Spatial Plan for the special purpose area of IB-class state road No. 27 Loznica—Valjevo—Lazarevac, section Iverak—Lajkovac (connection with highway E-763 Belgrade—South Adriatic, section Belgrade—Požega) and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~10. — The Draft Spatial Plan for the special purpose area of the landscape of outstanding features “Vlasina” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~11. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor of highway E-761, section Pojate—Preljina and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~12. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor of the high-voltage transmission line 2x400 kv Bajina Bašta—Obrenovac and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~13. — The Draft Spatial Plan for the special purpose area of the exploitation of mineral resources at the location of “Čukaru Peki” mine in the Municipality of Bor and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~14. — The Draft Spatial Plan for the special purpose area of the Nature Park “Zlatibor” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~15. — The Draft Spatial Plan for the special purpose area of the Special Nature Reserve “Mileševka River Gorge” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~16. — Draft Amendments to the Spatial Plan for the special purpose area of the transmission gas pipeline Border of Bulgaria—Border of Hungary and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~17. — The Draft Spatial Plan for the special purpose area of Studenica Monastery and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~18. — The Draft Spatial Plan for the special purpose area of the National Park “Tara” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~19. — The Draft Spatial Plan for the special purpose area of the Cer Mountain and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~20. — The Draft Spatial Plan for the special purpose area of highway E-761, section Požega—Užice—border with Bosnia and Herzegovina and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~21. — The Draft Spatial Plan for the special purpose area of the Special Nature Reserve “Jerma” and the Report on the strategic environmental impact assessment of the Spatial Plan;~~

~~22. — The Draft Spatial Plan for the special purpose area of distribution gas pipeline RG 09-04/2 Aleksandrovac—Kopaonik—Novi Pazar—Tutin, with elements of detailed~~

regulation, and the Report on the strategic environmental impact assessment of the Spatial Plan;

23. — The Draft Spatial Plan for the special purpose area of the landscape of outstanding features “Ovčar Kablar Gorge” and the Report on the strategic environmental impact assessment of the Spatial Plan;

24. — The Draft Spatial Plan for the special purpose area of the IB state road, section Borča—Zrenjanin, with elements of detailed regulation, and the Report on the strategic environmental impact assessment of the Spatial Plan;

25. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor Belgrade South Adriatic, section Požega-Boljare (border with Montenegro) (highway E-763) and the Report on the strategic environmental impact assessment of the Spatial Plan;

26. — The Draft Spatial Plan for the special purpose area of the archaeological site “Belo Brdo” and the Report on the strategic environmental impact assessment of the Spatial Plan;

27. — The Draft Spatial Plan for the special purpose area of the reservoir basin “Vrutei” and the Report on the strategic environmental impact assessment of the Spatial Plan;

28. — The Draft Spatial Plan for the special purpose area of the reservoir basin “Prvonek” and the Report on the strategic environmental impact assessment of the Spatial Plan;

29. — Draft Amendments to the Spatial Plan for the special purpose area of the coal basin “Kostolac” and the Report on the strategic environmental impact assessment of the Spatial Plan;

30. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor of the high voltage interconnection line 2x400 kv Republic of Serbia (Bajina Bašta)—Border of Montenegro—Border of Bosnia and Herzegovina and the Report on the strategic environmental impact assessment of the Spatial Plan;

31. — Draft Amendments to the Spatial Plan for the special purpose area of the infrastructure corridor Niš—Border of Bulgaria and the Report on the strategic environmental impact assessment of the Spatial Plan;

32. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor of highway E-80, section Niš—Merdare and the Report on the strategic environmental impact assessment of the Spatial Plan;

33. — The Draft Spatial Plan for the special purpose area of the infrastructure corridor of the Belgrade—Subotica—State Border (Kelebija) railway track and the Report on the strategic environmental impact assessment of the Spatial Plan.

In 2020, the plan is also to organise a public inspection of the drafted Spatial Plan of the Republic of Serbia for the period 2021–2035.

The advertising and presentation for public review of the above draft spatial plans and SEIA reports is under the competence of the Ministry of Construction, Transport and Infrastructure, in cooperation with local self-government unit public authorities competent for urban and spatial planning affairs. The draft spatial plans and SEIA reports were presented for public review during the advertised periods (in the daily papers „ALO“, „SRPSKI TELEGRAF“, „DANAS“, „KURIR“ and „INFORMER“), in the seats of local self-government units encompassed by the above spatial plans, as well as on the websites of the Ministry of Construction, Transport and Infrastructure and local self-government units that are within the scope of the spatial plan. All further information on the place of presentation, as well as required explanations, could be obtained in the services tasked with urban and spatial planning affairs in the local self-government units. Public presentations

~~of the above draft spatial plans and SEIA reports were held at the seats of local self-government units encompassed by the above spatial plans. Natural and legal persons could submit their objections to the draft spatial plans and SEIA reports for the duration of public review in writing to the Ministry of Construction, Transport and Infrastructure. At the same time, opinions were collected during the public review from interested public authorities and organizations, and the public, in accordance with the provisions of the Law on the Strategic Environmental Impact Assessment. Upon the completion of public review, public sessions of the Commission for the implementation of the procedure of public review of the draft spatial plans of the special purpose area and SEIA reports (hereinafter: Commission) were held in the seats of local self-government units encompassed by the spatial plans, deliberating on the objections of natural and legal persons submitted during the public review. During the above public sessions, natural and legal persons could publicly elaborate on their objections. Closed sessions of the Commission produced final opinions on each individual objection submitted by natural and legal persons, and/or interested bodies and organizations, and the public. Pursuant to the provisions of the Law on the Strategic Environmental Impact Assessment, opinions of the ministry competent for environmental protection affairs were collected for the above SEIA reports.~~

~~—The INCVP and other competent provincial institutions, the SUEP, the Provincial Institute for Urbanism, in accordance with the above, provided several public reviews on the proposed regulations on the proclamation of protected areas and nature protection studies, as well as public hearings, e.g.:~~

- ~~1. — Public review of the Draft of the Provincial Decree on the Proclamation of the Nature Park "Jegrička";~~
- ~~2. — Public review of the Draft Provincial Assembly Decision on the Protection of the Landscape of Outstanding Features of "Vršac Mountain";~~
- ~~3. — Public review of the Draft Provincial Assembly Decision on the Protection of Natural Monuments "Stratigraphic Profile – the Beočin Branch";~~
- ~~4. — Public review of the Draft Provincial Assembly Decision on the Protection of the Nature Park "Slatine in the Zlatica Valley";~~
- ~~5. — Public review of the Draft Provincial Assembly Decision on the Protection of the Landscape of Outstanding Features "Kanjiški Jaraši";~~
- ~~6. — Public review of the Draft Special Purpose Area Spatial Plan of the Nature Park "Jegrička".~~

~~All these public presentations and discussions were relatively well attended by stakeholders, and detailed information and the aforementioned Nature Protection Studies can be found on the website of the INCVP.~~

~~—During 2019, through the EU-funded PLAC III project, an Ex-ante analysis of the effects for the circular economy was prepared in accordance with the Law on Planning System. The public presentation of the document was held on November 6, 2019, at the final conference of the project, with the participation of all stakeholders, institutions and representatives of the civil sector. In addition, during February 2020, public consultations were conducted, so that the mentioned document was posted on the website of the MEP and the Office for Information Technology and Electronic Administration. The public consultation process was conducted in accordance with the regulations governing public participation and the Law on the Planning System.~~

~~–At the beginning of 2019, a public debate was held on the Public Health Strategy, in which the issues of health and environmental protection are connected.~~

~~–At the beginning of 2020, a public debate was held on the Proposal of the Low Carbon Development Strategy and on the Draft Report on the Strategic Environmental Impact Assessment of this Strategy.~~

~~- During the development of the Water Management Plan, the Flood Risk Management Plan, and the Action Plan for Monitoring the Implementation of the Water Management Strategy, in addition to organized working groups composed of representatives of interested parties, public participation was also enabled through the official website of the Republic Water Directorate. The National Water Conference was also actively involved.~~

~~-The Ministry of Environmental Protection has issued a Public Call for Public Participation in the Consultation Process Regarding the Development of the Draft Industrial Safety Program of the Republic of Serbia for the Period 2026 - 2035 with the Action Plan for the Period 2026 - 2030 and the Report on the Strategic Environmental Impact Assessment of the Industrial Safety Program of the Republic of Serbia for the Period from 6 to 21 August 2025.~~

~~-The Ministry of Environmental Protection has organized a public debate on the Draft Environmental Protection Strategy - Green Agenda for the Republic of Serbia for the period 2024 - 2033 with the Action Plan and the Strategic Environmental Impact Assessment Report in the period from December 4 to December 24, 2024.~~

~~-The Ministry of Environmental Protection has published the Decision on the preparation of a strategic environmental impact assessment of the Climate Change Adaptation Program with an Action Plan ("Official Gazette of the Republic of Serbia", No. 69/22 of April 26, 2022) and has prepared a Report on the Strategic Environmental Impact Assessment of the Climate Change Adaptation Program with an Action Plan. A public hearing on the Strategic Impact Assessment Report was organized from September 14 to October 13, 2023.~~

~~-The Ministry of Environmental Protection has organized a public hearing on the Draft Climate Change Adaptation Program with an Action Plan from September 14 to October 3, 2023.~~

~~-The Ministry of Environmental Protection organized a public hearing on the Draft Circular Economy Development Program in the Republic of Serbia for the period 2022-2024 from December 23, 2021 to January 14, 2022.~~

~~-The Ministry of Environmental Protection organized a public hearing on the Draft Air Protection Program in the Republic of Serbia for the period 2022-2030 with an Action Plan from November 19 to December 8, 2021.~~

XXIII. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 7

Give relevant web site addresses, if available

a) See the list of website addresses related to Article 4.

b) <https://www.mgsi.gov.rs/cir/>
Ministry of Construction, Transport and Infrastructure
<http://www.ekourbapv.vojvodina.gov.rs/>

SUEP

<http://www.pzzp.rs/rs/sr/>

Provincial Institute for Nature Conservation

Ministry of Agriculture, Forestry and Water Management, Republic Directorate for Water

<https://www.rdvode.gov.rs/index.php>

XXIV. EFFORTS MADE TO PROMOTE PUBLIC PARTICIPATION DURING THE PREPARATION OF REGULATIONS AND RULES THAT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO ARTICLE 8

Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment, pursuant to article 8. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer

- Article 77 of the Law on State Administration stipulates that public authorities are obliged to provide conditions for public participation during the preparation of draft laws, other regulations and acts. Ministries and special organizations are obliged to inform the public through their website and e-government portal about the start of drafting the law, while publishing basic information about the planned solutions that will be proposed. Ministries and special organizations during the preparation of the draft law consult with all relevant entities, including other public authorities, relevant associations, the professional public, as well as other stakeholders. Ministries and a special organisations shall be obliged to undertake public debate in the procedure of preparation of a law which essentially changes the legal regime in one field or which regulates issues of particular relevance for public. The procedure of conducting a public debate in the preparation of a law shall be regulated in detail by the Rules of Procedure of the government.

- Please, refer to Article 41-45 of the Rules of Procedure of the government (Official Gazette of the Republic of Serbia No. 30/13). A similar provision is to be found in the Rules of Procedure of the National Assembly of the Republic of Serbia. A uniform legislative methodology is applied in the process of preparing legislation adopted by the National Assembly (Official Gazette of the Republic of Serbia No. 21/10).

- Several environmental regulations allow for the possibility of participation of the public in the preparation of regulations. Thus, for example Article 116 of the Law on Nature Protection stipulates that the participation of the public in accordance with this law is planned in the process of drawing up regulations and documents designating protected natural resources and those regulating the plans for managing protected areas and the plans for using natural resources. Article 22, Paragraph 1, Item 28 of the Law on Radiation and Nuclear Safety and Security stipulates that the Directorate for Radiation and Nuclear Safety and Security of Serbia shall establish appropriate mechanisms and procedures for informing the public and consulting with other authorities and organizations concerned in the field of radiation and nuclear safety and security. Article 10 of the Law on Food Safety states that "Public debates shall be held in the course of drafting, appraisal and amendment of the food legislation in accordance with current regulations, with direct or indirect

participation of all interested parties, except in emergencies when this would be impossible.”

XXV. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 8

Describe any obstacles encountered in the implementation of article 8.

Answer

- The obligation of ensuring that the public participation procedure is carried out is not incorporated in all pieces of legislation that may be of importance for the field of environment.
- Although competent authorities carry out different activities aimed at informing the public concerned and collecting opinions of members of the public during the process of preparing and adopting environmental legislation or regulations that may be of importance for the field of environment, some associations maintain that this procedure is not implemented consistently and that the public does not have enough possibilities to influence the adoption of regulations.
- Relatively low interest of the public to participate in the procedures related to drafting legislation.
- Insufficient knowledge of the public concerned as to how, when and to whom to submit their opinions.
- Certain associations believe that a number of laws are being passed under an urgent procedure that excludes public participation.
- ~~-The process of involving CSOs in drafting a negotiating position for Chapter 27, in which CSO representatives had to sign a confidentiality statement to participate in working groups, is not, in the opinion of certain associations, an adequate example of public involvement. Furthermore, for most decision-making processes, access is limited to associations from Belgrade because other organizations do not have the funds for travel expenses, and very often there are no trained people to participate in the processes.~~
- Certain associations point out that the Law on Public Administration regulates the issue of public involvement in the adoption of regulations by the Ministries and special organizations, including informing the public about the start of work on amending regulations on the E-Government Portal website and the obligation to hold public hearings. However, associations believe that such an information mechanism is lacking for the regulations adopted at the local level, which further complicates citizen participation.

XXVI. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 8

Provide further information on the practical application of the provisions on public participation in the field covered by article 8.

- MEP posts all draft legislation on its website (www.ekologija.gov.rs) and members of the public concerned can submit their comments and participate in the process of adopting regulations.

- The working group for developing the draft Law on ~~the Environmental Liability Air Protection~~ is also comprised of representatives of non-government organizations, ~~such as the non-government organization "Belgrade Open School", referring the draft Law to a large number of other non-government organizations and collecting their suggestions and comments.~~

~~-The working group for the development of the Draft Industrial Safety Program of the Republic of Serbia for the period 2026 - 2035 with the Action Plan for the period 2026 - 2030 also included representatives of the association.~~

- As from 2013, MEP has begun to periodically hold meetings with representatives of the associations in order to include them in all activities and establish the partnership with them.

~~-In the period from 2017 to 2020, representatives of civil society, as members of the working group, participated in the development of Directives Specific Implementation Plans (DSIPs), as well as in the development of the Action Plan for Strengthening Administrative Capacities, which are accompanying documents of the Negotiating Position for Chapter 27 Environment and Climate Change.~~

- The "Green Chair" is a mechanism that enables the participation of civil society organizations in the work of the Committee for Environmental Protection of the National Assembly of the Republic of Serbia. This mechanism began operating on June 5, 2013. Through the Green Chair mechanism, the representatives of the civil society organisations are provided with a place at the Committee meetings, where the representatives of the civil society organisations have the opportunity to raise questions to the parliamentarians and public authorities, to participate in the discussions and to make their suggestions. The Committee enables the public participation in the legislative procedure also by organising public hearings.

-At the Conference "Partnership for Green Novi Sad", which was held on 4.12. 2019 in the city of Novi Sad, with support of the OSCE Mission in Serbia, the "Green Chair" was established in the Assembly of the City of Novi Sad and the Council for Environmental Protection. Through the formation of a working group, whose representatives will participate in the work of the "Green Chair", continuous cooperation will be established between the authorities of the City of Novi Sad and environmental associations in solving local environmental challenges.

~~-The MEP of the Republic of Serbia in partnership with Network of the Aarhus centres in Serbia and support from the OSCE Mission in Serbia organized public hearing and public consultations for the Draft Law on Amendments to the Law on EIA, Draft Law on Amendments to the Law on SEA, on the Draft Law on Air Protection, on the Draft Law on the Control of Major Accident Hazards Involving Hazardous Substances, on the Draft Law on Amendments and Supplements to the Law on Environmental Protection, and the Decree on public participation in respect of the drawing up of certain plans and programs in the field of environmental protection, in the City of Belgrade, City of Novi Sad, City of Subotica, City of Nis, City of Kragujevac, City of Krusevac and City of Novi Pazar in the period from April to June 2019.~~

~~-The MEP of the Republic of Serbia in partnership with Network of the Aarhus centres in Serbia and support from the OSCE Mission in Serbia organized public consultations for the Draft Law on Environmental Liability in the City of Belgrade, City of Novi Sad, City of Subotica, City of Nis and City of Kragujevac, in the period from September to November 2019.~~

~~–Representatives of civil society organizations are involved in working groups for the preparation of the Draft Law on Amendments to the Law on Environmental Impact Assessment and the Draft Law on Amendments to the Law on Strategic Environmental Assessment.~~

~~–In 2020, the Association of Young Researchers of Serbia started implementing two multi-year projects that should contribute to the improvement of cooperation and systematic involvement of the public in decision-making processes. The “ECO-SYSTEM Program” project is supported by Sweden and aims to support environmental reforms in the Republic of Serbia by more actively involving civil society organisations and other actors in the implementation of the EU acquis communautaire. The program will last until 2022, and the main components are capacity building of CSOs, a campaign to raise citizens' awareness of the environment and support for projects of organisations to work at the local level. The Green Incubator project is supported by the European Union, implemented by the Belgrade Open School Association in cooperation with the Young Researchers of Serbia and Environmental Engineers associations. This project will also last until 2022. The Green Incubator project aims to contribute to strengthening the capacity of civil society organisations dealing with environmental issues, especially to monitor the process of European integration of the Republic of Serbia, foster initiatives of local informal groups, and explore potentials and make recommendations for socio-economic development of local community on the principles of green (circular) economy.~~

~~–Public debate on the Draft Law on Amendments to the Law on Waste Management was conducted in accordance with the Conclusion of the Committee on Economy and Finance of the Government of the Republic of Serbia on conducting a public debate (05 Number: 011-10909 / 2019 of 31 October 2019) in period from 1 to 20 November 2019.~~

~~–Public insight into the draft Regulation on Proclamation and study the protection of natural monument "Kalemegdanski rt" was held from 18 October to 6 November 2019 in the premises of the Ministry of Environment and the Institute for Nature Conservation. Public debate and public presentation were held on November 15, 2019.~~

~~–The adoption of bylaws of the Directorate for Radiation and Nuclear Safety and Security of Serbia was preceded by a public debate within which public concerned could submit proposals for their amendment.~~

~~–Representatives of civil society organizations participate in the working group of the Ministry of Environmental Protection for the development of the National Plan for Combating Desertification and Land Degradation.~~

-Ministry of Environmental Protection with the support of the OSCE Mission to Serbia from 24 to 28 October 2022, organized five public discussions (of which four online), on the draft Strategy and Action Plan for the Implementation of the Aarhus Convention, and the related Feasibility Study. The four online debates, facilitated by the Aarhus Centres in Subotica, Novi Sad, Kragujevac and Niš, and the in-person debate in Belgrade led by the Aarhus Centre Novi Beograd, were organized in partnership with the Ministry of Environmental Protection. The events gathered a total of 120 participants, including representatives of environmental CSOs, local authorities, and the private sector. The inputs and recommendations generated during the discussions were submitted to the Ministry to inform further improvements to the draft Strategy and Action Plan.

XXVII. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 8

Give relevant web site addresses, if available:

www.ekologija.gov.rs

MEP

<http://www.mpravde.gov.rs/sekcija/53/radne-verzije-propisa.php>

Ministry of Justice

<http://www.srbatom.gov.rs/srbatomm/zakonska-regulativa/>

Directorate for Radiation and Nuclear Safety and Security of Serbia

<https://euprava.gov.rs/>

Portal eGovernment

XXVIII. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON ACCESS TO JUSTICE IN ARTICLE 9

List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

- The Constitution of the Republic of Serbia, Law on Environmental Protection, Law on Integrated Environmental Pollution Prevention and Control, Law on Free Access to Information of Public Importance, Law on State Administration, Law on Self-Government, Law on General Administrative Procedure
- Law on Administrative Disputes (Official Gazette of the Republic of Serbia No. 111/09)
- Civil Procedure Code (Official Gazette of the Republic of Serbia No. 125/04, 72/11, 49/13, 74/13, 55/14, 87/18, ~~and 18/20~~ and 10/23)
- Law on Enforcement and Security (Official Gazette of RS No. 31/11, 99/11, 106/15, 106/16, 113/17, ~~and 54/19~~, 9/20 and 10/23)
- Law on Contractual Relations (Official Gazette of the Republic of Serbia No. 29/78, 39/85, 45/89, 57/89, Official Gazette of the Federal Republic of Yugoslavia No.31/93, 1/03, Official Gazette of the Republic of Serbia No. 18/20)
- Law on the Protector of Citizens (Official Gazette of the Republic of Serbia No. ~~105/2179/05, 54/07~~)
- Law on Mediation (Official Gazette of the Republic of Serbia No. 55/14)
- Criminal Procedure Code (Official Gazette of the Republic of Serbia No. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14, ~~and 35/19~~, 27/21 and 62/21)
- Criminal Code (Official Gazette of the Republic of Serbia No. 85/05, 88/5, 107/05, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16, ~~and 35/19~~ and 94/24)
- Law on the Liability of Legal Entities for Criminal Offences (Official Gazette of the Republic of Serbia No. 97/08)
- Law on Constitutional Court (Official Gazette of the Republic of Serbia No. 109/07, 99/11, 18/13, 40/15, 103/15 109/07, 99/11, 18/13, 40/15, 103/15)
- Law on Misdemeanors (Official Gazette of the Republic of Serbia No. 65/13, 13/16, 98/16, 91/19, ~~and 91/19~~ and 112/22)
- Law on Economic Offences (Official Gazette of the Federal Republic of Yugoslavia No. 4/77, 36/77, 14/85, 10/86, 74/87, 57/89 and 3/90 and Official Gazette of the Federal

Republic of Yugoslavia No. 27/92, 16/93, 31/93, 41/93, 50/93, 24/94, 28/96 and 64/2001 and Official Gazette of the Republic of Serbia No. 101/05)

- Law on Lawyers (Official Gazette of the Federal Republic of Yugoslavia No. 31/11 and 24/12)

- Law on Free Legal Aid (Official Gazette of the Republic of Serbia No. 87/18)

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.

Answer

- Please, refer to Article 21 of the Constitution of the Republic of Serbia stating that everyone has the right to equal legal protection, without discrimination, as well as that all direct or indirect discrimination based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability is prohibited.

- Article 81a of the Law on Environmental Protection stipulates that the public concerned is entitled to exercise their right to healthy environment by initiating the decision review procedure before the competent authority or the court in accordance with the law.

- Please, refer to Article 6 of the Law on Free Access to Information of Public Importance defining the principle of equality according to which everyone is allowed to exercise the rights in this law under equal conditions, regardless of their nationality, temporary or permanent residence or place of establishment, or any personal characteristic such as race, religion, national or ethnic background, gender, etc.

Also, and in particular, describe:

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

(i) Any person who considers that his or her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law;

Answer

- Please, refer to Article 44 of the Law on General Administrative Procedure specifying that a party to the procedure is a natural or legal person whose administrative matter is the subject of administrative proceedings and any other natural or legal person whose rights, obligations or legal interests may be affected by the outcome of the administrative proceedings. A party in an administrative procedure may also be a authority, organization, settlement, group of persons and others who are not legal entities, under the conditions under which a natural or legal person may be a party, or when determined by law. Representatives of collective interests and representatives of the wider public, who are organized in accordance with the regulations, may have the status of a party in the administrative procedure if the outcome of the administrative procedure may affect the interests they represent.

- Article 22 of the Law on Free Access to Information of Public Importance stipulates that an applicant may lodge a complaint with the Commissioner if: a public authority rejects or denies an applicant's request, within 15 days of service of the relevant decision or other document; a public authority fails to reply within 48 hours of receipt of the requests which can reasonably be assumed to bear on the protection of a person's life or freedom and/or the protection of public health and the environment; a public authority made the issuance of a copy of a document containing the requested information conditional on the payment of a fee exceeding the necessary reproduction costs; a public authority does not grant access to a document containing the requested information using the equipment available to a public authority or does not allow the applicant to have access to a document using his/her own equipment; a public authority does not grant access to a document containing the requested information and/or does not issue a copy of the document in the language in which the request was submitted, although it has the document in the language in question; a public authority otherwise obstructs or prevents an applicant from exercising his/her freedom of access to information of public importance, contrary to the provisions of this law. Complaints are inadmissible if lodged against decisions of the National Assembly, the President of the Republic, the Government of the Republic of Serbia, the Supreme Court of Cassation of Serbia, the Constitutional Court, [National Bank of Serbia](#), and the [Supreme Public Prosecutor of the Republic of Serbia](#) (Article 22, Paragraph 2), but an administrative dispute complaint may be lodged against the decision (Article 22, Paragraph 3). The Commissioner's decisions are binding, final and enforceable (Article 28, Paragraph 1), while failure to comply with a decision of the Commissioner is punishable by this law (Article 46, Paragraph 1, Item. 145). If they are not complied with voluntarily, the Commissioner's decisions shall be administratively enforced by the Commissioner by coercive means i.e. pronouncement of fines. If the Commissioner is unable to enforce his/her decisions, the law stipulates that the government shall ensure compliance with the Commissioner's decisions. Article 27 states that an administrative dispute may be instituted against a decision of the Commissioner. Administrative disputes regarding the exercise of the right to free access to information of public importance shall be resolved in expedited proceedings.

- According to Article 81 of the Law on State Administration, state administration authorities shall provide a suitable procedure for submission of complaints about their work and about improper conduct of employees. In the case of a submitted complaint, the state administration authority shall respond within 15 days from the day the complaint was served, if the person submitting a complaint requires an answer. State administration authorities are obliged to examine the issues covered by complaints at least once every 30 days.

- Article 11 of the Law on Administrative Disputes stipulates that a party to an administrative dispute may be any natural or legal person maintaining that an administrative document infringes on their rights or legal interests defined by law. A government authority, an authority of the autonomous province and local self-government authority, an organisation, a local community, a group of people, etc., who do not have the status of a legal person, may be parties to an administrative dispute, if they are holders of rights and obligations or legal interests which are to be decided in the administrative dispute (Paragraph 1 and 2).

- Please, refer to Article 29 of the Law on Constitutional Court regulating the issue of the participants in procedures before the Constitutional Court.

- Please, refer to Article ~~25-28~~ of the Law on the Protector of Citizens (LPC) stating that any physical or legal, local or foreign person who considers that their human or minority rights and freedoms rights have been violated by an act, action or failure to act of an administrative authority may file a complaint with the Protector of Citizens. The Protector of Citizens shall direct the complainant to instigate relevant legal proceedings when such proceedings are provided, and shall not instigate investigation until all legal remedies have been exhausted. Complaints should be submitted in writing or orally for the record, and filing a complaint does not involve any fees or other charges. The complaint must be filed within ~~one-three~~ year of the violation of citizens' rights. At the request of the complainant, the Secretariat of the Protector of Citizens will provide, free of charge, technical assistance in the preparation of the complaint to the complainant (Article ~~26-29~~ and ~~2730~~). The Ombudsman shall deliver to the complainant and the administrative body a conclusion on the initiation of the investigation procedure and a request from the public authority to provide a written statement on the complaint and submit the necessary information and documents, within a period determined by him, which may not exceed 15 days. In extremely complex situations, upon a reasoned request from the public authority, the Ombudsman may extend the period referred to in paragraph 1 of this Article by a maximum of 60 days. The Ombudsman may, in particularly justified cases, not disclose the identity of the complainant to the public authority (Article 34 of the Civil Procedure Code). If the body against which the complaint was filed eliminates the deficiencies itself, the Ombudsman shall issue a conclusion to suspend the investigation procedure and notify the complainant and the public authority thereof. Upon completion of the investigation procedure, the Ombudsman shall prepare a written report on the case, which he shall submit to the competent authority and the complainant and publish on his website. In the report on the case, the Ombudsman shall determine whether the acts, actions or omissions of the administrative body have contained any illegalities or irregularities that have violated human or minority rights and freedoms of citizens. If he establishes irregularities and illegalities in the work of the administrative body, the Ombudsman shall include in the report on the case a recommendation on how the irregularities and illegalities in the work should be eliminated, or on how to improve the work of the body. The administrative body shall be obliged, within the period specified by the Ombudsman in the case report, which may not be shorter than 15 or longer than 90 days from the date of receipt of the case report, to submit to the Ombudsman a notification on whether and how it has acted upon the recommendation referred to in paragraph 3 of this Article, or on the reasons for not acting upon the recommendation, if any. If the administrative body fails to submit to the Ombudsman the notification referred to in paragraph 5 of this Article within the specified period, if it fails to act upon the recommendation, or if it only partially complies with it, as well as if it fails to comply with the recommendation to dismiss the official responsible for the violation of rights or the initiative to initiate disciplinary proceedings against an employee responsible for the violation of rights, the Ombudsman shall notify the directly superior body, the National Assembly, the Government and the public thereof. (Article 37) After identifying all the relevant facts and circumstances, the Protector of Citizens may inform the complainant that the complaint is unfounded or it can determine omissions in the work of public authorities. If the Protector of Citizens finds omissions in the work of

~~public authorities it will send a recommendation to the authority how to observe omissions should be remedied. No later than 60 days after receiving recommendations, the public authority will inform the Protector of Citizens whether the omissions were remedied according to the recommendation, and will report the reasons for lack of acting upon the recommendation (Article 31).~~

- Please, refer to Articles 2. and 3 of the Law on Mediation.

(ii) Where there is provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law;

Answer

- Please, refer to Article 24 of the Law on Free Access to Information of Public Importance (LFAIPI) stating that the Commissioner shall pass a decision without delay and within ~~30~~ **60** days from the ~~receipt submission~~ of the complaint at the latest, having first given the public authority, and where appropriate also the applicant, an opportunity to reply in writing. However, if the complaint relates to information that, based on the data provided in the request for access to information, can be assumed to be of importance for the protection of the life or freedom of a person, or for the threat to or protection of the health of the population or the environment, the Commissioner shall issue a decision within 30 days from the date of receipt of the complaint. The proceedings before the Commissioner are governed by the provisions of the Law on General Administrative Procedure pertaining to the appellate decisions of second-instance bodies. Proceedings before the Commissioner is free of charge.

- Please, refer to Article 9 of the Law on General Administrative Procedure stipulating that the procedure shall be conducted without delay and at the lowest possible cost for the parties and other participants in the procedure, yet to ensure that the facts which are essential for adoption of a lawful and fair decision are accurately and completely established. The authority is obliged to enable the parties to successfully and completely realize and protect their rights and legal interests.

- Article 89 of the Law on General Administrative Procedure states that the authority conducting the procedure may exempt a party from payment of costs, either in full or in part, if it finds that such costs cannot be borne without prejudice to the necessary sustenance of the party or his/her family, or if it is provided ratified international agreement. The party's request is decided by a decision. Please, refer also to Article 168 of the Civil Procedure Code specifying that the court shall exempt a party from the liability of paying the costs of the proceedings where that party's material situation does not allow them to bear such costs.

(iii) Final decisions under this paragraph are binding on the public authority holding the information, and that reasons are stated in writing, at least where access to information is refused;

Answer

- Please refer to Article 16 of the LFAIPI stipulating that if a public authority refuses to inform an applicant, either entirely or partially, whether it holds the requested information, to grant an applicant access to a document containing the requested information or to issue or send to an applicant a copy of the document, it shall have duty to pass, without delay, and within 15 days of receipt of the request at the latest, a decision rejecting the request and provide rationale for such decision in writing, and will furthermore be required to notify the applicant in its decision on available relief against such a decision.

- Please, refer to Article 24 of the Law on Free Access to Information of Public Importance specifying that the Commissioner shall pass a decision without delay and within ~~30-60~~ days from the submission of the complaint at the latest, having first given the public authority, and where appropriate also the applicant, an opportunity to reply in writing. Exceptionally, if the complaint relates to information that, based on the data provided in the request for access to information, can be assumed to be of importance for the protection of the life or freedom of a person, or for the threat to or protection of the health of the population or the environment, the Commissioner shall issue a decision within 30 days from the date of receipt of the complaint. The Commissioner shall pass a decision ordering a public authority to grant free access to information of public importance to the applicant where he/she finds a complaint justified.

- Please, refer to Article 28 of the Law on Free Access to Information of Public Importance according to which the Commissioner's decisions are binding, final and enforceable, failure to comply with a decision of the Commissioner is punishable by this law (Article 46, Paragraph 1, Item. ~~44~~5). If they are not complied with voluntarily, the Commissioner's decisions are administratively enforced by the Commissioner by coercive means, i.e. pronouncement of fines. If the Commissioner is unable to enforce his/her decisions, the law stipulates that the government shall ensure compliance with the Commissioner's decisions.

- In accordance with Article 140 of the Law on General Administrative Procedure, decisions shall be in written form and contain, among other elements, the rationale and notice of legal remedy.

(b) Measures taken to ensure that within the framework of national legislation, members of the public concerned meeting the criteria set out in paragraph 2 have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6;

Answer

- Please, refer to Article ~~11-16~~ of the Law on Environmental Impact Assessment stipulating that the developer of the project and the public concerned are entitled to file a complaint against the decision of the competent authority on the application for a decision on the need for an impact assessment. Moreover, the project developer and public concerned are entitled to file a complaint against the decision of the competent authority on the application for a decision on the scope and content of the environmental impact assessment study. (Article ~~15~~20)

- Please, refer to Articles ~~24, 25~~³¹ and ~~26-35~~ of the Law on Environmental Impact Assessment specifying that the competent authority adopts the decision granting the approval of the EIA study or refusing the application for approval of the EIA study, based on the completed EIA procedure public and cross-border consultations if conducted and the report of the technical commission. The decision is delivered to the project developer within ten days from the date of receipt of the report. The decision of the competent authority referred to in Article 24 of this Law is final. The applicant and the public concerned are entitled to initiate the administrative court proceeding against the decision.
- Please, refer to Article 11 of the Law on Administrative Disputes; Articles 367 – 402 of the Civil Procedure Code; Articles 432-469 of the Criminal Code; Article 29 of the Law on Constitutional Court; Article 25 of the Law on the Protector of Citizens; Articles 8, 12, 18 of the Law on Mediation.

(c) With respect to paragraph 3, measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment;

Answer

- General provisions of Article 90 of the Law on General Administrative Procedure stipulate that the competent authority institutes a procedure either ex officio or at the request of a party.
- Please, refer to Article 9 of the LEP specifying that a citizen or groups of citizens, their associations, professional and other organizations are entitled to exercise their right to healthy environment before the competent authority or the court in accordance with the law. Article 81a of the LEP stipulates that the public concerned are entitled to exercise their right to healthy environment by initiating the decision review procedure before the competent authority or the court in accordance with the law. Moreover, according to Article 107 of the LEP, every person affected by damage has right to reimbursement. The request for reimbursement may be submitted directly to the polluter. Court procedure for reimbursement is urgent.
- Please, refer to Article ~~26-35~~ of the LEIA stating that the applicant and the public concerned are entitled to initiate the administrative court procedure against the decision related to the application for approval of the EIA study or refusal of the application.
- Article 15 of the LIPPC specifies that no complaints can be filed, while administrative court procedure can be instigated against the decision of the competent authority on permit granting, or refusing of the permit granting application.
- The provision of Article 5 of Criminal Procedure Code (CPC) stipulates that for criminal offences, which are prosecuted *ex officio*, the authorized prosecutor is the public prosecutor, and for criminal offences prosecuted prosecutable by private prosecution the authorized prosecutor is the private prosecutor. The criminal prosecution is initiated: 1) by the first action of the public prosecutor or authorized police officials upon the request of a public prosecutor, undertaken in accordance with this Code for the purpose of investigating the grounds for suspicion that a criminal offence has been committed or that a certain

person has committed a criminal offence, 2) by the submission of private prosecution. Where a public prosecutor declares that he/she is dismissing charges (Article 52), the injured party may continue with the prosecution as the prosecutor, under the conditions prescribed by this Code. The provision of Article 281 Paragraph 1 of the CPC stipulates that the criminal complaint shall be submitted to the competent public prosecutor in writing or orally.

- The inspector responsible for the environment may, within the limits of his authority, file criminal charges with the competent authority if a criminal offence was committed. Criminal offences in the domain of the environmental protection are defined in Chapter XXIV of the Criminal Code and those are as follows: „Failure to implement measures to protect the environment”, „Illegal construction and operation of facilities and installations which pollute the environment”, „Damaging facilities and equipment for environmental protection”, „Illegal construction and activation of facilities that pollute the environment”, „Damaging the environment”, „Destruction, damage, moving abroad and moving to Serbia protected natural resource”, „Moving of dangerous substances to Serbia and unauthorized processing, disposal and storage of dangerous substances”, „Illegal construction of nuclear power plants”, „Violation of the right to information about the state of the environment”, „Animal abuse and killing”, „Transmission of infectious diseases to animals and plants”, „Omissions in providing veterinarian services”, „Production of harmful substances for the treatment of animals”, „Pollution of food and drinking water for animals”, „Forests destruction”, „Forest Theft”, „Illegal hunting” and „Illegal fishing”.

- Please, refer also to Article 6 of the Law on the Liability of Legal Entities for Criminal Offences specifying that a legal person is held accountable for criminal offences which have been committed for the benefit of the legal person by a responsible person within the remit, that is, powers thereof. The liability also exists where the lack of supervision or control by the responsible person allowed the commission of crime for the benefit of that legal person by a natural person operating under the supervision and control of the responsible person. See also Article 35 of this law stating that criminal proceedings are, as a rule, instituted and conducted jointly against a legal entity and the responsible person, and a single sentence is passed.

- Please, refer to Articles 1 and 191 of the Civil Procedure Code. According to Article 74 of the Civil Procedure Code, any natural person or legal entity may be a party to the proceedings, while Article 191 states that civil action is initiated by filing a complaint.

- Article 156 of the Law on Contractual Relations states that everyone can demand from everyone else to remove the source of danger that may cause considerable damage to them or to an unspecified number of individuals and to refrain from an activity that causes harassment or potential damage, if the cause of harassment or damage cannot be prevented by applying appropriate measures (Paragraph 1).

- Please refer to Article 179 of the Law on Infractions stipulating that the injured party has the right to instigate offence proceedings through his/her legal representative or an authorized person. The competent authority also has the right to instigate offence proceedings. Competent authorities are administrative bodies, authorized inspectors, the Public Prosecutor and other bodies and organizations exercising public authority are in charge of direct execution and monitoring of the enforcement of regulations in which the infractions are prescribed.

- Please, refer also to Article 86 of the Law on Economic Offences specifying that the request for prosecution for economic offences are submitted to the competent public prosecutor, in writing or orally. The inspector responsible for the environment may, within the limits of his authority, file charges with the competent authority if an economic offence was committed.

- Please, refer also to Article 170 of the Constitution stating that a constitutional appeal may be lodged against individual general acts or actions performed by state bodies or organisations exercising delegated public powers which violate or deny human or minority rights and freedoms guaranteed by the Constitution, if other legal remedies for their protection have already been applied or not specified..

- See also the relevant legislation specifying mandatory form and elements of decisions and the right to inspect the documents. Namely, please refer to Article 141 of the Law on General Administrative Procedure defining the elements of the decisions made by the competent authority and Article 64 stating that the right to inspect documents and to photocopy certain documents at their own expense is granted to any third party who has made credible their legal interest. See also Article 166 of the Law on Infractions, specifying that the party instigating offence proceedings, the defendant, the defendant's defence lawyer, the representative of a legal entity, namely, the person authorized by the legal entity, the injured party and his/her legal representative, namely attorney and all other interested individuals have the right to examine and transcribe the files related to the case. Please, refer also to Article 149 of the Civil Procedure Code stipulating that parties may examine, photocopy and transcribe the briefs of the proceedings. Other persons who have a justified interest may also examine and transcribe certain briefs. Please, refer also to Article 50, 68, 71 and 250 of the Criminal Procedure Code specifying the right of the injured party, the injured party as a plaintiff and private prosecutor, namely, the accused, the suspect and the attorney i.e. anyone having a justified interest to examine case documents and objects that are considered to be evidence.

(d) With respect to paragraph 4, measures taken to ensure that

(i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;

(ii) Such procedures otherwise meet the requirements of this paragraph;

Answer

- Please, refer also to Article 32 of the Constitution of the Republic of Serbia stating that everyone has the right to a public hearing before an independent and impartial tribunal established by the law within reasonable time which shall pronounce judgement on their rights and obligations, grounds for suspicion resulting in initiated procedure and accusations brought against them. The public may be excluded from all or part of the court procedure only in the interest of protecting national security, public order and morals in a democratic society, interests of juveniles or the protection of privacy of the parties, in accordance with the law.

- Please, refer also to Article 13 of the Law on General Administrative Procedure stipulating that the parties have the right to file an appeal against a decision adopted in the first instance. Article 9 of this law states that the procedure shall be conducted without delay and at the lowest possible cost for the parties and other participants in the procedure, yet to

ensure that the facts which are essential for adoption of a lawful and fair decision are accurately and completely established.

- Please, refer to Article 64 of the Law on Infractions stipulating that the protective measure consisting of making the verdict available to the public will be adopted if the court believes that it would be particularly useful for the public to see the verdict, especially if making the verdict public would contribute to eliminating threats to human lives or health or to protecting the safety of goods, services or the economy. Article 91 states that the procedure is conducted without delay, but in such a way so as not to affect the rendering of lawful and proper verdict. Article 258 prescribes that against the judgments and decisions of the magistrates' court an appeal can be lodged to the second instance.

- Please, refer to Article 254 of the Law on Infractions specifying that a written decision shall contain the preamble, wording, rationale, notice of legal remedy, number and date of the decision, signature of the judge and stamp of the authority.

- Please, refer to Article 118 of the Law on Economic Offences stating that authorized persons may file an appeal against a judgment rendered at first instance within eight days from the day the copy of the judgment was served.

- Please, refer to Article 427 of the Criminal Procedure Code stating that the pronounced judgment shall be drawn up in writing and submitted within fifteen days after it was pronounced. In accordance with Article 432 of the Criminal Procedure Code, authorized persons may file an appeal against a judgment rendered at first instance within fifteen days from the day the copy of the judgment was served.

- Please, refer to Article 447 of the Law on Enforcement and Security prescribing that a temporary injunction may be determined by the court, and implemented by the court or the executor prior to the initiation, during, as well as upon the termination of the court or administrative procedure, until enforcement is complete. A decision establishing a temporary injunction shall have the legal force of a legally standing decision on enforcement.

- Please refer to Article 352 Paragraph 1 of the Civil Procedure Code (CPC) stipulating that the judgment is rendered and announced in the name of the people. The Article 354 Paragraph 1 of the CPC stipulated that the judgment must be made in writing within eight days after the announcement. In complicated cases the court may postpone written drafting of the judgment for another 15 days. The Article 367 of the CPC stipulates that a party may file an appeal against the first instance judgment within 15 days from the day when judgment transcript is delivered, unless otherwise stipulated under this law. A duly filed appeal prevents judgment to come into effect in the part challenged by the appeal. The second instance court rules on an appeal against the judgment.

(d) With respect to paragraph 5, measures taken to ensure that information is provided to the public on access to administrative and judicial review.

Answer

- The Constitution of the Republic of Serbia guarantees everyone the right to legal assistance (Article 67). This is the first time in our legal system that this right has become guaranteed in the Constitution where it is stated that the right to legal assistance, including free legal assistance is exercised in accordance with the law.

- Provisions on legal assistance are incorporated in several laws, each regulating specific forms of legal aid. Law on Self-Government, Article 20, Item 11, specifies that the municipality organizes a legal assistance service available to the public. The Law on Lawyers, Article 66, stipulates that Bar Association can organize free legal aid on the territory of the first-instance court. In terms of criminal law protection, legal assistance, including free legal assistance is partially regulated by the Criminal Procedure Code and Law on Juvenile Criminal Offenders and Criminal Protection of Juveniles (Official Gazette of the Republic of Serbia No. 85/05). Free legal representation of parties in civil proceedings is regulated by Article 168-173 of the Civil Procedure Code. The provisions of Article 170 of the Civil Procedure Code stipulate that the court shall, during the whole proceedings, provide to the party the right of free representation when the party is completely exempted from payment of the costs of the proceedings (Article 168, Paragraph 2) if that is necessary for protection of rights of the party or if that is provided by a special law.

- One of the principles of the Law on General Administrative Procedure (Article 8) is the principle of assistance to the parties. Article 89 of the Law on General Administrative Procedure states that a party may be exempt from payment of costs, if such costs cannot be borne without prejudice to the necessary sustenance of the party or his/her family.

“The Law on Free Legal Aid (“Official Gazette of the RS”, No. 87/18), whose implementation started on 1 October 2019, regulates free legal aid for the citizens as its beneficiaries, as well as the manners of its execution and provision. The Law applies to the citizens who have not exercised the right to free legal aid under other laws. In this manner, the provision of free legal aid is regulated in a comprehensive manner, with the aim of providing effective and equal access to justice to every person.”

XXIX. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF ARTICLE 9

Describe any obstacles encountered in the implementation of any of the paragraphs of article 9.

Answer

- There are differences in the understanding of the essence of judicial procedures between the general public and members of the legal profession, which results in complaints about the functioning of courts. Moreover, there is a false perception that the Ministry of Justice is responsible for the state of affairs in all the bodies that make up the legal system. Many people do not understand fully the functioning of the judiciary in a democratic society. This leads to a situation where citizens do not use courts as much as they should to achieve legal protection in the cases of violation of fundamental rights and freedoms.

-The Government of the Republic of Serbia adopted the National Judicial Reform Strategy for the period 2020-2025 on 10 July 2020. The strategy envisages, inter alia, further raising the level of efficiency of the judicial system through the analysis and adjustment of the judicial network, reduction of the total number of unresolved cases with the emphasis on old cases, establishment of mechanisms for the harmonisation and publication of judicial and public prosecutor’s practice, improvement of the free legal aid system by monitoring the application of the Law on Free Legal Aid by lawyers, improvement of the management and administration system in the judicial administration, improvement of alternative

dispute resolution methods and development of IT systems in the judiciary with the aim of achieving modern e-Justice. The strategy also envisages raising the level of public trust in the work of the judiciary through the availability of judicial institutions and continuous transparency of their work. This means better operation of judicial institutions' websites, consistent implementation of communication strategies of judicial institutions and establishment of the practice of regular press conferences where the work of courts and public prosecutors' offices is presented, as well as the work of the High Court Council, the State Prosecutorial Council and the Judicial Academy.

- Associations in RS believe there is a clear lack of trained staff in RS in the field of access to justice in environmental issues.
- Associations in RS states that the costs of the proceedings for access to justice in environmental matters are high and a deterrent to organisations and individuals in trying to protect their rights.
- Associations Young Researchers of Serbia is with support of the previous ministry in charge of the environment held the Conference "Aarhus Mirror", in Belgrade 2016. The Conference was attended by the representatives of the competent state and provincial authorities, local self-governments, CSOs, commercial sector, academic community. The objective of the national conference was to give incentive to a constructive dialogue on all three pillars of the Aarhus Convention in order to identify the obstacles in the implementation of the Aarhus Convention and to propose measures for overcoming those obstacles. Some of the outcomes of the Conference are as follows:
 - EU accession implies harmonisation of numerous domestic laws with the EU acquis. This is frequently used as an excuse for high number of regulations whereof adoption is subject to the so called urgent procedure. This means lack of public participation in the preparation process, which, in part, affects the quality of the regulation, difficulties in thereof proper implementation, frequent amendments etc;
 - Initiate, in cooperation with the Ministry of Justice, the collaboration of organisations of judges, prosecutors and civil society organisations, in order to ensure attendance, at meetings covering the issue of Aarhus Convention, of the representatives of court and prosecutor's office, which would, through experience sharing, significantly improve the work of the civil sector in the field of access to justice in environmental matters.
 - In the judiciary field, initiate forming, within some future judiciary reorganisation, of a special judiciary department to deal with environmental protection.
 - Amend penal policy and make it stricter in respect of infringement of rights in the field of environmental protection.
 - Capacity of environmental inspectorates at central and local levels need to be strengthened in the next period. Draft Action Plan on Administrative Capacity development, which is currently being developed, will present the needs for hiring new inspectors, but also the needs for additional trainings and equipment.
 - CSOs very rarely initiate court proceedings due to lack of funds and fear that the process will jeopardize their survival.
 - Certain associations consider that there is a lack of appropriate mechanisms to remove or reduce financial or other barriers to the access to justice for citizens and activists involved in environmental decision-making processes.
 - Certain associations believe that, in practice, the public authorities, despite the fact that the Aarhus Convention, the Law on General Administrative Procedure and regulations in

the field of environmental protection provide for the status of a party in administrative proceedings to representatives of wider public interests, often reject the requests of civil society organisations representing public interests for participating in administrative procedures and administrative disputes. Public authorities have interpreted the concept of the interests of public interest representatives which may be affected by the proceedings very narrowly, and requested proof of a specific legal interest.

~~–Certain associations have provided examples regarding the above statement to prove the legal interest:~~

~~–The RERI Association presented a case related to the decision of the Provincial Secretariat for Energy, Construction and Transport dated 20 May 2020 rejecting the complaint filed against the construction permit – the decision of the City Administration of the City of Zrenjanin, which approved the construction of the first phase as part of the construction of the planned factory complex of the investor Linglong International Europe doo. RERI stated that in the complaint it explained its active legitimacy and submitted evidence that it achieves its goals in the field of environmental protection and that it was registered in accordance with the regulations, whereas the complaint of the association was rejected as filed by an unauthorized person and stating that: as the appellant was not a party in the procedure that preceded the issuance of the appealed decision, nor did he enclose with the appeal any evidence from which it would follow that he belongs to the circle of persons who meet the condition provided by Article 44 in conjunction with Article 151 para. 6 and 7 of the LGAP and Article 135 para. 1 and 2 and Article 136 of the Law on Planning and Construction, i.e. that it is an entity whose rights, obligations or legal interests may be affected by the outcome of this administrative procedure, or whose rights or legal interest would be in the process of issuing, i.e. by the content of the building permits could be violated”. In connection with the above, the association RERI on 24 June 2020, through a proxy, filed a lawsuit with the Administrative Court to annul the decision of the Provincial Secretariat for Energy, Construction and Transport.~~

~~–Also, the RERI Association presented an example related to the request for recognition of party status which it submitted on 2 April 2019 pursuant to Article 44 paragraph 3 of the LGAP, to the competent authority – Ministry of Construction, Transport and Infrastructure (MCTI), in the administrative procedure ROP – MCTI – 1317 – CPI – 2/2019, which is related to the issuance of a construction permit for the construction of the Gondola Lift in the Kalemegdan park. Upon the submitted request, MCTI passed a decision on 10 May 2019 rejecting the request of RERI for recognition of the status of a party, with reference to Article 81 of the Law on Environmental Protection which lists the procedures in which the public concerned has the right to participate. MCTI stated in the decision that, as the specific procedure for issuing a construction permit does not belong to the mentioned procedures, it considers that there is no legal basis to recognize RERI as a party in the administrative procedure. Based on the above, the RERI association filed a lawsuit to initiate an administrative dispute before the Administrative Court in Belgrade, and proposed to the competent court to annul it and return it for a new decision. In the lawsuit, the association referred to Article 44 paragraph 3 of the LGAP which stipulates that “representatives of collective interests and representatives of the general public, organised in accordance with regulations, may have the status of a party to administrative proceedings, if the outcome of the proceedings may affect interests they represent”, as well as that the RERI association was founded to achieve goals in the field of promotion and~~

~~improvement of the right to a healthy and preserved environment and considers that, since the specific procedure for issuing a building permit for the construction of the Gondola Lift includes the (planned) works, which can undoubtedly endanger the environment, as well as the protected cultural property, as part of the environment, it is indisputable that the interests represented by RERI are in question, and he believes that the status of a party to RERI should be recognized. This is due to the fact that the Administrative Court in Belgrade, having previously acted, passed a decision on 19 April 2019 which adopted the request of RERI (as the plaintiff), to postpone the execution of the decision MCTI-ROP-MGSI-1317-CPI-2/2019 from 1 April 2019 which issued a building permit for the construction of the Gondola Lift, until the final court decision.~~

-At the Second Session of all Misdemeanour Appellate Court Judges, held on 1 July 2019, a legal opinion was adopted that an association of citizens and, in general, a legal entity, as an information seeker, is always authorised to submit a request for the initiation of misdemeanour proceedings under the Law on Free Access to Information of Public Importance (LFAIPI) due to the denial of the right to access information, and is not conditioned by proving the capacity of an injured party in terms of Article 126(1) of the Law on Misdemeanour (Article 126: An injured party, within the meaning of this Law, shall be the person any personal or property right of whom has been violated or threatened by a misdemeanour). This position is important because, in situations when the authorities do not respond to applicants' requests, in addition to filing an appeal to the Commissioner, applicants may use this additional means of pressure on the authorities to submit the requested information. The practice of misdemeanour courts in this filed has been uneven so far. The law authorises the injured party to initiate misdemeanour proceedings. However, a dilemma has occurred in practice whether the injured party may also be a legal entity and whether the injured party must prove that their property right has been violated or threatened by denying them information of public importance. By setting this condition, certain misdemeanour courts rejected the right of civil society organisations to initiate misdemeanour proceedings. The associations "Let's Save Vojvodina", "Ecological Movement of Odžaci" and the "Centre for the Rule of Law" from Belgrade were the initiators of this positive authoritative interpretation of the Law after dozens of requests were rejected for the initiation of misdemeanour proceedings submitted against responsible persons in public authorities with an explanation that the request was submitted by an unauthorised applicant.

-In 2009, the LFAIPI was amended by transferring the law violation responsibility, which was the responsibility of the person authorised to act upon requests for issuing information of public importance, under the competence of the head of the public authority due to the introduction of the misdemeanour liability to the head of the public authority, regardless of whether or not another person was designated to be an authorised person in the public authority. The practice of misdemeanour courts shows that such a system of liabilities is not recognised in the cases in which it is being determined whether there is a misdemeanour liability for the violation of the LFAIPI and what person is assigned with the misdemeanour liability. In order to achieve the uniform practice of misdemeanour courts, the Misdemeanour Appellate Court adopted a legal opinion in 2017, which indicates that, according to the LFAIPI, the head of the public authority, as well as the person authorised to access information of public importance, may have the status of a responsible person. The responsibility of a person for a committed misdemeanour depends on whether or not

an authorised person or an official was designated in the public authority to act upon requests for access to information. If such a person is designated, they are also assigned with the misdemeanour liability, and if an authorised person is not designated, the misdemeanour liability for violation is borne by the head of the public authority. The Supreme Court of Cassation confirmed the legal opinion of the Misdemeanour Appellate Court from 2017 in judgment No. 25/2019 dated 27 February 2020. In terms of the above stated, certain associations believe that heads of public authority may, based on the legal opinion of the Misdemeanour Appellate Court and the judgment of the Supreme Court of Cassation, never be held liable for inadequate respond to information seekers by designating one or more officials to act upon requests for access to the information of public importance and, thus, undermine the application of the LFAIPI.

-However, after the adoption of the Law on Amendments to the Law on Free Access to Information of Public Importance ("Official Gazette of the Republic of Serbia", No. 105/21), the system of misdemeanor liability for violation of the provisions of this law has been completely regulated, so now the primary applicant for initiating misdemeanor proceedings is the Commissioner for Information of Public Importance and Personal Data Protection, and the injured party only if the Commissioner refuses to submit such a request (see Art. 28b of the LFAIPIPD). The Commissioner is now also authorized to issue a misdemeanor order in the event of "silence" of the public authorities upon the request of the information seeker for access to information of public importance (Art. 24, Paragraphs 6 and 47 of the LFAIPIPD). The LFAIPIPD now clearly and precisely defines which violations the head of the authority is responsible for, and which the person authorized to act upon requests is responsible for (see Art. 36 of the LFAIPIPD).

-Certain associations believe that branches of public authority, even though the Aarhus Convention, the Law on General Administrative Procedure, and regulations in the field of environmental protection provide the status of a party in administrative proceedings to representatives of broader public interests, in practice, they reject requests from civil society organizations representing public interests to participate in administrative proceedings and disputes. The authorities have narrowly interpreted the concept of interests of representatives of public interests that may be affected by the procedure, and have required proof of a specific legal interest.

-Certain associations state that the Law on Planning and Construction limits the participation of associations by prescribing the possibility of paying disproportionately high costs. The Law on Planning and Construction, in Article 138a, paragraph 3, stipulates that if a party has initiated an administrative dispute, and the investor for that reason does not begin construction of the facility until the decision becomes legally binding, the investor has the right to compensation for damages and lost profits in accordance with the law, if the claim is found to be unfounded.

XXX. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 9

Provide further information on the practical application of the provisions on access to justice pursuant to article 9, e.g. are there any statistics available on environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?

Answer

~~A total of 5 trainings were organised for environmental inspectors of local self-government units on the application of regulations in the field of waste management, air protection, nature conservation, non-ionizing radiation protection and noise protection, in Belgrade, in the period from September to December 20, by the MEP, Department for Environmental Control and Precaution. A total of 100 environmental inspectors from the same number of municipalities and cities of the Republic of Serbia attended the trainings held in 2017.~~

~~In accordance with the Annual Work Plan of the Department for Environmental Monitoring and Precautions, a total of 3 seminars were organised in 2018 with the aim of continuing environmental education. The first seminar was held on the topic "Nature protection – oversight and precaution", the second on the topic "Waste – oversight and precaution" and the third on the topic "Industrial emissions – oversight and precaution". Each seminar brought together more than 70 representatives of relevant professional institutions, i.e. the representatives of the MEP, the Serbian Environmental Protection Agency, the SUEP, environmental inspectors at all levels – local government units, the city of Belgrade, the AP Vojvodina and the Republic of Serbia, as well as the representatives of other inspections, judicial bodies – prosecutors and judges, NGOs, etc.~~

~~The following two seminars were organised by the Department for Environmental Monitoring and Precaution of the MEP in 2019: "Towards More Efficient Implementation of Environmental Regulations" and "Under scrutiny – Inspection, Civil Society and the Media in Environmental Protection". The organised seminars were intended for environmental inspectors at all levels, prosecutors, judges, civil society organisations, the media and the representatives of other organisations. The first seminar in 2019, organised by the Department for Environmental Monitoring and Precaution of the MEP was held in Bor, in the period between 24 and 28 June 2019, on the topic "Towards More Efficient Implementation of Environmental Regulations". The seminar held in Bor, as a form of established continuing education, was intended for environmental inspectors at all levels, prosecutors and judges, and was also attended by the representatives of the Support Unit to Coordination Commission for Inspection Oversight and the Network of Inspectors of Serbia. The seminar was attended by 67 participants. The second seminar in 2019, organised by the Department for Environmental Monitoring and Precaution of the MEP, was held in Zrenjanin, in the period between 21 and 25 October 2019, on the topic "Under scrutiny – Inspection, Civil Society and the Media in Environmental Protection". The seminar held in Zrenjanin, as a form of established continuing education, was the first of its kind intended for environmental inspectors at all levels, civil society organisations and the media, and was also attended by the representatives of the National Alliance for Local Economic Development (NALED), the Support Unit to Coordination Commission for Inspection Oversight and the Network of Inspectors of Serbia. The seminar was attended by 75 participants.~~

~~Inspectors for radiation and nuclear safety and security participated in the workshop on the development of the Security Plan in the period from 21 to 23 May 2019 in Belgrade, while in the period from 18 to 21 February 2020 in Belgrade they participated in the course „Inspection of the safety of radioactive sources.”~~

Within the IMPEL network, the Sector for Environmental Supervision and Preventive Action of the Ministry of Environmental Protection as a full member, completed the project "SPIDER WEB" in 2020, which is the topic of combating environmental crime and focuses on the Western Balkan countries. The workshop was held in Belgrade in 2020, under the title "Environmental Crime", with an emphasis on the areas of nature and waste management. The workshop participants were environmental inspectors at the republican and provincial levels, permit issuers, police and customs officers, and prosecutors from several cities in the Republic of Serbia.

-As a conclusion to the seminars held in 2018, 2019 and 2020, intending to improve and standardize the actions of environmental protection inspectorates at all levels, as well as police officers, prosecutors and judges, and attended by environmental inspectors at all levels, the media, civil society organizations, judges and prosecutors who were directly involved in cases of misdemeanors, economic offenses and environmental crimes, the need arose to develop a guide for sustainable and coordinated cooperation between all relevant actors responsible for the implementation of environmental protection measures.

-In 2020, the OSCE Mission to Serbia facilitated the establishment of a multi-stakeholder expert group that brought together representatives from the Ministry of Environmental Protection, the judiciary, the prosecution, and the police and supported the group in developing the Guide for Processing Cases of Illegal Management of Hazardous Waste. In cooperation with the OSCE, the MEP, in 2021, developed a Guide for Processing Cases of Illegal Management of Hazardous Waste and the Hazardous Waste Management Instruction. The development of the Hazardous Waste Management Instruction aimed to establish better coordinated cooperation between environmental protection inspectorates, police officers and judicial authorities in cases of improper hazardous waste management. The Instruction is also a condensed version of the Guide for Action in Case of Improper Hazardous Waste Management, which is available on the website: <https://www.ekologija.gov.rs/saopstenja/nekategorizovano/vodic-za-postupanje-u-slucaju-nepropisnog-upravljanja-opasnim-otpadom>, which generally presents the procedural responsibilities applied in the examples of good practice in the Guide. The Hazardous Waste Management Instructions with the Guide for Action in Case of Improper Hazardous Waste Management are intended to be used as a tool for the actions of the environmental protection inspectorate, police officers, and judicial authorities in implementing prescribed hazardous waste management measures and sanctioning committed misdemeanors, economic offenses, and criminal offenses.

-The MEP, in cooperation with the OSCE, also developed a Guide for Improving Legal Protection in Protected Areas in 2022. The purpose of this Guide is to be an auxiliary tool for the competent authorities for more effective management of protected areas, especially when it comes to inspection supervision, misdemeanor and criminal proceedings conducted due to illegal activities in these areas. In addition, it can also be a source of information for other interested parties. The Guide presents examples from practice in the form of case studies, which list the actions taken to implement the prescribed measures, establish cooperation and coordination, with all the doubts and challenges faced by the republican environmental inspectors, republican construction inspectors, prosecutors, judges and police officers.

-After developing the Guide and Instructions in 2022 (4) and 2023 (6), the MEP, in cooperation with the OSCE and the Judicial Academy, held 10 Seminars to improve

coordination among key stakeholders with the aim of better law enforcement and prosecution of environmental crime cases, with the participation of environmental inspectors, prosecutors, judges and police officers.

- The data provided by the Sector for Environmental Supervision and Preventive Action Department for Environmental Control and Precaution of the MEP in the reporting period from 2021 ~~show that since 2017~~ until 30 June 2020~~th~~ 2024~~th~~ year 410-438 misdemeanor charges were submitted, for economic offenses 136-72 requirements, and 15-4 criminal charges, and proceedings were initiated on 328-247 charges, but the information is not complete because the court does not provide regular information.

-In cooperation with the OSCE, the Judicial Academy in 2020 implemented a webinar in the field of environmental law - criminal legal protection for public prosecutors and deputy public prosecutors on the topic: "Strengthening the skills of judicial authorities in the field of environmental protection laws".

-In cooperation with the OSCE, the Judicial Academy in 2020 implemented a three-day webinar in the field of environmental law - basic training for judges and judicial assistants of commercial courts, public prosecutors and deputy public prosecutors and users of initial training on the topic "Inspection in environmental matters - hazardous waste and providing professional information to the media related to environmental cases".

-In cooperation with the OSCE, the Judicial Academy in 2021 implemented 2 one-day webinars for prosecutors in basic public prosecutors' offices, prosecutors and their deputies from the Belgrade and Novi Sad appeals areas on the topic "Strategic Public Information on Environmental Matters".

-In cooperation with the OSCE, the Judicial Academy in 2021 implemented 2 three-day webinars for judges and judicial assistants of basic courts from the areas of the Higher Courts: Belgrade, Valjevo, Vranje, Zaječar, Leskovac, Negotin, Niš and Pancevo and beneficiaries of the initial training (ninth generation) of the Judicial Academy on the topic "Basic training in environmental law."

-In 2021, the Judicial Academy, in cooperation with the European Institute for Public Administration (EIPA), held a two-day webinar for judges and judicial assistants of commercial courts and the Commercial Court of Appeal on the topic "Environmental Cases before the European Court of Justice."

-In 2021, the Judicial Academy, in cooperation with the Council of Europe, held an online HELP course for judges and judicial assistants of misdemeanor courts from Obrenovac, Ruma, Bečej, Zrenjanin, Belgrade, and the Misdemeanor Court of Appeal, Novi Sad, on the topic "Environmental Protection and Human Rights." This is the European Programme for Human Rights Education for Legal Professionals (HELP distance learning platform) which consists of 4 modules lasting two months: Module One: Introduction; Module Two: A human rights-based approach to environmental protection; Module Three: Green human rights in regional human rights systems; Module Four: Environmental degradation and the responsibility of business actors for their actions.

-The Judicial Academy, in cooperation with the European Institute for Public Administration (EIPA), held a two-day seminar in 2022 for judges and judicial assistants, public prosecutors and prosecutorial assistants dealing with environmental cases from the Republic of Serbia and the Republic of Montenegro on the topic "Application of Environmental Law in Relation to Pollution in the Republic of Serbia, the Republic of Montenegro and the European Union."

- The Judicial Academy, in cooperation with the OSCE Mission, organized 4 one-day seminars (Belgrade, Niš, Novi Sad, and Kragujevac) in 2022 on the topic: "Procedures of State Authorities in Cases of Improper Management of Hazardous Waste and Illegal Activities in Protected Areas" for prosecutors, police officers, and environmental inspectors. In order to properly manage hazardous waste and for legal action in protected areas, a Guide for Improving Legal Protection in Protected Areas, as well as a Waste Management Manual for Prosecutors, Police Officers, and Environmental Inspectors, have been developed. The Guide and Manual can be found on the Academy's platform (LMS) in electronic form.

-In 2022, the Judicial Academy, in cooperation with the OSCE, held a three-day seminar for beneficiaries of the initial training of the Judicial Academy of the eleventh generation on the topic "Environmental Law - Basic Training".

-In 2023, the Judicial Academy, in cooperation with the OSCE, implemented a four-day seminar for beneficiaries of the initial training of the Judicial Academy of the tenth generation on the topic "Basic Training in Environmental Law."

-In cooperation with the OSCE, the Judicial Academy held a three-day seminar for the beneficiaries of the initial training of the twelfth generation of the Judicial Academy on the topic of "Basic training in environmental law."

-In cooperation with the OSCE, the Judicial Academy held a one-day seminar for judges of the Administrative Court, judges of the Basic Court, and prosecutors of the Basic Prosecutor's Office from the Belgrade Appeals Area on the topic of "Consideration of specialization of judges and prosecutors in environmental cases."

-In cooperation with the OSCE, the Judicial Academy held an online course for judges, prosecutors and beneficiaries of the initial training on the topic of "Training in environmental law on the Academy's LMS platform." The course consisted of 7 modules.

- In partnership with the Judicial Academy, the Mission also organized a conference focused on the specialization of judges and prosecutors in environmental cases held on 10 October 2024 in Belgrade. The event brought together 21 participants, including judges from administrative, basic and misdemeanour courts, prosecutors and legal experts. Discussions emphasized the need for judicial specialization, covering landmark rulings, roles across legal branches and the appointment of specialized prosecutors. Participants emphasized the importance of tailored training for the judiciary, the need to update educational resources and to improve institutional co-ordination, identifying judicial specialization as a key step toward strengthening environmental protection in Serbia.

~~– Judicial Academy in cooperation with European Institute of Public Administration (EIPA) in November 2017 organized training for the judges and prosecutors on the topic: „Law of the European Union in the field of environmental protection.”~~

~~– Judicial Academy in cooperation with European Institute of Public Administration (EIPA) in April 2018 organized training for the judges and prosecutors on the topic: „Law of the European Union in the field of environmental protection – hazardous waste.”~~

~~–Judicial Academy in cooperation with European Institute of Public Administration (EIPA) in 2019. organized training on the main requirements of the Environmental Crime Directive, Waste Framework Directive, Water Framework Directive and Directive on the landfill of waste for the 20 judges and prosecutors.~~

~~In the period from March to June 2019, Judicial Academy organized 5 trainings for the total of 52 prosecutors on the implementation of the CITES Convention and the criminal offenses regarding Endangered Species of Wild Fauna and Flora.~~

~~In the period from June to October 2019, the Judicial Academy in cooperation with OSCE organized 3 training for judges and prosecutors on the topic: "Introduction and basic environmental issues, the basic principles of environmental protection, protection of some parts of the environment in the legal system of Serbia."~~

~~In the period from June to October 2019, the Judicial Academy in cooperation with OSCE organized 3 trainings for judges and prosecutors on the topic: "Civil Environmental Protection".~~

~~In the period from June to October 2019, the Judicial Academy in cooperation with OSCE organized 3 trainings for judges and prosecutors on the Draft Law on Environmental Liability."~~

~~In the period from June to October 2019, the Judicial Academy in cooperation with OSCE organized 3 trainings for judges and prosecutors on the topic: „Criminal protection of the environment and environmental crimes."~~

~~In the period from June to October 2019, the Judicial Academy in cooperation with OSCE organized 3 trainings for judges and prosecutors on the topic: „Economic offenses with an element of environmental protection."~~

~~In December 2019, the Judicial Academy in cooperation with OSCE organized training for the prosecutors on the topic: „Investigation in environmental matters—hazardous waste and providing professional information to the media related to environmental cases."~~

- From ~~2017~~2021. to ~~3001/0611/2020~~2024, the Protector of Citizens considered a total of ~~159-147~~ cases related to the violation of the right to a healthy environment, out of which ~~43-39~~ in ~~2017~~2021, ~~33-30~~ in ~~2018~~2022, ~~40-41~~ in ~~2019~~2023 and in ~~2020~~2024 until ~~301.611~~. ~~43-37~~ complaints. ~~The number of these complaints makes less than 1% of total number of all complaints received in that period.~~ More specifically, the Protector of Citizens considered cases in the field of environmental protection, the content of which indicates the problem of water, air and soil pollution, unpleasant odors, noise and vibration, municipal waste disposal, drinking water quality, and actions of inspection bodies in the field of environmental protection regarding the applications of individuals or groups of citizens. ~~It was especially noticed that the citizens were not completely satisfied with the performed measurements of air quality and noise, because they thought that the results were different than the ones presented to the public.~~ Out of all received cases in this field, ~~126~~ were processed, while ~~33~~ cases are still pending; ~~74~~ complaints (58.73%) were rejected on the grounds stipulated in Article 28 of the LO, ~~35~~ complaints (28%) were unfounded, and in ~~8~~ (6.34%) cases the authorities eliminated the irregularities after they were informed about the citizens' complaints to their work. The Ombudsman delivered ~~19-36~~ individual recommendations in the field of environmental protection containing to public authorities , with ~~4-19~~ acted upon, ~~3-6~~ each the Ombudsman still monitoring their execution, while ~~9~~ 5 recommendations are still within the deadline for execution and ~~3-6~~ have not been acted upon. In acting preventively with the view of improving the work of administrative authorities and protection of human rights and freedoms, Protector of Citizens gave ~~five~~ three opinions to the competent ministries.

-Acting on a complaint in which the applicant expressed dissatisfaction with the failure of the City Administration of Loznica to repair the damage caused to his property by the natural disaster in 2014, as well as in connection with the cleaning of the banks of the Korenita River, in the control procedure conducted, the Ombudsman determined that the City Administration of Loznica committed an omission in its work, because it did not take the necessary measures within the framework of managing the watercourse of the Korenita River to protect and prevent the harmful effects of water, nor did it act effectively to eliminate the harmful consequences of water, as well as that it failed to act in a timely manner upon the requests of citizens regarding the elimination of the harmful effects of floods. Acting on the recommendations, measures were taken in accordance with the legal principle of ensuring protection from the harmful effects of water to eliminate the consequences of flooding on the complainant's property, in accordance with the request he submitted.

-Acting on a complaint from a civil society organization for environmental protection, which referred to the failure of the city of Valjevo to address the problem of air quality in that city and the failure to adopt legally prescribed planning instruments, the Ombudsman initiated an investigation to assess the regularity and legality of the work of that local government. After receiving the statement, the Ombudsman concluded that the third category of air quality has been determined for the territory of the city of Valjevo from year to year, for the last nine years, which implies that the previously planned measures were either inadequate or not implemented, and that the City of Valjevo has failed to fulfill its legal obligation to adopt an air quality plan and a short-term action plan, to the detriment of citizens' rights to a healthy environment. In this regard, the City of Valjevo was sent a Report with recommendations that, among other things, in the further process of adopting and adopting the Air Quality Plan of the City of Valjevo for the period from 2022 to 2027, it should, without delay, take all other measures stipulated by the Regulation on Public Participation in the Development of Certain Plans and Programs in the Field of Environmental Protection, and determine the proposal and adopt the Air Quality Plan of the City of Valjevo for the period from 2022 to 2027, as well as the Action Plan for Improving Air Quality in the City of Valjevo, with the aim of achieving the appropriate limit values or target values set by regulations.

-Acting on an individual complaint against the work of the Environmental Protection Inspectorate of the City of Sremska Mitrovica regarding the noise from a party hall located in the immediate vicinity of the complainant's residential building, the Ombudsman found that the acting inspection body, after determining that in a specific case noise was emitted above the prescribed limit values, failed to order the elimination of irregularities and the taking of noise protection measures, in addition to submitting a request to initiate misdemeanor proceedings. It was also assessed that the inspection body did not determine whether the sound protection measures that had been taken in the meantime were indeed sufficient to eliminate exposure to noise above the limit values. In this regard, after the Ombudsman's recommendation in this case, the Environmental Protection Inspectorate of the City of Sremska Mitrovica conducted a new noise measurement during the performance of musical content and without notice, thus precisely determining the factual situation regarding the noise level and the threat to it. In this reporting period, the competent

administrative bodies were also informed of the importance and purpose of preventive action in the environmental protection procedure, as well as the importance of a systematic approach to all segments of the project for which there is an assumption that it will have negative consequences for the environment. Namely, in the investigation procedure against the Municipal Administration of the Municipality of Kosjerić, conducted upon a complaint by a citizens' association, the Ombudsman determined that this body issued a construction permit for the construction of an access road to the "Gradina" quarry, even though the environmental impact assessment procedure is already underway for the same plots as part of the "Gradina" quarry construction project and where the implementation, i.e. construction and execution of the project cannot be started without the consent of the competent authority for the impact assessment study. In the submitted Report with Opinion, the Ombudsman expressed the view that it is necessary for the Municipal Administration of Kosjerić Municipality and the Ministry of Construction, Transport and Infrastructure, as the first and second instance authorities in the procedure for issuing a construction permit, to review the actual competence for acting in a given case, obtain a more precise opinion from the Ministry of Mining and Energy, and review the purpose and objective of the impact assessment procedure that was underway for the entire project.

~~-This reporting period was especially marked by the dissatisfaction of the citizens, i.e. the locals, due to the construction and planned construction of small hydropower plants, primarily in protected areas, such as special reserves and nature parks, mostly on Stara Planina, predominantly due to their negative impact on the environment. Acting on these appeals, the Protector of Citizens determined in the conducted inspection procedure that the results of the analysis of the environmental situation so far indicate to the potential detrimental environmental impact and negative consequences of the construction of small hydropower plants, and that, to prevent further negative consequences and to preserve natural diversity, it is necessary to reconsider their construction, especially in protected areas. Accordingly, the Protector of Citizens sent to the competent authorities an opinion, and to the MEP recommendations for conducting inspection, determining ex officio whether there are reasons to repeat the completed procedures for approving environmental impact assessment studies, ordering compensatory measures, as well as enactment of a by-law that will regulate the minimum sustainable flow. In its response, the MEP informed the Protector of Citizens that, in principle, it agrees with the opinion of this public authority regarding prohibition of the construction of mini hydropower plants on the entire territory of the protected area, regardless of the category, as well as that a working group of the MEP, established for the preparation of the Draft Law on Amendments of the Law on Nature Protection, prepared amendments to the provisions referring to the prohibition of the construction of small hydropower plants in the second and third degree protection regime, and that a public debate is expected to take place in the following period in which all competent authorities and the public concerned will be able to participate. In the reporting period, the Protector of Citizens paid special attention to air protection in Smederevo, Bor and Kolubara, and pointed out in recommendations and opinions sent to the MEP and local self-government units in individual cases to the need for adequate inspection and consideration of the application of measures of prohibition against polluters, with the adoption of adequate local measures that will contribute to resolution of systemic problems. One of such cases is air pollution suffered by the locals in the settlements of~~

~~Radinae, Rajla and Vranovo in Smederevo, due to steel production in the former ironworks Smederevo, currently HBIS GROUP Serbia Iron & Steel d.o.o. Beograd. After the conducted procedure, the Protector of Citizens determined that the MEP did not consider application of all powers envisaged by the law against the polluter, and that it failed to determine whether this polluter takes all other measures of protection envisaged by the Study on the assessment of the impact of the current situation on the environment, as well as that the City of Smederevo did not adopt the Air Quality Plan, although it was drafted and approved by the MEP. In accordance with the determined situation, the Protector of Citizens sent recommendations to the competent authorities to eliminate the observed irregularities. With regard to the former ironworks Smederevo, the Protector of Citizens also conducted proceedings due to air and noise pollution on the location of the Old Port of Smederevo, which occurs due to the transshipment of coke ore, iron and other products. On that occasion, the MEP was informed about need to accurately determine the overall level of noise and specific noise sources, as well as the impact of this activity on the level of air pollution on the relevant location. In view of the long-standing issue of environmental pollution in Bor, primarily in the exploitation zone of the mines Veliki Krivelj, Bor and Cerovo, which was re-opened in the reporting period due to the exceeded limit values of sulphur dioxide in air at emitters in Bor, the Protector of Citizens pointed out in the sent opinion that it is necessary to increase inspection of activities of the Mining and Smelting Combine Bor, i.e. its current owner, company „Serbia ZIJIN Bor Copper” d.o.o. Bor, and to clearly determine whether all environmental protection guidelines are implemented during the performance of activities which are contained in environmental protection regulations and adopted environmental impact assessment studies. Also, in order to unequivocally determine whether all environmental protection guidelines are implemented as a result of mining and other activities of the Mining Basin “Kolubara”, primarily in the settlements of Veliki Crljeni, Zeoke and Medoševac, where the remaining local residents still live, the Protector of Citizens pointed out in the opinion sent to the MEP that it is necessary to conduct a comprehensive inspection of PE EPS, Mining Basin “Kolubara” in terms of the application of environmental protection regulations and environmental impact assessment studies, as well as that PE EPS should take all the necessary measures within its competence to enable the relocation of all the remaining residents of Veliki Crljeni, Zeoke and Medoševac, who live in the immediate vicinity of the Mining Basin “Kolubara”, as soon as possible. Finally, regarding the citizens’ complaint, which indicates that the public did not participate in any way in the drafting of the City of Belgrade Development Strategy, i.e. that there was no public inspection or public debate, and that the same Strategy envisages construction of a port in the area of Beljarica, which is a hatchery of fish fauna and a habitat of numerous strictly protected bird species, as well as other animal species, the Protector of Citizens conducted proceedings against the City Administration of the City of Belgrade. In the procedure, the Protector of Citizens determined that the Secretariat for Economy of the City Administration of the City of Belgrade, as the competent authority for preparation, did not obtain an opinion of the authority responsible for environmental protection matters and from other interested authorities and organisations on the necessity of the strategic environmental impact assessment of the Strategy, as well as that the City Administration of the City of Belgrade, through the Secretariat for Economy of the City Administration of the City of Belgrade, did not provide information on whether a public debate on the draft/proposal of the Strategy was held, and~~

~~whether it was made available for public inspection. Accordingly, the City Administration of the City of Belgrade was recommended to examine whether the process of drafting the strategy included all phases, i.e. whether, in accordance with the provisions of the Aarhus Convention, the public had an opportunity to participate in the drafting of the strategy and express its opinion and, if that is not the case, to take measures to harmonise this act with the law. In terms of the recommendation sent to the City Administration of the City of Belgrade to examine whether the process of drafting the strategy included all phases, i.e. whether, in accordance with the provisions of the Aarhus Convention, the public had the opportunity to participate in the drafting of the strategy and express its opinion – the City Administration of the City of Belgrade informed the Protector of Citizens that they followed the necessary procedure in the process of drafting the City of Belgrade Development Strategy and made it publicly available.~~

- In every unit of local self-government there is a separate sector – office offering free legal aid to citizens. Legal assistance consists of providing legal advice in person and taking over and managing cases: drawing up suits, petitions, legal remedies, etc.)

- Law schools in the Republic of Serbia introduced a new subject named Law Clinics. The students are taught how to provide the poor, refugees or victims of domestic violence with free legal aid. The Law Clinic at the Law School of the University of Belgrade also offers legal aid free of charge to the poor and all the students at the University of Belgrade.

- As a result of environmental law cooperation between the OSCE Mission to RS and the Faculty of Law of the University of Belgrade, the Law Clinic for Environmental Law was founded at the Faculty of Law in Belgrade on 16 November 2015. The Law Clinic for Environmental Law aims to improve student knowledge and skills regarding environmental protection, improvement of the implementation of the legal framework for environmental protection, as well as providing the opportunity to develop practical skills in resolving cases in the field of environmental protection in accordance with various legal instruments. In addition to this, it will enable students to work with experts in the field of law and environmental protection, as well as to research good practices regarding environmental law at the international and national level.

~~–On October 13, 2017, at the Faculty of Law of the University of Belgrade, with the support of the OSCE Mission to RS, the Law Clinic for Environmental Law is opened for the third generation of students. Almost 100 students successfully completed this extra-curriculum activity that offered an opportunity to meet and work with experts in the field of law and environmental protection as well as to raise awareness of good practices regarding environmental law at international and national levels.~~

~~–On October 26, 2018, at the Faculty of Law of the University of Belgrade, with the support of the OSCE Mission to RS, the Law Clinic for Environmental Law is opened for the fourth generation of students. More than 50 students successfully completed this extra-curriculum activity.~~

~~–On November 22, 2019, at the Faculty of Law of the University of Belgrade, with the support of the OSCE Mission to RS, the Law Clinic for Environmental Law is opened for the fifth generation of students. More than 60 students successfully completed this extra-curriculum activity.~~

-On 16 October 2020, at the University of Belgrade Faculty of Law, with the support of the OSCE Mission to Serbia, the Environmental Law Clinic (ELC) was launched for its

sixth generation of students. A total of 100 students successfully completed this extracurricular activity.

-On 15 October 2021, at the University of Belgrade Faculty of Law, with the support of the OSCE Mission to Serbia, the Environmental Law Clinic (ELC) was launched for its seventh generation of students. A total of 65 students successfully completed this extracurricular activity. The workshops were organized in virtual format, over a 10-week period.

- On 21 October 2022, at the University of Belgrade Faculty of Law, with the support of the OSCE Mission to Serbia, the Environmental Law Clinic (ELC) was launched for its eighth generation of students. A total of 40 students successfully completed this extracurricular activity.

-On 1 November 2023, at the University of Belgrade Faculty of Law, with the support of the OSCE Mission to Serbia, the Environmental Law Clinic (ELC) was launched for its ninth generation of students. A total of 30 students successfully completed this extracurricular activity.

-In 2023, with the support of the OSCE Mission to Serbia, the Hub of Young Environmental Lawyers was established at the University of Belgrade Faculty of Law, building on the success of the Environmental Law Clinic. The Hub is envisioned as a learning and development platform that empowers young legal professionals (under 35) to strengthen their skills in enforcing environmental law, support the drafting of sustainability and climate legislation, and uphold civil liberties vital for civil society participation in environmental decision-making. In 2023, the OSCE Mission to Serbia organized three Hub events, engaging a total of 172 participants. The first event was a conference held on 8 May 2023, marking the 25th anniversary of the Aarhus Convention adoption, and brought together 87 participants. This was followed by a roundtable on 26 September 2023, focused on Environmental, Social and Governance (ESG) standards, which convened 49 young lawyers. The final two-day seminar on civil society participation in environmental cases, with particular attention to Strategic Lawsuits Against Public Participation (SLAPPs) in national practice took place on 11 and 12 December 2023 and gathered 36 participants. These events provided young legal professionals with the opportunity to deepen their understanding of evolving environmental legislation, including the application of new laws incorporating international economic and environmental standards into national frameworks.

- On 11 October 2024, at the University of Belgrade Faculty of Law, with the support of the OSCE Mission to Serbia, the Environmental Law Clinic (ELC) was launched for its tenth generation of students. A total of 36 students (24 undergraduate and 12 master's students) successfully completed this extracurricular activity.

- In 2024, three seminars were held within the Hub of Young Environmental Lawyers, established at the University of Belgrade Faculty of Law in 2023, bringing together 127 participants. The seminars aimed to strengthen the expertise of young legal professionals in key areas of environmental law and sustainability. The first seminar, held on 10 and 11 June 2024, attended by 41 participants, focused on the protection of collective interests, featuring recent rulings by the Supreme Court and the European Court of Human Rights, practices of Supreme and Administrative courts and the role of civil society organizations. The second seminar, held on 19 November 2024, gathered 27 participants and explored legal aspects of electric vehicles and sustainable fashion. The final seminar, held on 4

December 2024, with 59 participants, examined the evolving field of sustainability law, climate-related legal risks, interdisciplinary approaches and the role of young lawyers in advancing sustainability. These events fostered knowledge exchange, professional development and emphasized the growing importance of environmental law in legal practice.

~~To support Serbia's local institutions and independent bodies in advancing the enforcement of environmental legislation in Serbia, the OSCE Mission to Serbia, in November 2017, together with Aarhus Center Kragujevac, organized a training seminar for members of the National Association of Local Ombudspersons and the Provincial Ombudsman from Serbia. Through presentations on legal instruments providing for the implementation of rights warranted by the Aarhus Convention and the environmental legislative framework, the seminar aimed at strengthening the engagement of Local and Provincial Ombudspersons in addressing violations related to environmental protection.~~

~~On 5 December 2018, in Belgrade representatives of the MEP participated on the conference, "Supporting citizens in exercising their environmental rights," jointly organized by the Office of the Ombudsman of Serbia and the Aarhus Centre of Kragujevac, with the support of the OSCE Mission to Serbia. The event aimed at promoting environmental rights of Serbian citizens and was as an opportunity for the Ombudsman's Office to present cases of environmental rights' violations that have been processed upon Ombudsman's intervention. Participants were representatives of Belgrade city authorities, independent institutions, CSOs and journalists, as well as representatives of the MEP, legal experts and environmental practitioners who shared good practices in processing environmental cases.~~

~~MEP, in cooperation with the OSCE Mission in Serbia, launched an initiative to consider the introduction of specialized judicial section for solving environmental cases, in order to efficiently conduct of criminal proceedings and administrative dispute in the area of environmental protection. A meeting with representatives of certain ministries and courts was held on December 16, 2019.~~

~~Police officers of the Ministry of the Interior filed 2,965 criminal charges for criminal offenses under Chapter XXIV of the Criminal Code in the period from 1 January 2017 to 31 May 2020 – criminal offenses against the environment against 2,739 persons on suspicion of committed a total of 3,046 criminal act.~~

Министарство унутрашњих послова учествовало је у изради два стручна водича, односно Водича за поступање у случају непромишеног управљања опасним отпадом и Водича за унапређење правне заштите у заштићеним подручјима.

-Professional training and education of police officers of the Criminal Police Directorate - Crime Suppression Service was carried out, in the form of participation in the following seminars:

-Training on the use of dogs to detect poisons and corpses in nature, March 2023;

-Seminar for managers of protected areas, April 2023;

-Online workshop on the topic "Study on the implementation of the new enlargement methodology and the green agenda for the United Nations Security Council, in connection with the 2030 Agenda and the Sustainable Development Goals", April 2023;

-Training on the topic "Suppression of crimes against protected wildlife species in Serbia", May 2023;

-Online seminar on "Strengthening administrative capacities in relation to Chapter 27 - Environment", June 2023;

-Workshop on "Biosecurity and prevention of proliferation of biological weapons", July 2023;

-Workshop on "Criminal - legal protection of the environment", September 2023;

-Training on "Strategic leadership for quality in public administration", September 2023;

-EMPACT workshop on "The importance of joint days of action", September 2023;

-Organization of the International Certified Program for the Protection of the Environment, Wildlife and Climate Change, October 2023, in Turkey;

-Training Presentation of the Guide to Cases of Improper Management of Hazardous Waste and the Guide to Improving Legal Protection in Protected Areas, October 2023;

-Online training on environmental crime on the topic of the International Initiative for Climate Law Enforcement – I2LEC, November 2023;

-Risks of corruption and money laundering related to environmental crime, conference, held in Tirana, March 2024;

-Conference “Joint efforts towards a healthy environment: the role and importance of ombudsman institutions”, held in June 2024. The conference brought together around 100 participants – representatives of executive, legislative and judicial authorities at the republican, provincial and local levels, academia, international organisations, the diplomatic corps, citizens’ associations, the private sector and the media, as well as representatives of the Ombudsman institutions of Turkey, the Human Rights Ombudsman of Bosnia and Herzegovina, the Commissioner for Fundamental Rights of Hungary and the Ombudsman of the Lazio Region in Italy. The conference resulted in the establishment of the “Belgrade Platform” as a joint response to contemporary challenges in the field of environmental protection between Serbia, Italy, Hungary, Turkey and Bosnia and Herzegovina. The European Board of the International Ombudsman Institute (IOI) supported the Belgrade Platform for the Promotion and Protection of the Environment, after which it informed the ombudsman institutions – members of the European branch of IOI – about it and invited them to join the Platform. The International Ombudsman Institute also published an article on the initiative of the Citizens’ Protector on its official website.

Objectives of the Platform:

- Continuous legislative progress in environmental protection;
- Strengthening the systemic response to the risks caused by climate change;
- Objective assessment of the possibilities for the prevention of environmental risks;
- More effective and efficient influence on the creation of environmental policies;
- Connecting and cooperating between countries on the harmonization of environmental protection laws;
- Strengthening institutional capacities;
- Introducing and confronting citizens with significant climate change in the face of the global climate future.

-Training on specialized investigations for criminal offenses against the environment and public health, held in Montenegro, October 2024;

-"Legal norms and adequacy of environmental protection - two years later", conference held in October 2024

-Training on investigating actions and procedures in cases of illegal killing of wild animals, held in Bulgaria, October 2024.

- An increase in the number of initiatives for the promotion of this article of the Convention has been noticed, as well as an increase in the number of lawsuits by civil society organizations in environmental protection.

-In 2020, in partnership with the Judicial Academy, the OSCE Mission to Serbia supported the development of a publication on environmental crime, aimed at assisting legal practitioners, judges and prosecutors to process cases of breach of environmental legislation.

-The results of the Ministry of Internal Affairs are presented in the table below, which refers to criminal offenses defined under Chapter 24 of the Criminal Code.

<u>Environmental crimes</u>	<u>Article of the Criminal Code</u>	<u>Number of crimes</u>	<u>Number of perpetrators</u>	<u>Number of criminal charges</u>
<u>Environmental pollution</u>	<u>260</u>	<u>56</u>	<u>57</u>	<u>54</u>
<u>Failure to take environmental protection measures</u>	<u>261</u>	<u>101</u>	<u>95</u>	<u>85</u>
<u>Illegal construction of buildings and facilities that pollute the environment</u>	<u>262</u>	<u>2</u>	<u>3</u>	<u>2</u>
<u>Environmental damage</u>	<u>264</u>	<u>31</u>	<u>35</u>	<u>30</u>
<u>Destruction, damage, removal abroad and introduction into Serbia of protected natural assets</u>	<u>265</u>	<u>49</u>	<u>53</u>	<u>48</u>
<u>Importation of hazardous substances into Serbia and unauthorized processing, disposal and storage of hazardous substances</u>	<u>266</u>	<u>506</u>	<u>503</u>	<u>488</u>
<u>Killing and abusing animals</u>	<u>269</u>	<u>335</u>	<u>258</u>	<u>330</u>
<u>Transmission of infectious diseases in both animals and plants</u>	<u>270</u>	<u>3</u>	<u>4</u>	<u>3</u>
<u>Negligent provision of veterinary assistance</u>	<u>271</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Production of harmful animal treatment products</u>	<u>272</u>	<u>1</u>	<u>1</u>	<u>1</u>

<u>Contamination of animal food and water</u>	<u>273</u>	<u>7</u>	<u>8</u>	<u>7</u>
<u>Deforestation</u>	<u>274</u>	<u>64</u>	<u>72</u>	<u>50</u>
<u>Forest theft</u>	<u>275</u>	<u>1.319</u>	<u>1.168</u>	<u>1.284</u>
<u>Illegal hunting</u>	<u>276</u>	<u>114</u>	<u>130</u>	<u>108</u>
<u>Illegal fishing</u>	<u>277</u>	<u>56</u>	<u>94</u>	<u>56</u>

-Handbook on the Implementation of Environmental Law – Case Studies is developed with OSCE Mission support in 2020,

-OSCE Mission to Serbia, in partnership with the Ministry of Environmental Protection, Ministry of Interior and the Judicial Academy, organized a series of six seminars in 2023 in Kragujevac, Novi Sad, Belgrade, Niš, Novi Pazar and Šabac. The seminars brought together in total 150 prosecutors, environmental inspectors and police officers from the Ministry of Interior’s Unit for the Suppression of Environmental Crime and Environmental Protection. The seminars provided a valuable platform for strengthening inter-institutional co-operation and the practical application of environmental legislation, featuring expert-led sessions on hazardous waste management, illegal construction in protected areas, and procedural steps in handling environmental offences, with particular emphasis on clarifying institutional mandates, addressing recurring challenges, and identifying concrete measures to improve co-ordination among prosecutors, inspectors, and police officers.

- In 2024, the OSCE Mission to Serbia supported the development of the Guide for Improving the Implementation of Regulations in the Field of Protection and Sustainable Use of Fish Stocks (<https://www.ekologija.gov.rs/lat/saopstenja/vesti/vodica-za-unapredenje-primene-propisa-u-oblasti-zastite-i-odrzivog-koriscenja-ribljeg-fonda>), with the aim of enhancing coordination among police, prosecutors, and environmental inspectors in combating illegal fishing and improving the management of fishing areas. To this end, the Mission facilitated the establishment of an expert group composed of representatives from the Ministry of Environmental Protection, the Ministry of Interior’s Unit for the Suppression of Environmental Crime and Environmental Protection, and the Public Prosecutor’s Office. The Guide provides a comprehensive overview of the legal framework for prosecuting illegal fishing, outlines best practices for managing fishing areas, and sets out procedures to improve compliance and inter-institutional co-operation. Published in both electronic and printed formats, it serves as a practical tool to support legal and procedural efforts in promoting sustainable fisheries. The Guide will be disseminated during a series of capacity-building seminars for police officers, prosecutors, and environmental inspectors planned for 2025.

-To promote sustainable partnerships between public authorities and civil society on environmental issues, the OSCE Mission to Serbia, in co-operation with the Protector of Citizens, organized the international conference titled “Protection of the Right to a Healthy Environment: The Role and Importance of the Ombudsman”, held at the National Assembly of the Republic of Serbia in Belgrade on 13 - 14 June 2024. The event brought together 79 participants, including ombudspersons from across Europe, representatives of public institutions, the judiciary, the business sector, academia, civil society, the media and international organizations. The conference aimed to strengthen the role of ombudsperson institutions in safeguarding environmental rights and resolving related complaints. Panel discussions brought together diverse perspectives, from ombudspersons, public authorities,

academia, civil society, the private sector, media and youth, and emphasized the need for inter-sectoral and international co-operation, inclusive governance and innovation. The event underscored the importance of collaborative approaches and the active involvement of youth and civil society in advancing sustainability and upholding the right to a healthy environment.

XXXI. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 9

Give relevant web site addresses, if available:

<http://www.parlament.gov.rs>

National Assembly of the Republic of Serbia

<http://www.mpravde.gov.rs/lt/>

Ministry of Justice

<http://www.mduls.gov.rs/>

Ministry of Public Administration and Local Self-Government

<http://www.ustavni.sud.rs/page/view/166-101192/obracanje-sudu>

Constitutional Court

<http://www.vk.sud.rs>

Supreme Cassation Court

<http://www.bg.ap.sud.rs/cr/articles/sluzba-za-odnose-sa-javnoscu/>

Court of Appeals in Belgrade

<http://www.ns.ap.sud.rs/index.php/srl/informator-o-radu>

Court of Appeals in Novi Sad

<http://www.bg.pr.sud.rs/> Commercial Court in Belgrade

<http://www.ns.pr.sud.rs/>

Commercial Court in Novi Sad

<https://www.prvi.os.sud.rs/> First Primary Court in Belgrade

<http://www.ombudsman.rs/>

Protector of Citizens

<http://www.advokatska-komora.co.rs/>

Bar Association of Serbia

<http://ekologija.pf.uns.ac.rs/pravna%20klinika.htm>

Law Clinic at the Law School of the University of Novi Sad

http://www.ius.bg.ac.rs/Pravna%20klinika/Pravna_klinika_PF.htm Law Clinic at the Law School of the University of Belgrade

<http://www.prafak.ni.ac.rs/studije/pravna-klinika.html>

Law Clinic at the Law School of the University of Niš

www.portal.sud.rs/code/navigate.aspx?Id=601

<https://tpson.portal.sud.rs/tposvs/>

The course of cases of basic and higher courts in Serbia

<https://tpson.portal.sud.rs/tpprvs>

The course of cases of commercial courts in Serbia

http://tpas.portal.sud.rs:8080/SAPSPortal/select.do?court_id=BGAP

The course of cases of appellate courts in Serbia

<https://tpps.sipres.sud.rs/>

The course of misdemeanor court cases in Serbia

<http://www.portal.sud.rs>

Serbian Justice Portal

Articles 10-22 are not for national implementation.

XXXII. GENERAL COMMENTS ON THE CONVENTION'S OBJECTIVE

If appropriate, indicate how the implementation of the Convention contributes to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.

The Convention contributes to strengthening the position of citizens and associations focusing on the issues of importance for the environment, as well as to making the rules that apply to the protection of certain rights in the field of environment or those related to the environment, more systematic. It is also instrumental in the internationalization of the procedural aspects of the protection of the right to a healthy environment specified in Article 74 of the Constitution of the Republic of Serbia. The Convention would significantly contribute to easier transposition and implementation of the horizontal legislation of the EU relating to the environment within the process of European integration of Serbia.

XXXIII. LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON GENETICALLY MODIFIED ORGANISMS PURSUANT TO ARTICLE 6bis AND ANNEX I bis

NOTICE:

The Republic of Serbia has not ratified the GMO amendment, i.e. it is not a signatory to the GMO amendment.

Concerning legislative, regulatory and other measures that implement the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, describe:

- (a) With respect to **paragraph 1** of article 6 bis and:
 - (i) **Paragraph 1** of annex I bis, arrangements in the Party's regulatory framework to ensure effective information and public participation for decisions subject to the provisions of article 6 bis;
 - (ii) **Paragraph 2** of annex I bis, any exceptions provided for in the Party's regulatory framework to the public participation procedure laid down in annex I bis and the criteria for any such exception;
 - (iii) **Paragraph 3** of annex I bis, measures taken to make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release or placing on the

market, as well as the assessment report where available;

(iv) **Paragraph 4** of annex I bis, measures taken to ensure that in no case the information listed in that paragraph is considered as confidential;

(v) **Paragraph 5** of annex I bis, measures taken to ensure the transparency of decision-making procedures and to provide access to the relevant procedural information to the public including, for example:

- a. The nature of possible decisions;
- b. The public authority responsible for making the decision;
- c. Public participation arrangements laid down pursuant to paragraph 1 of annex I bis;
- d. An indication of the public authority from which relevant information can be obtained;
- e. An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments;

(vi) **Paragraph 6** of annex I bis, measures taken to ensure that the arrangements introduced to implement paragraph 1 of annex I bis allow the public to submit, in any appropriate manner, any comments, information, analyses or opinions that it considers relevant to the proposed deliberate release or placing on the market;

(vii) **Paragraph 7** of annex I bis, measures taken to ensure that due account is taken of the outcome of public participation procedures organized pursuant to paragraph 1 of annex I bis

(viii) **Paragraph 8** of annex I bis, measures taken to ensure that the texts of decisions subject to the provisions on annex I bis taken by a public authority are made publicly available along with the reasons and the considerations upon which they are based;

(b) With respect to **paragraph 2** of article 6 bis, how the requirements made in accordance with the provisions of annex I bis are complementary to and mutually supportive of the Party's national biosafety framework and consistent with the objectives of the Cartagena Protocol on Biosafety to the Convention on Biodiversity.

Answer

- Ministry of Agriculture, Forestry and Water Management is responsible for the implementation of the LGMO

- Directorate of Plant Protection (Group for the Protection of Plant Varieties and biosafety), as an administrative body within the Ministry of Agriculture, Forestry and Water Management, is responsible for receiving and reviewing applications for approval the work with GMO (GMO Experiment in laboratory, greenhouse) and deliberate release of GMOs into the environment (experimental work with GMOs in the field).

- LGMO provides the prohibition of commercial cultivation of living modified organisms, as well as the prohibition of placing in the market living modified organisms and products of GMO.

- Concerning information to the public_(Article 15 LGMO) please refer to answer given in Chapter XV, item (j).

XXXIV. OBSTACLES ENCOUNTERED IN THE IMPLEMENTATION OF THE PROVISIONS OF ARTICLE 6bis AND ANNEX I bis

Describe any obstacles encountered in the implementation of any of the paragraphs of article 6 bis and annex I bis.

Answer

XXXV. FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 6bis AND ANNEX I bis

Provide further information on the practical application of the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, e.g. are there any statistics or other information available on public participation in such decisions or on decisions considered under paragraph 2 of annex I bis to be exceptions to the public participation procedures in that annex?

Answer

XXXVI. WEBSITE ADDRESSES RELEVANT TO THE IMPLEMENTATION OF ARTICLE 6bis

Give relevant website addresses, if available, including website addresses for registers of decisions and releases related to genetically modified organisms:

Answer

<http://www.minpolj.gov.rs/>

<http://www.uzb.minpolj.gov.rs/>

XXXVII. FOLLOW-UP ON ISSUES OF COMPLIANCE

If, upon consideration of a report and any recommendations of the Compliance Committee, the Meeting of the Parties at its last session has decided upon measures concerning compliance by your country, please indicate (a) what were the measures; and (b) what specific actions your country has undertaken to implement the measures in order to achieve compliance with the Convention.

Please include cross-references to the respective sections, as appropriate.

Answer