Public participation in decision-making:
Identification and Notification of the public concerned, as well the need of early public participation

Meetings of the Task Force on Public Participation in Decision-making
Geneva, 23 to 24 February 2015
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Aarhus Convention

"Aarhus Convention is most ambitious venture in "Ecological democracy" so far conducted under the auspices of The United Nations."

Kofi Annan, UN Secretary-General
Aarhus Convention


Macedonia accessed the Convention on 01 Jul 1999
Aarhus Convention

The Aarhus Treaty is essentially composed of three pillars of public decision-making: access to information; participation in decision-making; and access to justice.
Aarhus Convention

- The aim of my presentation is to find a way to enable citizens to express their views and opinions on issues related to the environment and to provide mandatory consideration of the same by the decision makers in Macedonia, especially in early participation;
Identification and notification of the public concerned

- In accordance to the Aarhus Convention, every citizen of Republic of Macedonia can participate in the decision-making process related to the environment.
Identification and notification of the public concerned

- **Publicity** is one or more individuals or juridical persons and in accordance with established law for organizations and associations of citizens.
- **The public concerned** is the public which currently is affected and/or in the future may be affected or has interest in making a decision on environment which is in a special relationship with a particular procedure.
- The **affected public** include citizen associations established for the protection and improvement of the environment and natural person likely to feel the effects of decision.
Participation of public concerned on decision making

- According the existing Law for environmental protection, the state institutions are obligated to inform publicity and the concerned public about certain implementation of the plan.
Participation of public concerned on decision making

- Individuals and juridical persons and the public can express their opinion on the draft planning document and the environmental report to the body that prepares the planning document within 30 days of submission or publication of information about them.
- The body is obliged to take into account in the preparation of the planning document obtained opinions on the draft plan.
Participation of public concerned on decision making

- Public participation in the reparation of the plan is clear and unambiguously determined by several legal acts in respect of all strategic, planning and program documents.
Participation of public concerned on decision making

- These documents are legally determined to be adopted in two stages: the draft & proposal stage.
- Draft documents are published and public and professional debates about their content are organized.
- Opinions, comments and suggestions received from the hearing shall have to be taken into account in the completion of the text of the document as a Proposal submitted for final adoption.
Early public participation

- Even that in accordance with the AC early participation is required, in Macedonian case we do not use it as tool...
For the last year the public participation was minimized.

The Ministry of environment has organized only 2 meetings with concerned public, but not to involved them in the process for decision making, only to inform them for already done solutions.

Besides that, in Macedonia through the last year, there were a lot of environmental activities.
Example of (non) participation of publicity

The decision to build a small hydroelectric centrals on Mavrovo Lake has caused pretty much attention. Those centrals are built with the support of the EBRD. Even though the publicity was consulted, no objection was accepted, nor put in report.
Unfortunately, in Macedonia the implementation of an approach that includes public concerned decision-making process is slow because of public participation procedure should change the old way of thinking - technocratic, to broader concept of good governance where participants from diverse backgrounds play a role in the decision-making process. The difference that makes participation public can be reflected in many ways, including:
More information and better decisions, based on information collected from the citizens;
Long-lasting change - guaranteed if the public is willing to adopt new policies;
The public feels them like their own decisions;
We solve those problems which mean the citizens;???
Avoid or better manage conflicts;
Reduced costs - thanks to the fact that the right decisions are made;
changed relationships - usually improves public trust in the authorities;
Improved public image of the authorities to the citizens;
ensuring mutual learning by encouraging the exchange process;
Improvement of social capital - a good starting point for the next challenge
Aarhus Convention
Type of PP

- Decision-making process for all levels of government in the Republic of Macedonia legally are subjected to public review or call for written comments documents published in paper or electronic form. This is existing form of public participation. Public hearings are also often corrected.
- Wall form of public participation when it comes to important issues of field of environment, such as the issuance of environmental permits objects.
- But, this is only on paper, in reality the situation is very bad
Challenges arising from participation processes:

- Inability to achieve consensus
- Politization of public appearance
- Underestimation of the importance of public participation
- Citizens are not motivated to participate
- Fostering unrealistic expectations
- Public participation requires additional time
- Public participation implies consumption and resource
Involvement in decision-making process is in the interests of citizens, but it is often hindered by a lack of knowledge in the field in which it is decided and their civil rights. In civil society, citizens recognize their collective interests, and - to that realization – collectively act and advocate for the improvement of the general condition. So that the role of civil society is of great importance for the development of democracy in the field of environmental protection.
Aarhus Convention
Challenges – our challenges

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(find a better way to touch the citizen and include them in early public participation in decision making process)