

FORMAT FOR AARHUS CONVENTION IMPLEMENTATION REPORT

The following report is submitted on behalf of the Republic of Croatia in accordance with decision I/8 and I/10.

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Signature:	
Date:	January 2011

IMPLEMENTATION REPORT

Party:	Republic of Croatia
National Focal Point	
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PROCESS BY WHICH THE REPORT HAS BEEN PREPARED

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

Answer:

The report covering the present reporting cycle is based on the previous 1st national report of the Republic of Croatia (hereinafter referred to as: the RC) supplemented by recent information. The report preparation was coordinated by the Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC) in conjunction with public authorities responsible for the protection of environmental components and by a representative of the Ministry of Justice. A representative of Sunce Association for Nature, Environment and Sustainable Development, a non-governmental organization

(NGO) which is a member of the Green Forum (a network of environmental organizations) has been involved in the draft report preparation from the very beginning, with the aim to coordinate the preparation of sections on behalf of all associations dealing with environmental protection. The Draft Implementation Report was made available to the public and other civil associations on the website of the MEPPPC. Some of the comments made by the NGO are included in the Report and the response to other comments was sent to the NGO in writing. This Report is a result of this procedure.

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:

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Article 3

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

Answer:

There are a number of Croatian laws and subordinate regulations relating to implementation of the provisions of Article 3 of the Convention, as specified in the first national report. However, since the completion of the first report certain environmental laws and regulations relevant to environmental protection have been amended, and two laws have been replaced with new ones. They are the General Administrative Proceedings Act (OG 47/09, hereinafter referred to as the GAPA) and the Water Act (OG 153/09, hereinafter referred to as the WA¹). All provisions of the new legislation governing the implementation of the Aarhus Convention have been transferred from the former laws.

The new regulations of relevance to this area are the Regulation on the Procedure of Identifying Integrated Environmental Requirements (OG 114/08, hereinafter referred to as the RPIIER), the Regulation on Preventing Major Accidents Involving Hazardous Substances (OG 114/08, hereinafter referred to as the RPMAIHS) and the Ordinance on Elimination of Environmental Damage and Environmental Restoration Programmes (OG 145/08, hereinafter referred to as the OEDERP).

Amendments to certain laws and subordinate regulations and the adoption of regulations constitute a part of the process of aligning the national legal system with the existing European Union legislation and represent a legislative and regulatory foundation for implementation of Article 3 of the Convention.

On the 26th session held on 21 November 2009 the Government of the Republic of Croatia adopted the Code on Consultations with the Public Concerned in the Process of Adopting Laws, Other Regulations and Acts (OG 140/2009). The need to adopt the Code and encourage its systemic implementation arises from the goals and measures outlined in the *National Strategy for the Creation of an Enabling Environment for Civil Society Development from 2006 to 2011* and the applicable Operational Implementation Plan, as well as the measures of the *Action Plan and the Anti-Corruption Strategy*. Besides, the development of a consultation model on draft programmes, laws and other regulation in association with NGOs and the public in general is one of the activities planned as part of the *Public*

¹ The Water Act (OG 153/09) came into effect on 1.1.2010 with the exception of Article 107, paragraphs 3 and 6, which will come into effect on 1.1.2011. On the effective date of this Act the previous Water Act (OG 107/95 and 150/05) will cease to be valid, except Articles 173 and 174 which cease to be valid on 1.1.2011.

Administration Reform Strategy for the period 2008-2011. The adoption of the Code represents the bringing together of conclusions drawn from a wide array of consultations, which the Office of the Government of the Republic of Croatia for Cooperation with NGOs in cooperation with the Council for the Development of Civil Society held with civil society organisations with respect to the aims and contents of the document intended to provide guidelines for efficient consultations between government bodies and the public concerned on the methods of adopting laws and other acts, as well as the existing good practice of consultations already implemented by certain state administration bodies. The guidelines for application of the Code were developed and adopted by the Commission for Monitoring Anti-Corruption Measures on the session held on 27th July 2010. Coordinators appointed for consultations with central state administration bodies and Government offices responsible for preparation of draft laws, other regulations and acts serve as contact persons in charge of consistent monitoring and coordinating the activities of consulting the public concerned. The contents of the Code is to a large degree harmonized with the European Commission act entitled *General Principles and Minimum Standards for Consultation of Interested Parties by the Commission* COM (2002)704 which has been applied by the Commission since 1 January 2003, and with the *Code of Practice for Civil Participation in the Decision-making Process* which the Council of Ministers of the Council of Europe supported by their Declaration of 21st October 2009.

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:

Basic principles of behaviour of government bodies and other authorities, bodies of local and district (regional) self-government units and legal entities with public authorities are determined by the GAPA. Consequently, when deciding on rights, obligations or legal interests of citizens or legal entities or other parties in administrative matters by immediately applying regulations, this law is subsidiarily applied to procedures of requiring access to information. Its application is referred to in Article 9 of the Right of Access to Information Act (OG 172/03, hereinafter referred to as the RAIA).

On the basis of the RAIA all public authorities have appointed one (or more) officials responsible for issues of exercising rights of access to information, including the provision of assistance and guidance to the public as regards the access to information, and for decisions to establish Catalogues of information which they possess or control or have available, and which contain a systematized overview of information accompanied by a description of the contents, the purpose, the method of providing and the time of exercising the right of access. The obligation to provide information and explanation in administrative matters is laid down by the Civil Servants Act (OG 92/05, 142/06, 77/07, 107/07 and 27/08).

Since the last report the MEPPPC has strengthened mechanisms for providing public information about certain environmental sectors. This includes creation of a special website *National Air Quality Monitoring Network* that presents air quality data recorded by all measurement stations belonging to the national network. The website is directly linked with measurement stations through a central base where measurement data are updated and released on an hourly basis together with the reports on measurement data in form of hourly concentrations. The website of the MEPPPC contains, among other things, the Register of Legal and Physical Entities Involved in Import/Export and Marketing of Controlled and Substitute Substances, Rehabilitation, Collection, Reclamation and Recovery. Information relating to establishment of the emission trading system and issuance of permits for greenhouse gas emissions from installations is also publicly available. On the website mentioned the plant operators may find all

information relating to submission of applications, development of monitoring plans that form a constituent part of applications, and greenhouse gas emission permits, including frequently asked questions and responses given by experts as part of the technical support provided to operators when developing greenhouse gas emission monitoring plans.

The Croatian Environment Agency (CEA) is in charge of coordinating and maintaining the Environmental Information System (EIS) which is permanently extended by new databases created in collaboration with a number of government bodies and institutes. The databases are publicly available through the CEA website. The database named the Pollutant Emission Register (PER) was prepared in 2009 in accordance with the Ordinance on the Pollutant Emission Register (OG 35/08). The databases entitled the Registry of Installations in which Hazardous Substances Are Present (RIHSP) and the Major Accident Notification Record were prepared pursuant to the Regulation on Preventing Major Accidents Involving Hazardous Substances (OG 114/08) and the Ordinance on the Registry of Installations in which Hazardous Substances Are Present and on the Major Accident Notification Record (OG 113/08). The highest public interest is shown in the segment relating to the databases of PER and RIHSP.

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

Answer:

Public authorities responsible for individual environmental components and sustainable development conduct continuously campaigns of raising environmental awareness. This includes the design and publication of promotional and educational material (picture-books, posters, brochures, leaflets, stickers, etc.) and educational and promotional TV and radio commercials aiming at popularization and public information on environmental components.

Environmental education plays an important role in Croatian curriculum. Kindergartens, primary and secondary schools carry out numerous activities with the aim to promote environmental education and awareness. The Ministry of Science, Education and Sports in collaboration with other government bodies supports the distribution of various promotional brochures and leaflets dealing with environmental topics. For example, the MEPPPC organized the translation and publication of the UNEP brochure *Sustainable Production and Consumption* (2009) and a new instalment of the comic strip *Ozzy Goes Island Hopping* (2008) featuring the protection of the ozone layer and the climate change prevention, which were distributed to primary and secondary schools to be used as an auxiliary teaching material.

The Ozone Day celebrated on 16 September 2009 and 2010 was marked by promotional material (T-shirts, linen bags, jumbo posters) which was distributed to towns participating in the *European Mobility Week* organized to celebrate the *Ozone Day* and to primary eco-schools. Jumbo posters were displayed at 20 – 30 locations throughout Croatia.

As part of cooperation with the Croatian Dermatovenerological Society (CDVS) the MEPPPC joined promotional activities organized by the CDVS in collaboration with L'ORÉAL ADRIA d.o.o. by donating educational comic strips *Ozzy Ozone*. Promotional and educational material about the need for protection against solar radiation were distributed to the public at information stands placed on beaches of four major towns of Croatia. For the purpose of raising public and particularly mass media awareness, the brochure named *Vital Ozone Graphics – Climate Link* was translated and published on the MEPPPC website. On 16 September 2010 the Croatian Radio Television put out 2 promotional videos at three different times with the aim to educate the public about the need to protect the ozone layer and the availability of a refrigeration equipment collecting system in Croatia. All activities undertaken with the aim to protect the climate and the ozone layer were made publicly known through a number of interviews. APO Ltd., a

national consultant for the Terminal CFC Phase-out Management Plan for the Republic of Croatia published a leaflet "Ozone Layer" with information useful to the refrigeration sector (importers, exporters, maintenance technicians, users).

The MEPPPC has implemented the project "Enhanced Environmental Inspection for Enforcement of the New Environmental Legislation" (EU Programme, PHARE 2005) aimed at the strengthening of environmental inspection organization in accordance with the requirements set out by the new environmental legislation; developing of the system for permanent inspector training in future (training for trainers); training of inspectors (environmental inspectors and other competent inspectors involved in environmental inspection activities); informing the stakeholders from the industry sector, non-governmental organizations and local and regional government units about their new responsibilities concerning environmental protection; establishing and providing support to the pilot team in the process of defining the methods of cooperating and acting in case of environmental damage; and developing an advanced information system of public reporting which will be functional and available to inspectors for use after the project is completed.

Within the framework of pre-accession bilateral assistance programme of the Kingdom of the Netherlands (G2G project) the MEPPPC launched the project "Training Civil Servants for Sustainable Development and Education for Sustainable Development" in 2010. The project goal is to raise the civil servants awareness of sustainable development principles and to highlight the importance of education for sustainable development. The ultimate goal of the project is to include the seminar on sustainable development into the Catalogue of Civil Servants Training kept by the Ministry of Administration.

Each year the Ministry of the Sea, Transport and Infrastructure prepares annual Reports of port authorities specifying, among other things, the incidence of marine pollution and origins of pollution (land-based sources, vessels, unknown polluters).

The Environmental Protection and Energy Efficiency Fund of the RC (hereinafter referred to as the EPEEF) plays a special role in promoting environmental awareness and implements educational and promotional programmes dealing with environmental protection and promotion of energy efficiency and utilization of renewable energy sources. The EPEEF in collaboration with the UNDP conducts a national promotion campaign for energy efficiency, which includes organization of numerous promotional events, broadcasting television and radio commercials, and publication of various brochures and leaflets which are then inserted into daily newspapers (e.g. a brochure "200 EE Hints"). The brochure "A White Stork" printed in 3,000 copies was designed to present effects of the white stork protection project implemented in continental counties of Croatia. The EPEEF publishes also an educational and promotional two-month journal *Eko-revija* printed in 6,000 copies, which provides information on the EPEEF activities and contains articles about news in the field of environmental protection and power supply. The journal is distributed to all local self-government units, various government, public and scientific institutions, civil organisations and companies cooperating with the EPEEF.

The State Institute for Nature Protection (hereinafter referred to as the SINP) publishes continuously a wide range of promotional and educational material (posters, brochures, leaflets, stickers, etc.) with the aim to popularize and inform the public about the protection of nature as a part of the environment, and organizes educational actions on the occasion of dates of relevance to nature protection, including the Open Door Days. Since the United Nations declared 2010 to be the International Year of Biodiversity, a large part of these activities focused on this topic, such as:

- publication of handbooks for inventorying and monitoring the biodiversity status, containing forms available for downloading on the SINP website, and
- organization of educational campaigns of counting swallows, house martins and snake's head fritillaries in cooperation with schools.

CEA promotes environmental awareness of the general public primarily by publishing printed materials intended for information and education, and by making all relevant information relating to its scope of activities publicly available on the website. In order for the activities of the CEA to come closer to the general public, the Agency organizes the so-called Open Door Days and presents itself to the public by various popular events and educational campaigns on the occasion of the dates of relevance to environmental protection. This includes lectures held at schools to mark the Earth Day, public forum debates in which the CEA experts take part, and prize competitions on ecological issues organized for children and adults on the occasion of the World Environment Day. In May 2009 the CEA presented itself through participation in a two-day exhibition as part of the Zagreb Energy Week. As regards the PER in 2008, a *help desk* was launched with the aim to provide responses by email or phone to enquiries of persons liable to data submission, competent county authorities, environmental inspectorates, professional and other public concerned. These activities are presented in detail in Annex I.

The Croatian Waters (CW) publish a news monthly *Croatian Water Management* (the publishing was temporarily interrupted in mid-2009) and a scientific journal *Croatian Waters* through which the general public is informed about issues relating to water management. With the aim to raise the awareness of the importance of waters and aquatic environment the CW organize the celebration of the International Water Day (22 March), the Danube Day (28 June) and the Croatian Waters Day (7 September) on which awards are given to selected graduation, doctoral and master's theses and technical literature relating to issues in the field of water. The CW also sponsor expert meetings and co-finance regularly scientific projects dealing with water management.

The Office of the Government of the RC for Cooperation with NGOs is the beneficiary of the PHARE 2006 grant scheme *Enabling the Civil Society Sector for the Active Contribution in the Pre-accession Process*, which was used by organizations dealing with environmental protection and sustainable development to implement projects focused on raising public awareness of the environment, environmental education and access to environmental information. In this manner the Government of the RC provided support to environmental non-governmental organizations in promoting activities that relate to fostering environmental education and environmental awareness of the general public. The contracted project value totals 1,097,378.56 Euro, of which the EU funds account for 839,734.24 Euro (77%) and the national co-financing for 109,737.87 Euro (10%). The balance of 147,906.45 Euro (13%) had to be covered by the NGOs by their own funds.

A list of non-governmental organizations and projects implemented as part of the grant scheme mentioned may be found in Annex II.

(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:

In Croatia there are several mechanisms which provide support to associations and organizations promoting environmental and nature protection. The Ministry of Culture secures continuously the necessary co-finance for activities of non-governmental organizations in implementation of nature protection projects. Some expert non-governmental organizations participate in the process of adopting strategic documents in the field of nature protection as external advisors, and some are actively involved in implementation of nature protection through centers for care of strictly protected species. The Ministry of Culture traditionally grants the *Ivo Horvat* nature protection award (annual and life-achievement awards) to prominent persons and organizations deserving praise for promotion of nature protection.

The MEPPPC and the EPEEF invite applications for financing educational projects in the field of environmental protection and sustainable development for civil society organizations. Croatian Waters regularly co-finance the projects and meetings of non-governmental organizations dealing with water issues. The amount awarded in 2009 totalled about 41,000 Euro.

Through annual reports on financial supports granted to civil society organizations for the purpose of implementing projects and programmes, the Government of the RC follows regularly the dynamics of financing and gives recommendations for improvement of the system of granting financial supports to projects and programmes implemented by civil society organizations. Apart from the government budget, a part of the financial resources comes from the revenue earned by games of chance, from environmental pollution charges and budgetary reserves. By their purpose the projects and programmes fall within 20 categories. Consequently, in 2008 projects and programmes relating to environmental protection and sustainable development were allocated 0.9 % and in 2009 1.1% of total financial supports granted to the civil sector in the respective year. The structure of projects and programmes relating to environmental protection and sustainable development is shown in Annex III.

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

- (i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, and the Almay Guidelines, indicating whether the measures to coordinate 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 is 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 principle of cooperation in implementation of environmental protection within the state and cooperation with other countries, including provision of access to information about transboundary environmental impacts to other countries and sharing environmental information is laid down in Article 14 of the Environmental Protection Act (OG 110/07, hereinafter referred to as the EPA). Moreover, Article 45 of the Air Protection Act (OG 178/04, 60/08, hereinafter referred to as the APA) stipulates that the MEPPPC in conjunction with a competent authority of another state shall initiate activities aimed at adoption of joint air pollution abatement plans and programmes through application of appropriate measures in case of a major transboundary air pollution. The RC has been promoting principles of the Convention relating to transboundary environmental impact assessment through, among other things, bilateral and multilateral bodies/international treaties to which the RC is a Party.

The Ministry of Culture reports regularly on the results reached in international and interdepartmental cooperation on its website or by means of press releases at the request of mass media or on its own initiative. Non-governmental organizations are regularly involved in meetings of the parties relating to implementation of international conventions that the RC is a Party to.

As a competent authority the MEPPPC submits annual reports on greenhouse gas emission inventories and periodical national reports on climate change according to the UN Framework Convention on Climate Change (UNFCCC) (national reports on climate change according to the UN Framework Convention on Climate Change are publicly available on the websites of the MEPPPC and the UNFCCC Secretariat). Pursuant to the provisions of the Contingency Plan for Accidental Pollution of the Sea (OG 92/08) such accidents are recorded in reports and the general public is informed accordingly by the press and mass media about activities undertaken. The sub-regional plan has also made it obligatory to inform authorities of other countries about marine pollution. The Sub-Regional Contingency Plan for Prevention of, Preparedness for and Response to Major Marine Pollution Incidents (OG-IT 7/08) provides that the parties are obliged to establish and maintain an effective and operational information system in compliance with the standard POLREP system whose application was agreed within the context of the Prevention and Emergency Protocol to the Barcelona Convention. The provisions of the paragraph 4.4 of the Sub-Regional Plan, lay it down that national support teams established will provide advice to the National On-scene Commander concerning public information. According to the provisions of paragraphs 8.1 to 8.4 of the sub-regional plan, the designated public relations officer shall be responsible for maintaining contacts with the press, preparing press releases on behalf of the Lead Authority, following the information released by the press and clarifying any possible misunderstandings.

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

Answer:

This right is granted by the constitutional principle of lawfulness under Article 16 of the Constitution of the RC (OG 56/90, 135/97, 8/98 – revised version, 113/00, 124/00 – revised version, 28/01, 41/01 – revised version, 55/01 – correction, 76/10 and 85/10 – revised version) and the principle of the right of appeal under Article 18 of the Constitution of the RC.

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

Answer:

It has been noted that a small number of non-governmental organizations dealing with nature protection issues do not take their obligations towards the government bodies seriously and with responsibility, which implies their better transparency as regards public information.

There is certain complaining by NGOs about implementation of paragraph 3. Generally, the opinion is that additional measures ought to be developed for the effective implementation of Convention in addition to regulations. They think that it will improve transparency of the work by the ministries if more information's are present on Internet pages (e.g. establishment and purpose of the establishment of working groups). With respect to paragraph 3, the NGOs find that environmental education is insufficiently present in university education and that new colleges and high schools ought to be founded with the mission of promoting environmental education. They support taken campaigns, however it is important to establish financial measures to support environmental protection like favourably credits and subventions e.g. for building passive houses etc.

With respect to paragraph 4, the NOGs find the discontinuity in granting annual supports to NGOs in environmental matters to endanger a stable operation of those organizations. Likewise, continuity is needed in relation to national acknowledgements and awards for the environmental protection.

Provide further information on the practical application of the general provisions of the Convention.

Answer:

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Give relevant website addresses, if available:

www.mzopu.hr; <http://zrak.mzopu.hr/default.aspx?id=6>; <http://klima.mzopu.hr/>
Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC)
www.azo.hr Croatian Environment Agency (CEA)
www.fzoeu.hr Environmental Protection and Energy Efficiency Fund (EPEEF)
<http://www.zastita-prirode.hr/> Ministry of Culture, Directorate for Nature Protection (MC-DNP)
www.dzrp.hr State Institute for Nature Protection (SINP)
<http://www.natura2000.hr>
<http://www.life-vuk.hr>
www.uzuvrh.hr Office of the Government of the Republic of Croatia for Cooperation with NGOs (OCNGO)
www.mmpi.hr Ministry of the Sea, Transport and Infrastructure (MSTI)
www.voda.hr Croatian Waters (CW)

Article 4

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

Answer:

The EPA, the RAIA and the Regulation on Information and Participation of the Public and the Public Concerned in Environmental Matters (OG 64/08, hereinafter referred to as the RIPP) are basic regulations laying down the implementation of Article 4. Some measures have been additionally integrated into other regulations relating to specific environmental areas. It should be noted that the Directive 2003/4/EC of the European Parliament and the Council on public access to environmental information has been fully transposed into the national legislation. This relates also to definitions under Article 2 of the Convention transposed both into the EPA and the RAIA.

The provisions of Article 3, paragraph 9 of the Convention are governed by the constitutional principle of equality of citizens and by the provisions of the RAIA. The EPA and the RAIA guarantee access to information without the obligation to specify interests and prescribe access to data and information and the request form for access to information which is to be used by the submitter of the request to get access to information in one of the four ways: direct supply of information (verbal), insight into documents and making copies of documents containing the information required, supply of copies of documentation containing the information required and other ways (to be filled in by the submitter of request) (Ordinance on the Structure, Contents and Keeping of an Official Register of Rights of Access to Information, OG 137/04).

The time limit for the supply of information is also determined by the EPA and the RAIA.

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

(i) Provide for exemptions from requests;

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

Answer:

With respect to the measures listed reference is made to Article 135 of the EPA. In the procedure of exercising the right of access to information the provisions of the GAPA (Article 9 of the RAIA), Article 8 of the RAIA, Article 8 of the RAIA, and Article 26 of the Ordinance on Water Management Documentation are applied correspondingly.

(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:

With respect to paragraph 5, Article 13 of the RAIA is applied. Besides, in the procedure of exercising the right of access to information the provisions of the GAPA (Article 9 of the RAIA) are applied correspondingly.

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

Answer:

In this case Article 8, paragraph 4 of the RAIA is relevant.

(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:

With respect to paragraph 7 we refer to Article 15, paragraph 2 of the RAIA.

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

Answer:

In this case Article 19 of the RAIA is applied. In case of actual material costs of editing and supplying the data required (price of making copies, storing on electronic media, etc.), they will be charged (CEA, SINP, MEPPPC). The Decision on Establishment of the Information Catalogue lays it down that the amount of less than 0.2 € (1 kuna) per each page of the document copied shall be paid, if the number of copies exceeds 3.

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

Answer:

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

Answer:

According to Article 25 of the RAIA, all public authorities are required to submit to the Ministry of Public Administration their reports on implementation of the RAIA for the previous year by 31 January. The ministry responsible for public administration matters (MPA) submits a consolidated report on implementation of the RAIA in the previous year to the Government of the RC not later than 28 February. The Government of the RC is required to submit the report on implementation of the RAIA in the previous year to the Croatian Parliament for adoption not later than 31 March. After adoption this report is published in the Official Gazette. The reports contain statistical data on the total number of requests received, the number of requests approved, the number of requests refused, the number of requests unresolved and the number of requests forwarded to competent bodies. In the reports the data are shown in relation to public authorities and specific examples of decisions to accept or refuse requests are presented. The analysis of data contained in reports on implementation of the RAIA in 2009, especially those relating to the method of deciding on the requests submitted, serves as a basis for identification of progress made in exercising the right of access to information, because 91% of all requests submitted were approved. The method of dealing with requests for exercising the right of access to information indicates how public authorities are open to communication with holders of the right of access to information, and at the same time points to accomplishment of positive objectives and the purpose of the RAIA. The report on implementation of the RAIA is available on the official website of the Ministry of Public Administration www.uprava.hr.

In addition to basic requirements the CEA initiated additional measures and actions to facilitate access to information held by the CEA. Through its website www.azo.hr, the CEA continuously provides and facilitates access to absolutely all data and information held: from databases, calculations and overviews of state of the environment indicators, reports, publications, environmental regulations, guidelines and ordinances to necessary contacts. Holders of the right of access to information are granted an opportunity to send their inquiries through informative e-mail address of the Agency and the section "Contact" on the website, or by phone, facsimile or directly to the Agency offices.

Within the framework of connecting the Croatian National Greenhouse Gas Register (GHG) to the International Transaction Log (ITL) 2009 the CEA declared confidential five documents on 14 September 2009. The degree of confidentiality is defined according to Article 13, paragraph 3 of the Data Protection Act, Article 23 of the CEA Articles of Association and Article 19, paragraph 3 of Directive 2008/87/EC of the European Parliament and of the Council.

However, the Ministry of Health and Social Welfare (MHSW) reported that some of the requests submitted by clients had remained unanswered because of the delayed response received from the administrative and technical department and the poor quality of the background documents. For the same reason some of the matters were resolved behind schedule determined by law. Appeals were lodged because of the silence of administration, but no charges were brought in the Administrative Court of the RC.

Give relevant website addresses, if available:

www.mzopu.hr, www.ifenel.hr; www.uprava.hr; www.pravosudje.hr; www.azo.hr; www.fzoeu.hr; www.min-kulture.hr; <http://www.zastita-prirode.hr/>; www.dzpz.hr; <http://www.natura2000.hr>; www.mzos.hr; www.mrrsvg.hr; www.voda.hr; www.mzss.hr; www.mps.hr; www.uzuvrh.hr; www.mmpi.hr

Article 5

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

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:

Implementation of the provisions of Article 5 in the RC is ensured by a number of legislative and regulatory measures, as indicated in the first national report. Paragraphs 1 and 2 are implemented through Article 133 of the EPA, which makes it obligatory to public authorities to disseminate regularly environmental information through electronic databases available or other adequate mass media. In this regard provisions of Articles 126-129 of the EPA, the RIPP, the Ordinance on the Pollutant Emission Register (OG 35/08) and the Regulation on the environmental information system (OG 068/2008, hereinafter referred to as the REIS) are relevant.

Relevant definitions under Article 2 and non-discrimination requirements under Article 3, paragraph 9 are mentioned in the answer under 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;

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

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

Answer:

Croatia has prepared a number of subordinate acts, materials/documents and executive regulations laying down in detail the contents, the form and the methodology of keeping documentation on individual environmental components, as described in detail in the first national report. All of them serve as a basis for the establishment of an EIS maintained by the CEA in collaboration with other ministries, state and county administration bodies and scientific, research and other institutions.

With respect to information on water, Croatian Waters collect process and interpret data related to water and aquatic environment in conformity with the Ordinance on the Contents, Format and Method of Keeping Water Management Documentation (OG 120/2010). Article 138 of the WA stipulates that water management documentation kept also in the digital form as part of the Water Information System must be available to the public. Croatian Waters are especially responsible for data collection and evaluation of the quality of surface and ground waters and the territorial waters exposed to land-based pollution, including the collection of data and preparation of reports on unexpected and accidental pollution events. The data collected are used as a basis for preparation of the annual water quality report for the RC.

With respect to water pollution risks, Article 72 of the WA lays down the procedure of information flow between the National Protection and Rescue Directorate, the National Water Resources Inspector and the Croatian Waters. All details were presented in the first national report.

The National Plan for Implementation of the Stockholm Convention on Persistent Organic Pollutants (OG 145/08) stipulates the establishment of a working group for monitoring the compliance with obligations under the Plan and for submitting the reports on implementation of the Plan to the Government of the Republic of Croatia. The first report will be submitted by the end of 2010.

Articles 9a, 17, 20, 24, 25, 26 (associated with Art. 70 of the EPA) and 29 of the Health Care Act are relevant too. The Health care Act defines the obligations of the inspectorate and penalties in case of the absence of adequate information flow to public authorities. The Directorate for Inspection Affairs within the MEPPPC is responsible for preparation of the annual report on the work and actions taken by environmental inspectors, comprising the annual report on coordinated environmental inspection control as a constituent part thereof.

(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:

It has been made obligatory to all public authorities to designate an information officer responsible for taking all actions and measures required for a proper keeping of the information catalogue which contains a systematized overview of information with the description of the contents, purpose, method of provision and time of exercising the right of access. In Article 133 of the EPA the public authorities are required, within the framework of their competence, to regularly publish environmental information, including national reports on the state of the environment. All databases of the EIS are available to the public on the CEA website. In the context of the EIS Management Programme all measures to be taken have been elaborated by stages, so as to ensure a smooth flow of environmental information and establish new databases.

(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:

The basic public communication tool of the CEA is the website www.azo.hr which is regularly updated. This website is also used to publish the Pollutant Emission Register (PER) containing data on the sources, types, quantities, methods and points of the discharge, transfer and deposition of pollutants and wastes in the environment. After restructuring the web portal in 2009, a new section was introduced – a greenhouse gas registry. The website contains strategic and normative materials – laws, regulations, strategies and policies, CEA reports, all individual databases of the Environmental Information System, and some other useful information such as handbooks and instructions for environmental data maintenance and reporting. The web portal is very frequently visited – the number of visits registered yearly exceeds 150,000 with the upward trend in the number of users. The information catalogue of the CEA on the website was reviewed twice – in 2008 and 2009, so as to comply with newly established databases and printed reports.

As provided under the law, the CEA prepares national reports relating to air pollution which include the Annual Report on Air Quality Monitoring in the Area of the Republic of Croatia, the Annual Report on

Monitoring Air Pollutant Emissions from Stationary Sources in the Territory of the Republic of Croatia and the Report on Air Pollutant Emissions in the Area of the Republic of Croatia (according to requirements under the LRTAP Convention). The said reports are publicly available on the CEA website. Article 9 of the REIS and Article 24 of the Ordinance of Water Management Documentation (OG 13/06) are relevant too. By the decision on the establishment of the information catalogue of the ministry responsible for water management and by the decision on the establishment of the information catalogue of Croatian Waters as referred to in Article 25, the types and accessibility of information and the charge payable for access to information have been defined. The information catalogue and the application form may be found on the website of the Ministry of Rural Development, Forestry and Water Management www.mrrsvg.hr.

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

Answer:

In Article 133 of the EPA it has been made obligatory for public authorities to publish regularly, within the framework of their competence, environmental information and national reports on the state of the environment. In this regard the national state of the environment report for the RC is submitted to over 200 addresses. Apart from the President of the RC, the Parliament and the Government of the RC, this report is also sent to central state administration bodies, district (regional) self-government, scientific and specialized institutions (most of which participate in report preparation). Further, the report is sent to all vice-chancellor's offices of the University of Zagreb, colleges of natural sciences which may use it in their teaching process, a number of non-governmental organizations and the National University Library in several dozens of copies. Late in 2010 the CEA created new web pages on which information and integrated documents of national and district (regional) and local reports on the state of environment and various other reports on environmental components and environmental loads are made available to the public in a simple and well laid out manner. The general public was informed accordingly by the Public Relations Department through the mass media.

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

Answer:

As indicated under b) and d), the obligation of disseminating the environmental information is regulated by Article 133 of the EPA and by Article 20 of the RAIA. The documents mentioned are easily accessible on the websites of public authorities and are included in the information catalogue, marked with A degree of accessibility.

(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:

There is a national scheme for the award of environmental label "Environmentally Friendly" intended to encourage operators to minimize the impact on the environment. The use of the environmental label is free

of charge. The list of products and services awarded the environmental label may be found on the website of the MEPPPC.

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

Answer:

In this connection Articles 16 and 126 of the EPA and Article 4, paragraph 1 and 2 of the RAIA are relevant.

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

Answer:

With respect to paragraph 8, Article 177 of the EPA, Articles 14 and 15 of the Regulation on Limit Values for Volatile Organic Compounds Content in Certain Paints and Varnishes and Vehicle Refinishing Products (OG 94/07), Articles 17 and 20 of the Regulation on Liquid Oil Fuels Quality (OG 53/06) and Articles 5 and 6 of the Regulation on the Quality of Biofuel (OG 141/05) are applied.

In this regard Article 36, paragraphs 6 and 8 of the Waste Act (OG 178/04, 111/06, 60/08 and 87/09) and Article 4, paragraph 2 of the Ordinance on Packaging and Packaging Waste (OG 97/05, 115/05, 81/08, 31/09, 156/09 and 38/10) are also relevant. Pursuant to Article 10 of this Ordinance the Decision on Packaging Labelling Requirements (OG 155/05, 24/06 and 28/06) was issued with the aim to define in detail the packaging labelling system in dependence of the packaging type.

In connection with Article 177 of the EPA, specific fines have been imposed by Article 218 of the same Act.

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

Answer:

With respect to paragraph 9, Article 129 of the EPA is relevant and was used as a basis for the adoption of the Ordinance on the Pollutant Emission Register. Other relevant articles are articles 1, 3, 4, 5, 22 and 23 and Annexes 1 and 2.

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

Answer:

Certain problems were encountered when reporting into the register of installations that use volatile organic compounds. However, through cooperation between the MEPPPC, the Environmental Inspectorate, the Croatian Chamber of Commerce and the Croatian Chamber of Crafts and Trades information campaigns were launched for the purpose of communicating the need to be registered. As a result, more than 1,400 installations have been entered into the register of installations that use volatile organic compounds until October 2010.

Regarding the paragraph 2, NGOs are of the opinion that the public is not sufficiently well informed about information being provided on the websites, and that these websites are not sufficiently transparent / well organised.

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:

Environmental metadata are available to the public and to all parties concerned on the CEA website. With respect to wastes, the following overviews of data and reports may be found on the CEA website: Overview of data from the register of waste management permits and non-hazardous waste transfer/mediation/export notes for 2010, 2009, 2008, 2007 and 2006. Report on municipal waste: 2008, 2007 and 2006. Pollutant Emission Register – Report on production waste: 2007. Waste cadastre (WC/waste) – Reports for 2006, 2005, 2004, 2003 (Part 1, Part 2, Part 3, Part 4). Report on transboundary movement of waste: 2008, 2007, 2006, 2005 and 2004. Overview of companies with waste management plans in place: Current overview of companies, 2007, 2006. Overview of laboratories that carry out analyses of physical and chemical properties of waste: 2010, 2009, 2008, 2007 and 2006. Report under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes: 2006, 2005 and 2004. State of the environment report of the RC for the period 1997 – 2005. Further, the CEA regularly submits reports on special categories of waste: Report on waste batteries and accumulators: 2009, 2008 and 2007. Report on oil waste: 2008 and 2007. Report on electrical and electronic waste: 2008 and 2007. IPOP I, Report on implementation of the Ordinance on the Management of Waste Electrical and Electronic Appliances and Equipment: 2009, 2008 and 2007. IPOP II, Report on implementation of the Ordinance on the Management of Waste Electrical and Electronic Appliances and Equipment: 2009, 2008 and 2007. Report on end-of-life vehicles: 2007.

Following the restructuring of government bodies, a new Agreement on Cooperation between Inspection Services in the Field of Environment was signed in 2008. All coordinated inspections planned were conducted within the specified time and the reports on those inspections were made available on the website of the Ministry of Environmental Protection, Physical Planning and Construction.

Give relevant website addresses, if available:

www.azo.hr; <http://www.mzopu.hr/default.aspx?id=8957>

Article 6

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

Explain how each paragraph of article 6 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

Answer:

Relevant definitions under Article 2 and the non-discrimination requirements under Article 3, paragraph 9 are specified in the answer given for Article 4.

As part of the pre-accession negotiations with the European Union, the Directive 2003/35/EC of the European Parliament and the Council providing for public participation in drawing up of certain plans and programmes relating to the environment has been fully transposed into the national legislation. The principle of public participation is laid down by the EPA (Article 66 and 139-143) and RIPP defining the method of public/concerned public information and participation (if participation of the public concerned is provided for by the law) in strategic assessment procedures; adopting plans and programmes for which strategic assessments are not carried out; drafting laws, executive regulations and other generally applicable and legally binding rules likely to have significant effect on the environment; carrying out environmental impact assessments for certain activities and establishing integrated environmental requirements for company's installations. The method of conducting public consultations, including the public accessibility and public presentation and the respective time frames are laid down too. The Regulation defines also plans and programmes relating to environmental protection for which a strategic assessment is not required by law, but for which it has been made obligatory to ensure public participation in the process of drafting plans and programmes, at the same time specifying which public is allowed to take part in the procedure.

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:

Activities listed in Annex I to the Convention correspond to the list of activities given in Annex I to the Regulation on Environmental Impact Assessment (OG 64/08, hereinafter referred to as the REIA) and Annex I to the RPIIER. In order for the proposed activities listed in Annex I to the REIA to be permitted, an administrative environmental impact assessment procedure is carried out, which precedes other approvals or permits. In case that the activity is listed in Annex I to the RPIIER, an integral procedure of environmental impact assessment and identification of integrated environmental requirements is carried out, which precedes other approvals or permits. Given its formal nature, the environmental impact assessment procedure and the integral procedure of environmental impact assessment and identification of integrated environmental requirements respectively are carried out in compliance with the provisions of the GAPA. During the procedure the public has the right of access to documents in the course of public consultations, which includes public access to documents and public presentation of the activity.

(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:

For activities listed in Annex II and III to the REIA, but not listed in Annex I to the Convention, the evaluation of the need for an environmental impact assessment is carried out in order to identify whether the activity is likely to have any significant effects on the environment. For activities not subject to evaluation of the need for an environmental impact assessment, no public participation in the procedure of obtaining an approval or a permit is envisaged. However, according to Article 111 of the Physical Planning and Building Act (OG 76/07 and 38/09), persons who are parties to the procedure (but only such persons) are granted access to the conceptual design of the activity in the course of issuing the location permit, while in the course of issuing the decision on construction requirements and the construction permit parties to the procedure are granted access to the main design of the activity according to Article 216 of the same Act.

(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:

In this regard Articles 137 and 139-143 of the EPA and the RIPP are relevant. Article 8 of the REIA, Article 8, paragraph 3 of the RPIIER, Articles 17 and 18 of the Ordinance on Nature Impact Assessment (OG 89/07; hereinafter referred to as ONIA), Article 22 of the Nature Protection Act (OG 70/05, 139/08, hereinafter referred to as the NPA) and Articles 19, 35 and 38, paragraph 4 of the Act on genetically modified organisms OG 70/05 and 137/09, hereinafter referred to as the AGMO) are applied too.

With respect to decisions relating to the ecological network, the Ordinance on the Assessment of Acceptability of Plans, Programmes and Interventions for the Ecological Network (OG 89/07, 118/09) lays it down that the Ministry of Culture or the competent administration body of the county must inform the public about the results of the assessment procedure by publishing on its website the document (certificate, opinion) issued in a particular part of the procedure of assessing the acceptability of plans, programmes and interventions for the ecological network.

Public is thus informed about the result of the procedure of preliminary assessment of plan or programme for which strategic assessment or evaluation of the need for strategic assessment is prescribed by the adopted document being published on the website of the body adopting the act. In the procedure of Main assessment of the plan or programme for which strategic assessment is prescribed, public and public concerned are informed of it and can participate in it during the public consultations on the strategic study and draft of the suggested plan or programme

In the preliminary assessment procedure the competent body informs the public and the public concerned by publishing the issued document on its website. In the main assessment procedure the public and the public concerned will be informed about the application submitted by the contractor, making the procedure publicly available and results of the main assessment for the intervention.

In the process of determining the predominant public interest and compensation conditions, the information about the contractor's application is available to the public for 30 days. During that time this information is available on the website and the public is invited to give opinions, comments and suggestions in writing. The results of the procedure of determining the predominant public interest and compensation conditions are communicated to the public by publishing the respective document on the website of the Ministry responsible for conducting the procedure.

In the procedure of designating protected natural values, Article 22 of the NPA stipulates that the public shall be informed about the site proposed for designation as a protected area. The public information implies the provision of public access to the proposed document on designation of a protected area including the expert document with cartographic documentation. The procedure of making information relating to designation of national parks, nature parks, strict reserves and special reserves accessible to the public is organized and carried out by the Ministry. In case of other protected areas (natural monument, regional park, important landscape, forest part and monuments of park architecture) this procedure is organized and carried out by the county administration body or the City of Zagreb. The information remains publicly accessible for at least thirty days.

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

Answer:

There are a number of legislative documents and subordinate acts stipulating that public accessibility of information shall last at least thirty days (EPA, RIPP, ONIA, NPA, Ordinance on the Method of Preparation and Contents of Noise Maps and Action Plans (OG 5/07, hereinafter referred to as the ONM), AGMO, Regulation on Greenhouse Gas Emission Allowances and Emission Trading (OG 142/08).

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

Answer:

With respect to paragraph 4, early public participation is covered by several articles of the EPA (Articles 139, 140, 141 and 142), by Article 8, paragraph 1 of the REIA and by Article 8, paragraph 3 of the RPIIER.

(e) With respect to paragraph 5, measures taken to encourage prospective applicants 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:

With respect to paragraph 5, there are no measures to encourage prospective applicants in place. However, competent bodies provide information to the public, as their usual practice, through publications, radio stations or in other ways, thus announcing projects and activities which are under discussion or in the decision-making process.

For example, there are cases that prior to public consultations the contractor contacts representatives of the public concerned through public consultations organized at the stage of defining the contents of the environmental impact study.

(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:

In this regard Article 140 of the EPA and Articles 5, 7, 9, 10 and 11 of the RIPP are applied.

(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:

With respect to paragraph 7, Articles 12, 13, 14, 15, 16, 19 and 21 of the RIPP, Article 18 of the ONIA and Article 27 of the ONM are applied. Other relevant legislation includes Articles 19 and 35 of the AGMO and Article 20 of the Act Amending the AGMO which lays it down that general and special requirements for coexistence of genetically modified, conventional and organic crops will be established by the National Strategy of Coexistence of Genetically Modified, Conventional and Organic Crops. Based on the expert opinion of the Committee of Release of GMOs into the Environment and public consultations conducted previously in compliance with special regulations governing the information and participation of the public concerned in environmental issues, the Strategy is adopted by Croatian Parliament on the proposal of the Government of the RC. Another regulation of relevance is Noise Protection Act (OG 30/09), Article 7, paragraphs 5 and 6, which provide that strategic noise maps and action plans must be fully accessible to the public in compliance with special regulations governing the information and participation of the public and public concerned in environmental issues. Persons liable to prepare strategic noise maps and/or action plans are required to conduct public consultations and to present all data contained in a strategic noise map and/or the action plan to the public by all available methods of information in an explicit, easily understood and condensed manner.

(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:

With respect to paragraph 8, Articles 66, paragraph 1, Article 79, paragraph 4, Article 140, paragraphs 4 and 5, and Article 143, paragraphs 1, 4 and 5 of the EPA, Article 21 of the RIPP and Article 19 of the AGMO are applied.

(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:

The manner in which the public must be informed about the decision of the competent body and about the reasons underlying such decision, including the data on the procedure with respect to participation of the public and the public concerned, has been prescribed in several places (Article 66, paragraph 3, Article 140, paragraph 5 and Articles 141-143 of the EPA; Article 22, paragraph 2 of the REIA; Article 15, paragraph 2 of the RPIIER; Article 21, paragraphs 2 and 3, and Article 22, paragraph 4 of the RPMIHS; Article 14 of the OEEDERP; Article 5, paragraph 2, Article 6, paragraph 2, Article 7, Article 8, paragraph

2 and Article 9, paragraph 4 of the RIPP; and Article 17 of the Ordinance on the Assessment of Acceptability of Interventions to Nature). Article 36, paragraph 3 of the AGMO is relevant too.

(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:

In the lists of activities included in the Annex to the REIA it is stated that an environmental impact assessment procedure will be carried out in case of any alterations and reconstructions of the activities listed. Since a reconstruction or a completion of a system is considered a new activity, the procedure applied is identical to that of the environmental impact assessment or evaluation of the need for an environmental impact assessment.

Article 36, paragraph 3 of the AGMO is applied too.

(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:

With respect to paragraph 11, provisions of Article 47, paragraph 2, Article 57, paragraph 1, subparagraph 5 and Article 60, paragraph 2 of the AGMO; Article 5 of the Ordinance on the Form and Manner of Keeping the Unique Register of GMO and the Manner of Establishing Printout Costs (OG 125/07), and Annex I to the Ordinance on the Content and Scope of Risk Assessment in Relation to Placing on the Market of GMOs or Products which Contain and/or Consist of or Derive from GMOs, Methodology for the Preparation of Assessment and Requirements that have to be Fulfilled by a Legal Person for the Preparation of Risk Assessment (OG 39/08) are applied.

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

Answer:

NGOs generally think that it is necessary to do more in order to include the public and public concerned into this procedure, and they consider it insufficient for information to be made available only through the internet. This results in public administration, which has more information, having a greater say in the decision-making than the public.

Regarding the implementation of the paragraph 5, NGOs think that the competent ministry has to create additional measures in order to turn good examples into usual practice.

In order to improve implementation of the paragraph 8, NGOs suggest developing additional measures in order to ensure implementation of these regulations.

Concerning the paragraph 9, NGOs feel that it is not sufficient to reply to comments of the public only through the internet, but that replies should also be sent by snail-mail and that they should be more specific.

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:

/

Give relevant website addresses, if available:

<http://puo.mzopu.hr>

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

Answer:

Relevant definitions under Article 2 and the non-discrimination requirements under Article 3, paragraph 9 are indicated in the answer relating to Article 4.

In this regard Article 7, paragraph 5, Article 9, paragraph 1, Article 15 and Article 19, paragraphs 3 and 4 of the Regulation on the Strategic Environmental Assessment of Plans and Programmes (RSEA, OG 64/08) and Article 9 of the APA are relevant too. Other provisions applied may be found in Articles 5 and 124 of the NPA, Articles 5 and 39 of the WA and Article 3 of the OPIP. Article 27 of the ONM is relevant too.

In the procedure of strategic environmental impact assessment according to the RSEA, public information is already ensured in the process of determining the contents of the strategic study, which is subject to public consultation, and the report on the strategic assessment is communicated to the public.

The Nature Protection Act provides that, in the process of preparing physical plans and natural assets management plans, nature protection requirements and measures must be obtained from the competent Ministry and integrated adequately into the documents mentioned. Further, if the document referred to covers a protected part of nature, the approval is to be obtained from the Ministry before it is adopted. Public participation in the preparation and adoption of physical plans is provided through preliminary and public consultations which are mandatory according to the Physical Planning and Building Act. In this way the public is also provided access to the section relating to nature protection. As regards natural assets management plans, the public is given access to preparation of natural assets management plans if this is provided for by a special regulation which is a basis for the adoption of such a plan.

Explain what opportunities there are for public participation in the preparation of policies relating to the environment.

Answer:

In this regard Article 16, paragraph 3 and Article 141 of the EPA and RIPP are applied.

With the aim to ensure a response to requests for environmental information (among other things), the Office for Cooperation with the NGOs of the Government of the RC took measures to improve the legal framework of the national legislation. During May 2008 the Office for Cooperation with the NGOs in conjunction with the Council for the Development of the Civil Society completed the final round of public consultations about the draft Code of Practice on Consultations with the Public Concerned in Procedures of Adopting Laws, Other Regulations and Acts.

Describe any obstacles encountered in the implementation of article 7.

Answer:

/

Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 7.

Answer:

/

Give relevant website addresses, if available:

Answer:

<http://puo.mzopu.hr/>

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. 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:

Relevant definitions under Article 2 and the non-discrimination requirements under Article 3, paragraph 9 are specified in the answer to Article 4.

In this regard Article 16, paragraph 3 and Article 141 of the EPA and Article 4, paragraph 2 of the RIPP are applied. Opinions, comments and proposals may be submitted by all citizens indiscriminately, in line with the constitutional principle of equality of all citizens as provided for in Article 14 of the Constitution of the RC.

As a rule, strategic document proposals and drafts, including other proposed laws and subordinate legislation in the process of preparation, are published on official websites of government bodies. The public is invited to participate in their preparation by giving opinions, proposals and comments within a precisely specified time. The comments are dealt with and taken into account, which makes the operation of the committees or working groups involved in the preparation of documents transparent. The

committees are often joined by representatives of expert and scientific institutions. Draft legislation is obligatorily forwarded for opinion to other bodies, stakeholder groups, associations and individuals and published on websites.

Describe any obstacles encountered in the implementation of article 8.

Answer:

Comments are often not submitted within the specified time and therefore cannot be taken into consideration, although sufficient time is provided for this.

The NGOs complain that a part of the public is prevented from participating in the process of enacting regulations due to the lack of internet access.

Provide further information on the practical application of the provisions on public participation in the field covered by article 8.

Answer:

With a view to enhance the system of public participation in the process of drawing up regulations, the Government of the Republic of Croatia has adopted the Code of Practice on Consultations with the Public Concerned in Procedures of Adopting Laws, Other Regulations and Acts. The Code of Practice sets out general principles, standards and measures for consultations with the public concerned in the procedures of adopting laws, other regulations and acts of the governmental bodies that govern the issues and take positions of interest to public welfare (protection and promotion of human rights, public services, justice, environmental protection, etc.). The purpose of the Code of Practice is to provide guidance, based on previous practical experience of dialogue and cooperation between public authorities and the public concerned, to governmental bodies involved in the process of adopting laws and other regulations. The ultimate goal of the Code is to facilitate interaction with the citizens and the representatives of the public concerned in this democratic process and to encourage more active participation of citizens in public life. The guidelines for the application of the Code are developed and workshops are planned for education of civil servants.

The NGO named ODRAZ in conjunction with the Institute for International Relations carried out a research into participation of non-governmental organizations in the process of adopting laws and other regulations in 2009, involving a number of organizations, government bodies, the Government of the RC and the Croatian Parliament. The research objective was to examine former consultation practices in the process of formulating and passing laws and other regulations and perceptions of civil organizations and institutions with respect to cooperation, and to give recommendations on the improvement of this process.

Further information about the research may be found on the website:

<http://www.odraz.hr/stranice/publikacije.html>.

NGOs think that in this period the efforts to efficiently include the public concerned into procedure of passing regulations have not been sufficient. It has been noticed that the regulations are published on the websites without any prior notice or information being sent to the interested environmental protection organizations. They point out that it is not sufficient to publish the regulations on the internet, because many citizens don't have internet access.

Give relevant website addresses, if available:

http://www.vlada.hr/hr/naslovnica/sjednice_i_odluke_vlade_rh;
<http://www.odraz.hr/stranice/publikacije.html>

Article 9

List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

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

Answer:

In this regard Article 18, paragraph 2, and Articles 144-148 of the EPA, and Article 17 of the RAIA are applied.

"International agreements concluded and ratified in accordance with the Constitution and made public, and which are in force, shall be part of the internal legal order of the RC and shall be above law in terms of legal effects" (Article 141 of the Constitution of the RC).

Provisions on the access to justice as referred to in Article 9 of the Convention may be found in individual provisions of the laws of the RC, as shown below in answers to certain questions. However, in case that a certain provision of the Convention contravenes a legal provision of the RC, the judges are bound to directly apply the provision contained in the Convention, because it has primacy over the law by its legal effects.

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:

In this regard Article 18, paragraph 1, and Article 135, paragraph 6 of the EPA are applied.

(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:

/

(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:

According to Article 4 of the Administrative Dispute Act (OG 53/91, 9/92 and 77/92, hereinafter referred to as the ADA) the court rulings made with respect to administrative disputes are binding. The relevant principles are laid down in Articles 62, 63 and 64. For example, Article 62 lays it down that the competent body whose act has been annulled by the decision made by the Administrative Court of the RC shall be bound by the legal opinion of the court and the comments of the court in relation to the proceedings. Article 15, paragraph 2 of the RAIA specifies the obligation to pass a decision on the denial of the request.

(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:

In this regard Article 145 of the EPA is applied.

(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:

In this regard Article 146, paragraph 1 of the EPA is applied.

In case that an official fails to fulfil his/her obligation with respect to access to information or public participation, measures are taken in compliance with the Civil Servants Act (OG 92/05, 142/06, 77/07, 107/07 and 27/08).

(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;

Answer:

Legal remedies provided for by the GAPA with respect to first instance decisions made by competent authorities according to regulations on the state administration system include: appeal (Article 106), plea (Article 122), renewal of proceedings (Article 123), pronouncing a decision null and void (Article 128) and annulment and repeal of a decision (Article 129). However, according to the ADA the initiation of an administrative procedures by filing an suite for all decisions taken by second instance bodies, and bodies that are considered as central administrative bodies according to the regulations on governmental administrative bodies system and all other bodies determined by a special law whose administrative documents are final in administrative proceedings and no appeal may be lodged against them (Article 7). According to GAPA, extraordinary judicial remedies are: actions taken at the request for judicial review (Articles 45 to 50 and 59) and renewal of proceedings (Article 52). Article 17 of the RAIA is applied too.

(ii) Such procedures otherwise meet the requirements of this paragraph;

Answer:

Judicial procedures must be fair, equitable and timely and should not be prohibitively expensive:

- judicial proceedings conducted in connection with any suit in the field of environmental protection in accordance with the EPA must be considered as urgent (Article 149 of the EPA);
- decisions – judgements must be taken in writing (Articles 43 and 44 of the ADA),
- judgements must be available to the public – a judgment or a ruling must be issued to parties in form of a certified transcription (Article 44, paragraph 3 of the ADA).

(e) 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 principle of legal remedy arises from the constitutional right of legal remedy as referred to in Article 18 of the Constitution of the RC. One of the principles of the GAPA is that the body conducting the proceedings must provide assistance to the party so as to ensure that party's lack of knowledge and education is not detrimental to rights that they are entitled to.

Describe any obstacles encountered in the implementation of any of the paragraphs of article 9.

Answer:

Although the right of access to justice is guaranteed by precisely stated methods and conditions for exercising such rights (by taking legal actions, time limits and the court) and determined directly by law, the NGOs find it necessary to enhance public information and education in this matter.

In the opinion of the NGOs, judiciary is very slow, and as a result, cases are resolved with great delays.

With respect to the provisions of paragraph 4, the NGOs believe that there is no adequate and effective legal remedy in Croatia, since legal action does not postpone the execution of an activity, not even in case when the environment and population might suffer great damage.

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:

In this regard Article 5 of the Free Legal Aid Act (OG 62/08) is applied.

The court office of the Administrative Court of the Republic of Croatia keeps records of environmental cases and has prepared the following statistics. In pending cases of 2008 (a total of 4 cases) the body refers to the EPA (OG 82/94 and 128/99) which ceased to be in force and which contained no provision stating that judicial proceedings in connection with a suit relating to environmental issues should be considered as urgent. As to pending cases of 2009 (a total of 7 cases), in 5 cases the body refers to the recent EPA passed in 2007 and other cases do not relate to the said law. In 4 cases out of a total of 33 pending cases of 2010 the body refers to the said law of 2007 and the remaining cases do not relate to the law in question. However, there are still 50 open cases concerning waste in which the ruling of the first instance body refers to the EPA of 2007, while the second instance body refers to the Waste Act only.

In connection with the case relating to exercising the right of access to information, on 23 October 2009 the Administrative Court of the RC passed the judgement to dismiss the claim. This is the only judgement passed in which the provisions of the Aarhus Convention are mentioned.

From January 2010 to August 2011 the non-governmental organizations Gong and the Green Istria together with associations from Bosnia and Herzegovina (MPD initiatives), Montenegro (Mans), Italy (Adriatic GreeNet) and Belgium (European Environmental Bureau) will be implementing the project "Implementation of the Aarhus Convention in the Adriatic Region Countries". The goal of project funded by the European Commission and partly by the Embassy of the Republic of Finland is to enhance the standards of applying the Aarhus Convention, especially in the segment relating to access to the justice in environmental matters. The main project activity is implementation of a specialized educational programme for judges, lawyers and journalists from Croatia, Bosnia and Herzegovina and Montenegro, selected through an international competition. The value of the programme was acknowledged by the Croatian Judicial Academy which will evaluate participation of Croatian judges in seminars in compliance with its standards.

The project is intended to strengthen the role of civil society organizations through development of partnership and networking of organizations involved in environmental protection and those involved in democratization and transparency, with the aim to ensure high quality surveillance of implementation of commitments under the Aarhus Convention.

Give relevant website addresses, if available:

www.uprava.hr; www.pravosudje.hr; <http://www.gong.hr/page.aspx?PageID=192>

Articles 10-22 are not for national implementation.

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.

Answer:

In the amendments to the Constitution of the RC (OG 76/2010), Article 38 states that "Everyone is guaranteed the right of access to information held by public authorities. Restrictions to the right of access to information must be proportional to the nature of the need for restriction in each individual case and necessary in a free and democratic society as determined by law."

Annex I

During 2009 and 2010 experts of the CEA participated in workshops and gave the following public lectures and presentations:

Presentation of the Permanent Soil Monitoring Programme for the Republic of Croatia developed by the CEA (Zagreb, 28 January 2009)

Lecture on "Croatian Environmental Information System Conceptual Model" (Praha, 24-27 March 2009)

Lecture on "CEA Activities" given at the meeting of the Cleanliness Maintenance Group (Dubrovnik, 22-23 April 2009)

Workshop on "Local Air Quality Monitoring Network" (Zagreb, 4 June 2009)

Final workshop of the CROW project (Zagreb, 17 June 2009)
Presentation of the "Database of Emissions from Stationary Sources" (Zagreb, 2 July 2009)
1st workshop on "Establishment of the Environmental Information System of the Republic of Croatia" (Zagreb, 9 July 2009)
Lecture on "Obligations of Economic Operators under the Waste Management Regulations" given at the Waste Management Seminar (Virovitica, 15 September 2009)
Lecture given at the VI. Croatian Scientific Meeting on Air Protection 2009 – Air Pollution Abatement Measures (Zadar, 16-19 September 2009)
Presentation of CEA activities and the database of marine indicators in the American Chamber of Commerce (Zagreb, 15 October 2009)
Lecture on "Permanent Soil Monitoring as a Basis for a Long-term Soil Protection in Croatia" (Zadar, 19 October 2009)
Lecture on "Data Flow System and Indicators to Enhance Integrated Management of Global Environmental Issues in Croatia" given at the workshop on "Climate Change in South-Eastern European Countries IV" (Zagreb, 20 October 2009)
Presentation of the database and indicators of the status of the marine environment, mariculture and fisheries (Zagreb, 22 October 2009)
Presentation of the database "Pollutant Emission Register" (Zagreb, 22 October 2009)
II. Workshop on TAIEX reporting obligations in the field of environment – with respect to Shared Environmental Information System – SEIS (Zagreb, 5 November 2009)
Presentation of the CEA database and contents of the website as part of the education in "Employers' Waste Disposal Obligations" provided by the Quality and Safety Centre (Zagreb, 12 November 2009)
Lecture on "Obligations of Economic Operators According to Waste Management Regulations" given at the seminar on waste management organized by the Koprivnica-Križevci County Chamber (Koprivnica, 19 November 2009)
Presentation of the CEA activities, the database and indicators of the status of the marine environment, mariculture and fisheries at the workshop on "What Is Happening in the Sea and the Coastal Zone of the County of Primorje- Gorski Kotar" (Rijeka, 20 November 2009)
Workshop on "Pollutant Emission Register – PER for competent authorities – counties and the City of Zagreb" (Zagreb, 16 December 2009)

In 2010:

Lecture on the "Earth day" (A.G. Matoš Primary School, Zagreb, 22 April 2010)
Presentation of the "National Environmental Pollution Register in Croatia" at the 1st Meeting of Parties to the PRTR Protocol Developing PRTR Systems in South and Eastern Europe: Successes and Challenges and Upcoming Initiatives (Geneva, 22 April 2010)
Lecture on "Reporting on Bathing Water Quality in the Republic of Croatia According to the Directive 2006/07/EC of the European Parliament and the Council concerning the management of bathing water" given at the XVI. Meeting on the Bathing Water Quality – MEPPPC (Mali Lošinj, 15-16 April, 2010)
Presentation of the database and indicators of the status of the marine environment, mariculture and fisheries within the framework of the GEF visibility event (Zagreb, 18 June 2010)
Lecture on the "Need to Harmonize the Existing National List of Indicators with the Requirements Set by the Marine Strategy Directive" given at the TAIEX Workshop on Implementation of the Marine Strategy Framework Directive (Zagreb, 14 September 2010)
Lecture on "Implementation of the Bathing Water Quality Directive – Requirements, Experience and Cooperation with EEA and ETC Water" given at the TAIEX Workshop on Implementation of the Bathing Water Quality Directive (Zagreb 23 September 2010)
Lecture on "Indigenous Domesticated Breeds as One of Biodiversity Indicators" given at the 2nd Conference on Native Breeds and Varieties as Part of Natural and Cultural Heritage with international participants (Poreč, 22-24 September 2010)

In 2009 and 2010 the CEA printed and distributed the following publications intended for the general public:

Endemic Fish Species of the Adriatic Watershed; Report on Transboundary Waste Movements in 2008; Brochure of environmental indicators "The Environment in Your Pocket I", 2009, and 2010, in Croatian and English; Annual report on CEA activities in 2008 and 2009 in Croatian and in English; Manual for Using the Database and Indicators of the Status of the Marine Environment, Mariculture and Fisheries; Manual for Keeping the Pollutant Emission Register; Catalogue of Environmental Information System (EIS) – 2010 CEA Databases

Annex II

The following are non-governmental organisations and projects implemented within the framework of the above mentioned grants scheme with the aim to promote environmental education and environmental awareness:

Centric Austria International – Programme for promoting clean production in the hotel business (CP3) with the aim to reduce water and energy consumption in the hotel business sector (one of the most important branches of economy in the RC), to strengthen the awareness of the importance of an efficient energy use and water consumption in the Croatian society and to enhance the knowledge and capacities of civil society organizations in the field of clean production. Target groups and project beneficiaries were in the first place organizations in the Republic of Croatia actively involved in the sector of tourist industry, environmental protection and sustainable development, and in the second place the hotel business sector and students of the University of Rijeka.

Society for Sustainable Development Design – Awareness and education in renewable energy sources

The project goal was to improve environmental protection and sustainable development by encouraging the use of renewable energy sources in Croatia and two local communities (Varaždin and Labin) through promotion and education in renewable energy sources in two pilot areas and afterwards all over the country. Within the framework of the project two vocational schools in Labin and Varaždin were provided equipment necessary for teaching in renewable energy sources – a wind power plant, a solar power plant, a solar heating system and the measuring equipment required. Target groups of the project included secondary schools (teachers and pupils), associations, local media, local governments and small and medium-scale enterprises. Project beneficiaries were two local communities (Varaždin and Labin) and other communities in the RC, pupils, representatives of associations and the Agency for Vocational Education and Training.

EcoSense Association for Promoting Life in Accordance with Nature – Promotion of sustainable management of natural resources through education and raising public awareness

The project goal was to promote the culture of sustainability, preservation of the environment and life in accordance with nature through raising public awareness and knowledge of sustainable management of natural resources, such as water conservation and sustainable building. Target groups and project beneficiaries were national and international organizations operating in the field of ecology, university professors, students, government and public authorities, local community, representatives of the business community, population, eco-villages and the general public.

GORD – Civil Organization for Society Development – Waste minimisation at the point of generation in the Erdut Municipality – "Who Else but Me?"

The project goal was to raise public awareness and knowledge of problems resulting from irresponsible waste management and the need to minimise waste at the point of generation according to European

standards. Target groups and project beneficiaries were pupils and stakeholders in the Erdut Municipality and the population of the municipality and the macroregion.

Croatian Biospeleological Society – Biodiversity of the underground fauna of the County of Karlovac

The purpose of the project was to contribute to the protection of nature and environment and to sustainable use of natural resources in the area of the County of Karlovac. The project was intended to encourage the protection of underground water and underground fauna through education of the local population and raising awareness of the biodiversity of the underground fauna of the County of Karlovac and its threats, and through promoting the fauna of numerous biospeleological formations located in this area. The project sought to improve intersectoral cooperation in the field of protection of nature and the environment, focusing particularly on underground water and collection of scientific data on underground water and underground fauna with the aim to define expert viewpoints concerning the need to prepare documents for legal protection of the region and individual sites. Target groups and project beneficiaries were the population of the County of Karlovac.

Blue World – Institute of Marine Research and Conservation – NGO capacity building for the implementation of NATURA 2000 priority actions

The project purpose was to improve the knowledge and cooperation of civil society organizations of the RC in the field of marine conservation through establishment of synergies and transfer of knowledge and experience in the research, conservation and education in the marine environment with experts and organizations in the whole of Europe. The project is aimed at promoting marine conservation with a focus on priority species contained in the Red List of Threatened Species of the RC and the Habitat Directive through making the public sensitive to the need to protect the marine environment and species so as to facilitate sustainable use of natural resources of the marine areas. Target groups and beneficiaries of the project were members of the Blue World and the Natura, local population, visitors of the islands Lošinj and Vis, the Ministry of Culture of the RC and the State Institute for Nature Protection.

Put Association for Ambient Communication – Trees have a heartbeat too

The project goal was to raise environmental awareness and encourage active participation in addressing issues of waste generated in kindergartens and primary schools in the Town of Rovinj. Target groups and beneficiaries were children attending schools and kindergartens (a total of 599 children), kindergarten teachers, school teachers and parents.

Sunce Association for Nature, Environment and Sustainable Development – Development of a programme for environmentally responsible management of tourist facilities in Croatia

The project purpose was to contribute to development of sustainable tourism in Croatia with the aim to preserve the natural heritage and reduce negative impacts of (mass) tourism on the environment. The project intervention focused on integration of environmentally responsible way of management into the management policy of small family hotels and tourist farms, and on establishment of a platform for intersectoral cooperation in implementation of measures for the prevention of non-sustainable development, through making the public, government administration, local governments, tourist communities and entrepreneurs sensitive to issues of environmental protection and sustainable development. Target groups included members and employees of management boards of targeted tourist facilities and the business sector in the field of sustainable management of waste, water and energy, and the beneficiaries were guests in tourist facilities and all tourists interested in the tourist offer of ecological nature, tourist communities of Croatia and counties of Split-Dalmatia, Istria and others, tourist agencies, local communities and local self-government units, scientific and educational institutions, the Ministry of Tourism, the Ministry of Environmental Protection, Physical Planning and Construction, and the Environmental Protection and Energy Efficiency Fund.

Zeleni Osijek Association for Nature and Environment Protection – Strengthening local capacities for NATURA 2000 and nature protection

The project goal was to encourage sustainable development and protection of natural resources of the County of Osijek-Baranja in the context of establishment of Nature 2000 – an ecological network of nature protection areas, which means rare, endangered and endemic species of wild fauna and flora through public participation, intersectoral cooperation and promotion of application of relevant EU directives (Birds Directive and Habitats Directive). Target groups and beneficiaries included the Department for Biology of the J.J. Strossmayer University in Osijek, non-governmental organizations, the State Institute for Nature Protection, Croatian Waters, Croatian Forests, Public Institution of Kopački rit Nature Park, local population of the County of Osijek-Baranja, local self-government of the County of Osijek-Baranja, private companies, the Agency for the Management of Protected Natural Values in the area of the County of Osijek-Baranja, schools and other educational institutions, volunteer groups and the general public.

Projects aimed at improving access to environmental information and participation in environmental decision-making include:

Center for Community Organization, Češka – Participation of population in sustainable development of the region

The project goal was to encourage local development through participation of the public and intersectoral partnership in the process of planning, implementation and supervision of local plans, and to encourage local sustainable development through education of the local population and local government in line with approved and verified approaches within the European Union. Target groups and beneficiaries were local stakeholders coming from all three sectors (public, civil and business).

Green Istria Association – Democracy in practice

The project goal was to foster public participation in decision-making processes in the field of nature and environment protection, including the promotion of best practices of involving the (local) public in decision-making and making efforts to raise the quality of such decisions. The project aimed at raising the consciousness and educating environmental associations of the Green Forum, the public, authorities responsible for implementation of environmental and nature impact assessment procedures at the national, regional and local level and the business sector for the need for public participation, positive effects, values and general benefit of a meaningful participation of the public in environmental and nature impact assessment procedures.

Franjo Košćec Association for the Protection and Improvement of Human Environment – Citizens involved in environmental protection (CEP)

The project aimed at improving contribution of civil society organisations to the reform process and application of the EU legislation in the RC, and at establishing mechanisms to increase participation of the citizens in application of regulations in the field of environmental protection and sustainable development in the County of Varaždin area. Target groups and beneficiaries included civil society organizations, environmental experts, employees of public administration in the Varaždin region and citizens of the County of Varaždin.

Annex III

- An overview of financial supports granted to programmes and projects of civil society organizations in the field of environmental protection and sustainable development in 2008:

Specific area of funding	Amount	%
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Promotion of education for environmental protection and sustainable development	2,321,921.84	41.0
Enhancing the quality of environment and space in rural and urban areas	2,147,171.39	37.9
Protection of environment and space	319,686.43	5.6
Conservation of specially valuable space	240,000.00	4.2
Promotion of sustainable building	212,000.00	3.7
Projects for protection of environment and space based on cooperation of various partners	186,500.00	3.3
Improvement of the status and management of forests owned by forest owners and merger of forest owners	100,000.00	1.8
Sustainable development of rural area	90,000.00	1.6
Waste management	50,000.00	0.9
Total	5,667,279.66	100.0

- An overview of financial supports granted to programmes and projects of civil society organizations in the field of environmental protection and sustainable development in 2009:

Specific area of funding	Amount	%
Promotion of education for environmental protection and sustainable development	2,059,409.88	36.3
Enhancing the quality of environment and space in rural and urban areas	1,021,981.05	18.0
Promotion of sustainable building	647,179.59	11.4
Waste management	466,516.28	8.2
Protection of environment and space	450,582.48	8.0
Projects for protection of environment and space based on cooperation of various partners	372,497.76	6.6
Sustainable development of rural area	280,000.00	4.9
Conservation of specially valuable space	191,595.50	3.4
Prevention of illegal building, conservation of coastal area, islands and other specially valuable areas	126,800.00	2.2
Institutional support to associations for environmental protection and associations for sustainable development	50,000.00	1.0
Total	5,666,562.54	100.0