

Statement to Task Force on Access to Information under the Aarhus Convention
7th meeting, item 5, 17 November 2020

“Man is least himself when he talks in his own person. Give him a mask and he'll tell you the truth” is a saying of Oscar Wilde, which confirms that anonymity provides protection, ie that only a person with an undisclosed identity can act without fear of consequences. On the other hand, it is known that only one reporter of crimes can overthrow an entire state order if one has the right information. But what happens in North Macedonia with those report corruption or crimes, without a mask and with their full name, especially in the environment sector? Although such are few, especially in cases where environmental activists report inconsistencies in their work and protection of the environment, they often suffer. I will mention the case of the whistleblowers about the irregularities around the Decision of the Administrative Court once more, and during quarantine, when all the institutions were closed, made a Decision in favor of starting a mine in the eastern part of The North Macedonia. What is of great importance is that instead of protecting reporters of inconsistencies in the work of the Administrative Court, as required by common sense and the law, we punish them and therefore the number of informants reporting crime is decreasing. Legal theory calls such people whistleblowers, and the law prescribes how they are protected and why such conscientious citizens should have no consequences. For example, the Anti-Corruption Law contains several provisions on indirect protection. The principle of equality stipulates that "every citizen, without suffering any harmful consequences, will have the right to prevent or report a procedure that is an abuse of public and other functions and duties, and which achieves personal benefit or is applied to him to the detriment of another." However, in this case, everything is upside down.

To be specific, a few days ago, the director of a state institution became the main promoter of the opening of the mine, while everyone else who are against the opening of the mine and are direct indicators of corruption and anomalies that prevail in this case, are punished, fired and witness constant pressure on them and their families. The example of the whistleblower pressures when they acted in order to protect the environment from the construction of small hydropower plants still are fresh, and these days the question about the (non) privatization of water and whether there is corruption in this area is again relevant. . It seems that state institutions in conditions of pandemic and reduced activity, whilst working online and being hardly reachable, use the moment not to answer certain questions that are in favor of the ruling parties or business interests, to the detriment of citizens and the environment. On behalf of Journalists for human rights, as activists advocating for environmental justice and whistleblower freedom of expression, we call on the green prosecutors to take on their role and bring us closer to "environmental justice" , access to information and access to justice, which in its essence has the need for fair treatment of environment, and is a concept that is becoming more and more present in the domains of environmental policy and law.

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