

Civil Society  
Organizations' Report  
on Aarhus Convention  
Implementation  
in Croatia  
for the period  
2014-2016



# CIVIL SOCIETY ORGANIZATIONS' IMPLEMENTATION REPORT

## *CROATIA*

Zeljka Gracin

# Basics

- Croatia ratified AC in 2007
- „New” Environmental protection Act – 2007
- Long EU accession period
- EU membership – 2013
- 2 cases before ACCC
- NIR
- Slow progress
- Shadow reports

# Summary of the HR shadow report

- **1st Pillar** - Administrative „silence” (2/3 of cases); delays, incomplete information, misuse of exceptions
- **2nd Pillar** - „implementation of the consultations with the public at the local and regional level - in the counties, towns and municipalities - is more the exception than the rule”
- **3rd Pillar** - inconsistent case law, long-lasting procedures, deficient efficiency of judgments; financial barriers; incompetence of judges in environmental issues; deficient mechanisms for protection from harassment of NGOs which use rights based on the Convention; deficient protection of “whistleblowers” and other obstacles.

# Non-compliance with the AC

- stipulation of “permanent violation of rights”
- misdemeanor proceedings and criminal proceedings
- inspection procedure (costs!)
- Free legal aid
- Formulation to „abuse the right under the provisions of the EPA – compensation for damages and loss of profit
- Costs of Administrative Court procedure



