

Parliament and the Aarhus Convention: Contribution to good governance and parliamentary oversight

Abstract: This paper analyses the relationship between the Aarhus Convention and the parliament, starting from the point of the convention's parliamentary ratification. Through this process, the convention is introduced into the legal framework of the state as a law of confirmation, becoming an integral part of its legal system. Besides its aim to ensure the accessibility of information, public participation in decision-making, and the right to legal protection in environmental matters, the Aarhus Convention, through its first two pillars, also contributes to good governance. This paper explores parliamentary oversight mechanisms through which the parliament monitors and controls the implementation of the Aarhus Convention. Beyond promoting good governance within its own institution and as a representative and legislative body, parliament significantly contributes to realizing the principles of good governance at the state level by exercising parliamentary oversight and control over the executive branch. By holding the executive accountable, parliament plays a crucial role in achieving the principles of good governance at the state level. In this context, the paper analyses existence and activities of a specific working body, the Environmental Protection Committee, are discussed, the posing of parliamentary questions, consideration of ministry reports, organization of public hearings, holding committee sessions outside the parliament's headquarters, the mechanism of the 'green chair,' and various ways in which parliament can involve citizens. In addition to reviewing past achievements, this paper highlights ways in which parliaments can take an active role in achieving the goals of the Aarhus Convention and exercising parliamentary oversight over its implementation. Practical recommendations for parliament are provided to continuously improve the state of environmental protection and citizen involvement. Beyond

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the perspective of the national parliament, the paper examines the current efforts and actions of the Inter-Parliamentary Union in the pursuit of environmental protection.

Keywords: Aarhus Convention, parliament, parliamentary oversight, accessibility of information, transparency, good governance, ecology, environmental protection

1. Introduction: The Aarhus Convention and the role of parliament

The Aarhus Convention (AC)¹ was adopted in 1998 by the United Nations Economic Commission for Europe and entered into force in 2001.² The Republic of Serbia acceded to the AC on July 31, 2009. In addition to the National Assembly enacting the Law on the Ratification of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters,³ through which the Republic of Serbia (RS) ratified the AC, the Government of the RS also adopted the Strategy for the Implementation of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.⁴ In addition to its goal of environmental protection, the AC contributes to the good governance, which is encouraged not only by the convention's ratification but also by changes in the regulatory framework. These changes include the enactment of new laws and sublegal acts related to the subject matter of the first two pillars of the AC.

The role of parliament in the adoption and establishment of prerequisites for the implementation of any convention is indispensable. When we talk about the role of national parliaments, it, in accordance with the importance of the parliament in articulating public interest and its representative function, manifests in the parliament first recognizing the importance of a particular issue, bringing it into focus, and initiating a debate on that issue. Furthermore, in a formal legal sense, the role of parliament is crucial regarding the ratification of an international convention as a legal method by which the convention is introduced into the legal sys-

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1 Entered into force on 30 October 2001, the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). The text of the Convention is available at: <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>.

2 The AC has been ratified by both the European Community (in 2005) and all member countries. Considering all countries, as of 3 July 2023, there are 47 Parties to the AC. 38 Parties to the Protocol on Pollutant Release and Transfer Registers (PRTRs) and 32 Parties to the amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMOs). The Protocol entered into force on 8 October 2009. See: <https://unece.org/environment-policy/public-participation/aarhus-convention/status-ratification> and https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-13&chapter=27.

3 *Official Gazette of the Republic of Serbia – International treaties*, no. 38/2009.

4 *Official Gazette of the Republic of Serbia*, no. 103/2011.

tem of the state and becomes an integral part of it. This is followed by ensuring the appropriate conditions for achieving the goals through the adoption of the annual budget, monitoring the implementation, and exercising parliamentary oversight, i.e., the control function of parliament. Although historically, parliament's involvement in international affairs has been limited, especially in negotiations, as these matters traditionally involved the executive branch, the increasing international interconnectedness and developments, as well as the activities of international parliamentary organizations and forums, attest to the need for parliamentary involvement in international affairs. Consequently, the role of parliament and parliamentarians is evolving, not only in negotiations during the adoption of conventions but also in promoting their implementation, as an integral part of parliamentary diplomacy.⁵

The importance of ratification⁶, or confirmation, of international conventions from the perspective of domestic law lies in the fact that, according to our constitution, ratified international treaties (as well as generally accepted rules of international law) are an integral part of the legal system of the RS and apply directly.⁷ In this sense, the ratification of international treaties falls within the competence of the Parliament as the legislative branch of government, explicitly prescribed by the Constitution. Specifically, the National Assembly (NA) confirms international treaties when a legal obligation for their confirmation is provided by law.⁸ The Law on the conclusion and implementation of international treaties,⁹ in the section regulating the confirmation of international treaties, it stipulates that the NA confirms international treaties of military, political, and economic nature, treaties creating financial obligations for the RS, treaties requiring the adoption of new or the amendment of existing laws, and treaties amending existing legal provisions.¹⁰



5 In contemporary parliamentary law, there is a tendency for the parliament to be active and efficient at three levels: national, local, and international. See Beetham (2006, 155).

6 Although negotiating the conclusion of international treaties is traditionally associated with the Government as the executive branch, with the victory of bourgeois revolutions, the development of parliamentarism, and the democratization of foreign affairs, ratification ceases to be merely the confirmation of the work of the ruler's agents. It becomes an act by which the state freely decides to finally commit itself to the treaty. Broadly speaking, ratification is the ultimate expression of the will of the state that participated in the negotiations and signed the treaty to accept as its international obligation the previously established text of the international instrument. Constitutional ratification is the consent, acceptance, confirmation, approval of the content and form of an international treaty given by the state authority, or several of them, specified by the constitutional order to bind their own state to respect and implement the international treaty. See Đurić (2007, 171-172 and 219-220).

7 Ratified international treaties must be in accordance with the Constitution. See Article 16 of the Constitution of the Republic of Serbia, *Official Gazette of the Republic of Serbia*, no. 98/2006 and 115/2021.

8 Article 99, paragraph 1, point 4 of the Constitution of the Republic of Serbia.

9 *Official Gazette of the Republic of Serbia*, no. 32/2013.

10 While international treaties that do not fall under the aforementioned category are not subject to the ratification process, information about these treaties is provided by the Government to the relevant committee of the NA. See Article 14 of the Law on the Conclusion and Implementation of International Treaties.

The described legal-political solution is understandable and logical, as it involves a form of legislative activity, given that the signed (concluded) international treaty, or convention, is incorporated into the legal order by enacting, or coming into force, a law confirming the international treaty. The confirmation of an international treaty represents a specific legislative procedure that is specially recognized and regulated by the Rules of Procedure of the NA¹¹, which contain specific provisions about it. Namely, in the ninth part of the Rules of Procedure, which regulates procedures for adopting acts and other procedures, a special (third) part¹² is dedicated to the procedure for confirming international treaties. The specific features of this procedure can be summarized in the following characteristics: (1) the proposal for the law confirming the international treaty includes the text of the international treaty being confirmed, with a translation into the Serbian language (thus, bilingual content), (2) the proposal for the law confirming must be justified, so that the justification includes the reasons for proposing the confirmation of the international treaty, whether the international treaty creates financial obligations in its implementation, as well as an estimate of the necessary financial resources for its implementation; (3) no amendment can be submitted to the text of the international treaty;¹³ (4) a single consideration, which involves simultaneous consideration of the general and detailed considerations; (5) other issues related to the procedures for enacting laws confirming international treaties are governed by the rules of the procedure for enacting laws.¹⁴

2. Contribution of the Aarhus Convention to good governance

The role and contribution of the parliament to the goals of the AC are particularly reflected in the context of the first two of its three pillars, namely the principles and objectives of the Convention. This concerns the issues of access to information and participation in the legislative decision-making processes.¹⁵ Essentially, in the context of this topic, the goal of the AC is to strengthen the role of both individual citizens and civil society organizations (CSO), or the

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11 *Official Gazette of the Republic of Serbia*, no. 20/2012-3.

12 Regarding the system and order of regulating procedures for adopting acts, (1) the first procedure is the one for amending the Constitution, followed by (2) the procedure for law adoption, then (3) the procedure for ratification of international treaties, followed by (4) the procedure for adoption of the budget of the RS and the final financial statement, after which (5) the procedure for determining the budget of the NA is regulated, then (6) the procedure for adopting Development plan of the RS and the Spatial plan of the RS, (7) the procedure for granting prior consent to the statute of an autonomous province, (8) the procedure for adoption of declarations, resolutions, recommendations, and strategies, (9) the procedure for adoption of Rules of procedure and other general acts, (10) the procedure for authentic interpretation of laws, (11) the procedure for adoption of Unique methodological rules for drafting regulations, followed by other procedures.

13 See Article 169 of the Rules of Procedure of the National Assembly.

14 See Article 170 of the Rules of Procedure of the National Assembly.

15 Excluding the issue of legal protection, i.e., the third pillar of the Convention, which is not the subject of this paper and will not be the focus in this work.

public,¹⁶ in environmental matters. In this sense, the AC is based on the principles of transparency and participatory democracy. It is a legally binding international treaty that establishes the principle of participatory environmental governance. It could be said that the AC is understood as an expression or symbol of democratic procedures in the field of environmental protection. Such questions posed to the parliament regarding environmental protection represent an additional or specific role in deliberative democracy. These efforts, as part of participatory democracy, have been in focus worldwide for the past two decades. Moreover, it can be said that it is a concept of human rights and the environment, providing a framework to encourage public participation not only in environmental protection but also in the broader achievement of Sustainable Development Goals. In addition to granting rights to the public, the Convention imposes obligations on public authorities regarding access to information, public participation, and the right to legal protection. Today, especially in the European Union, efforts are being made to integrate environmental protection as an essential aspect of all other public policies.

The above indicates a regional and global trend of connecting environmental protection issues with democratization and good governance, more broadly speaking, and the role of parliaments in involving the public in the consideration and decision-making regarding environmental issues. Public participation in shaping public policies and decisions related to the environment contributes not only to a higher level of democracy and the consolidation of the democracy deficit, a characteristic of modern representative democracies, but also enhances transparency and accountability in the decision-making process. This, in turn, contributes to building a system based on the principles and values known as good governance. Essentially, these are principles and standards that are advocated not only in environmental management but have been promoted in all spheres (both horizontally and vertically) in recent years, denoted by the term good governance. Every progressive society strives towards good governance.¹⁷ Firstly, it should be noted that good governance as a concept is not merely a poten-



16 Regarding the legal definition of 'public' in the context of the role and significance of the public in environmental protection, see Lilić, Drenovak-Ivanović (2014, 247-249).

17 As a matter of fact, it is measure of the efficiency of any administration and in a democracy, citizens elect their representatives upon this assurance of good governance. Further, a democratic set-up requires an informed citizenry based on the fact that citizens are the direct stakeholders in every public authority and therefore, have the right to know the process of working of the government. See Jain (2012, 506).

tial characteristic related to administration¹⁸ or government bodies; it extends to all state bodies and institutions, including parliament as a state institution. The essence of good governance involves transparency in operations, the availability of information, and the involvement of the public. Although the AC precisely focuses on these issues concerning environmental protection, the concept of good governance goes a step further, as it implies such a mode of operation regarding all matters. It is not limited solely to environmental issues but extends to broader contexts, and discussions about it take place at both the national and local levels. In terms of good governance at the local and regional level, The European Committee on local and regional democracy (Council of Europe) prepared in September 2011 a strategy for innovation and good governance at the local level. Based on the argument that good democratic governance is a necessity at all levels of public administration, the Centre of Expertise for Local Government Reform (established by the Council of Europe) prepared “The 12 Principles of Good Democratic Governance”.¹⁹ Addink (2019, 99-182) outlines six principles of good governance (as parameters of good governance): (1) the Principle of Properness, (2) the Principle of Transparency, (3) the Principle of Participation, (4) the Principle of Effectiveness, (5) the Principle of Accountability, (6) the Principle of Human Rights.

When chronologically analysing the sequence in which institutes contributing to public involvement and transparency are introduced, it could be said that, among other factors, the process of adopting the AC and the parliamentary discussions surrounding it has, to a certain extent, contributed to the application of the concept of good governance. Mechanisms such as public hearings, the ‘green chair’, public-private partnerships, informal parliamentary groups, and the parliament’s proactive approaches with the aim of information accessibility have all



18 When it comes to administration, we are not only talking about good governance but also about good administration, as a concept that is opposed to the concept of bad administration. In the context of public administration, Davinić (2010, 389-390) emphasizes that in every country there exists an appropriate standard in the activities and behaviour of the administration that public servants strive to achieve, and which citizens expect from them. Therefore, it is emphasized that public administration bodies are obligated to act in accordance with the legitimate expectations of the users of their roles. The concept of good administration has emerged from the need to improve the functioning of public services and thereby facilitate the realization of citizens’ rights. Simply put, good administration involves achieving the most desirable results in the best possible way. Compliance with all relevant laws, rules, and procedures does not, by itself, constitute good administration. This concept also implies high integrity, efficiency, honesty, and openness of public servants who apply these general acts in practice.

19 Which include: (1) Participation, Representation, Fair Conduct of Elections, (2) Responsiveness, (3) Efficiency and Effectiveness, (4) Openness and Transparency, (5) Rule of Law, (6) Ethical Conduct, (7) Competence and Capacity, (8) Innovation and Openness to Change, (9) Sustainability and Long-Term Orientation, (10) Sound Financial Management, (11) Human Rights, Cultural Diversity and Social Cohesion, (12) Accountability. See: <https://rm.coe.int/12-principles-brochure-final/1680741931>.

contributed to strengthening transparency and led to the gradual opening of the NA, enhancing communication with citizens.²⁰

Furthermore, at this factual level of parliamentary practice in the NA, when examining the period after the ratification of the AC in the RS, significant changes in Serbia's legal system can be clearly observed, moving towards strengthening public participation in decision-making. In this sense, it could be said that the AC has spurred further development of the legal system to involve the public in decision-making and shaping public policies, thus realizing the principles of good governance. This issue has broader implications and significance, not only for raising awareness about the importance of environmental protection but also for the development of democracy and citizen participation. The issue of consultation in the process of creating public policies in the RS is regulated by the Law on the planning system of the RS,²¹ adopted in 2018, followed by accompanying sub-legal acts, such as the Regulation on the methodology of public policy management, analysis of public policy effects, and the content of individual documents of public policy, enacted in 2019,²² as well as the Rulebook on good practice guidelines for public participation in the preparation of draft laws and other regulations and acts.²³ The Government of the RS, in 2014, upon the proposal of the Office for cooperation with civil society, adopted a Conclusion establishing Guidelines for the involvement of CSOs in the legislative process.²⁴ Simultaneously, it recommended that, in addition to state administration bodies, autonomous province bodies, and local self-government bodies should ensure the participation of CSO in the preparation of regulations within their jurisdiction and adhere to the principles outlined in the Guidelines. To guide the work of state administration bodies towards further improvement of CSO involvement in the processes of drafting regulations and documents of public policies defined by the Guidelines for the involvement of CSO in the legislative process since 2014,²⁵ the Government of the RS adopted a Conclusion on the adoption of Guidelines for the involvement of CSOs in working groups for the preparation of draft documents of public policies and drafts of regulations²⁶ on January 30, 2020. In addition to the aforementioned regulations related to development documents, the legal framework for public consultation in Serbia includes the Regulation on the structure, methodology of preparation, the manner of harmonization of development documents, the conduct of pub-

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20 Within the parliamentary project where the United Nations Development Programme provides technical and development assistance to the NA, and in the context of responsible governance, the Strategy for building and sustaining public participation in the work of the NA through social media has been published.

21 *Official Gazette of the Republic of Serbia*, no. 30/18.

22 *Official Gazette of the Republic of Serbia*, no. 8/19.

23 *Official Gazette of the Republic of Serbia*, no. 51/19.

24 *Official Gazette of the Republic of Serbia*, no. 90/14.

25 *Official Gazette of the Republic of Serbia*, no. 90/14.

26 *Official Gazette of the Republic of Serbia*, no. 8/20.

lic consultations, as well as the manner and deadlines for public display of regional development documents,²⁷ and the Rulebook on the procedure for public insight, presentation, and public discussion on the environmental impact assessment study.²⁸ It is important to note that the Regulation on the structure, methodology of preparation, harmonization of development documents, the conduct of public consultations, as well as the manner and deadlines for public display of regional development documents, contains principles of public consultation. It prescribes the following fundamental principles applied during public consultations: (1) the principle of partnership (involving representatives of the public and civil sector in public consultations); (2) the principle of information and publicity (public notification about the subject and progress of public consultations); (3) the principle of transparency (public accessibility of development documents subject to public consultations).²⁹ Finally, it should be emphasized that in 2021, the Government of the RS adopted the Regulation on public participation in the development of certain plans and programs in the field of environmental protection.³⁰ This regulation outlines the procedure for public participation in the decision-making process regarding the development, amendment, supplementation, review, and adoption of air quality plans, regional and local waste management plans, hazardous waste management plans, the national waste management plan, waste prevention programs, action plans for environmental noise protection, and plans for the protection of water from pollution.

The presented facts lead to the conclusion that, considering the timeframe after the ratification of the AC in Serbia, there has been improvement both at the normative and practical levels through the implementation of new mechanisms (public hearings, sessions outside the headquarters, the 'green chair', etc.). Additionally, the previous analysis shows that good governance extends beyond state administration; it is a principle, a set of principles, and a way of functioning that applies to all state institutions, including parliament. Good governance serves as a common term for a system of interconnected principles, namely the principles of good governance, which include accountability, transparency, openness, and participation. These principles are related to issues of equality, lead to predictability, efficiency, and effectiveness, creating overall conditions for corruption prevention.³¹ It is considered that the AC is a convention in the service of citizens, just as good governance can be described as a form of governance that serves the citizens.

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27 *Official Gazette of the Republic of Serbia*, no. 15/11.

28 *Official Gazette of the Republic of Serbia*, no. 69/05.

29 See Article 14 of the Regulation on the structure, methodology of development, manner of harmonization of development documents, manner of conducting public discussions, as well as the manner and deadlines for the presentation for public inspection of regional development documents.

30 *Official Gazette of the Republic of Serbia*, no. 117/2021.

31 Regarding the implementation of these principles at the local level, see Jerinić, Vučetić, Stanković 2022.

3. The importance of transparency, access to information, and good governance for enhancing responsibility and accountability

The availability of information and the access to information represent essential prerequisites for the transparency of work.³² When considered together, transparency and information availability are prerequisites for citizen participation in shaping public policies and making regulations. Thus, strengthening democracy, or empowering representative democracy through mechanisms of participation and deliberative democracy, contributes to an ongoing relationship between citizens and their representatives in parliament even after elections.³³ The concepts of the rule of law, democracy, and good governance are cornerstones of the modern state.³⁴

In the context of parliamentary law, transparency is now considered one of the fundamental requirements sought by modern parliaments. Specifically, the Working Group on the Contribution of Parliaments to Democracy, formed by the Inter-Parliamentary Union, after conducting global research in which the Serbian Parliament participated, identified five key characteristics of a modern parliament: (1) ensuring adequate representation, (2) being open and transparent, (3) being accessible, (4) being accountable, and (5) being efficient at all levels (national and local).³⁵ The importance of these principles and their further development is evidenced by the fact that in October 2023, the Inter-Parliamentary Union, in partnership with other leading organizations in parliamentary development,³⁶ published "The Indicators for Democratic Parliaments." In total, there are 25 indicators, but they are grouped into seven targets that cor-



32 There is a direct and undeniable link between the right to information, transparency and good governance. A transparent public system of governance promises a democratic and accountable state (Jain 2012, 506).

33 See Vukadinović (2012, 240-272).

34 Good governance is not only about further development of the rule of law and democracy but it also includes the elements of accountability and efficiency of the government. Good governance is significant because it is both a norm for the government and a citizen's right. This justifies good governance as a genuine third cornerstone (Addink 2019, 3-4).

35 See more: Beetham (2006, 13-181).

36 Commonwealth Parliamentary Association (CPA), Directorio Legislativo Foundation, Inter Pares / International IDEA, National Democratic Institute (NDI), United Nations Development Programme (UNDP), UN Women, Westminster Foundation for Democracy (WFD).

respond to the adjectives used in of the Sustainable Development Goals (SDGs)³⁷: effective, accountable, transparent, responsive, inclusive, participatory and representative.³⁸

On the operational level, measures taken to increase transparency involve, on the one hand, a systematic and proactive approach to information accessibility (via a website, the creation of an information booklet, the adoption of specific strategies), and on the other hand, compliance with requests for access to information of public importance. In this context, it is important to note that the NA has enacted the Law on access to information of public importance.³⁹ This law regulates the rights to access information of public importance held by public authorities, aiming to realize and protect the public's interest to know and the achievement of a free democratic order and an open society.

To fulfil the right to access information of public importance held by public authorities, this law establishes the Commissioner for information of public importance as an independent state body, independent in the exercise of its competencies. Simultaneously, to facilitate the realization of the public's interest to know, the law stipulates that all public authorities should publicly disclose and thus make available to the public all information about their work considered information of public importance, in accordance with the provisions of this law. To achieve this, the NA has published an information booklet on its website, designated an individual who is authorized to handle requests for free access to information in the NA, and opened a special email address regarding information access.⁴⁰

The aforementioned is crucial as a prerequisite to good governance and citizen involvement because, for citizens to make informed decisions, they must be informed. Given the quantity and complexity of information in contemporary society and rapidly changing circumstances, digitalization and modern communication methods, the demand for information can be considered partially satisfied if there is adequate information availability and transparency

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37 Targets 16.6 and 16.7.

38 The complete list of indicators includes: (1) Parliamentary autonomy, (2) Members of parliament, (3) Parliamentary procedures, (4) Parliamentary organization, (5) Administrative capacity and independence, (6) Law-making, (7) Oversight, (8) Budget, (9) Representative role of members of parliament, (10) Relations with other branches of government, (11) Key parliamentary powers, (12) Parliamentary ethics, (13) Institutional integrity, (14) Transparency of parliamentary processes, (15) Parliamentary communication and outreach, (16) Access to parliament, (17) Valuing public concerns, (18) Inclusive law-making, oversight and budgeting, (19) Inclusive institutional practices, (20) Parliamentary environment for public participation, (21) Public participation in parliamentary processes, (22) Participation of diverse groups in the work of parliament, (23) Electoral integrity, (24) Composition of parliament, (25) Composition of parliamentary bodies. See: <https://www.parliamentaryindicators.org>.

39 *Official Gazette of the Republic of Serbia*, no. 120/2004, 54/2007, 104/2009, 36/2010 and 105/2021.

40 See: <http://www.parlament.gov.rs/aktivnosti/informator/lice-odredjeno-za-zastitu-podataka-o-licnosti-unarodnoj-skupstini-1023.html>.

in operations. However, when it comes to significant decisions, a proactive approach and targeted prior notification are necessary.

It is considered that transparency has a positive impact not only on openness but also on accountability, a culture of responsibility, and public ethics. In the context of continuous improvement with the aim of achieving principles of good governance, ethical rules and codes are adopted at various levels of government. When it comes to the legislative branch, the adoption of ethical codes has become common practice in many contemporary parliaments. In this context, the NA has enacted the Code of Conduct for MPs⁴¹, established the Ethics Commission,⁴² and prepared a Guide for the Implementation of the Code of Conduct for MPs.⁴³ Additionally, transparency is a prerequisite for combating corruption, leading parliamentarians to form the Global Organization of Parliamentarians Against Corruption (GOPAC), whose National Chapter was established in 2013 within the NARS.⁴⁴ On the other hand, concerning other informal⁴⁵ bodies and parliamentary groups (networks), and addressing the accessibility of information, the parliament has recognized the issue of unsuitable and inappropriate information for children on the Internet as particularly important. Thus, on March 30, 2021, in the NA was formed the Parliamentary Network for Digital Security as a voluntary, non-partisan, informal parliamentary



41 *Official Gazette of the Republic of Serbia*, no. 156/20 and 93/21. In addition to the ethical rules for parliamentarians, there are also rules that apply to employees of the NA Service, which are outlined in the Regulation on the basic principles of work, conduct, and dress code for employees of the NA Service and individuals engaged in performing duties in the NA. This regulation includes the basics of business ethics, business-ethical rules, and standards of personal and professional integrity and conduct for employees of the NA Service.

42 See: http://www.parlament.gov.rs/upload/images/announcements/slike/Kodeks_SluzbeniGlasnik.jpg.

43 The Guide for the implementation of the Code of Conduct for Members of Parliament is also available on the website of the NA, at the following link: <http://www.parlament.gov.rs/upload/documents/dokumenta/28.10.2021.%20Vodic%20za%20primenu%20Kodeksa.pdf>.

44 About the activities of GOPAC Serbia, see: <https://gopacsrbija.wordpress.com>.

45 Informal parliamentary groups are characterized by non-compulsion; they are not appointed by the Rules of Procedure of the NA or the Law on the NA. The number of their members varies, and often there is no limitation. Further specifics of informal parliamentary groups include that their composition does not require proportional representation (which is taken into account in committees), they are not formed by the plenary of the NA, and their focus is specific, emphasized, and different from the scope of committees (usually narrower or related to topics of broader social significance that encompass a larger number of committees). Additionally, informal parliamentary groups hold meetings (while committees operate in sessions), and usually, no quorum is required for their work, although the group may adopt its internal rules. Due to all the mentioned reasons, informal parliamentary groups sometimes have more political than legal significance. In addition to the National GOPAC Branch and the Parliamentary Network for Digital Security, other informal parliamentary groups have been formed in the NA, such as the Women's Parliamentary Network, the Green Parliamentary Group, the Economic Caucus (Parliamentary Group for the Economic Development), and the Parliamentary Forum for the Energy Policy of Serbia (Energy Forum). About the Economic Caucus of the NARS as an effective mechanism for public-private dialogue aimed at improving the legal framework for economic development, see Knežević Bojović, Vukadinović (2016, 285–300). By applying qualitative and quantitative analysis of the work and results of the Economic Caucus, the paper identifies the innovations and improvements in the legal framework for business initiated by this caucus. Specifically stated, the study shows that in 85.51% of cases, the NA has accepted amendments proposed by members of the Economic Caucus.

group of Members of Parliament. Its establishment aims to actively contribute to improving conditions for online security and ensuring the safe use of the internet.

Publicity and transparency in the work of institutions are prerequisites for deliberative and participatory democracy, not only in the context of environmental protection but also more broadly. The mentioned democratic values and methods of citizen participation, along with the availability of information, further promote transparency in decision-making and responsibility at all levels. This contributes to accountability and ultimately helps reduce the risk of corruption, which, as a concept of good governance,⁴⁶ should provide benefits by ensuring that decisions are made in the common interest of people and the environment. Certain studies indicate that levels of development are associated with higher levels of democracy and good governance. Moreover, the relationship between good governance and development is notably stronger and more significant than the relationship between democracy and development.⁴⁷

4. Parliamentary oversight mechanisms for monitoring the implementation of the Aarhus Convention and good governance

In addition to promoting good governance within its own institution and in its function as a representative and legislative body, parliament contributes significantly to the realization of the principles of good governance by exercising parliamentary oversight and control over the work of the executive branch, holding the executive accountable. In order to monitor the implementation of laws, including the law on the ratification of the AC, parliament, in carrying out its oversight function,⁴⁸ has various mechanisms of parliamentary control at its dis-

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46 For explanations why parliaments are crucial to the achievement of good governance, on the example of Africa, see: Economic Commission for Africa, *The Role of Parliament in Promoting Good Governance*, available at: <https://archive.uneca.org/sites/default/files/PublicationFiles/role-of-parliament-in-promoting-good-governance.pdf>.

47 Pelizzo, Stapenhust 2007. Based on evidence, these authors suggest that in order to promote development in Africa it is even more important than in the rest of the planet to promote good governance.

48 The control function is one of the fundamental functions of the parliament, as stated in Article 7 of the Law on the NA, emphasizing that the NA, within its jurisdiction, performs the representative, legislative, electoral, and control functions. When considering the relationship between the electoral and control functions, a theoretical question arises as to whether the electoral function is independent or part of the control function. In terms of terminology, the Rules of Procedure of the NA use both the terms "control" and "oversight." Both terms are often used interchangeably, but there is no clear criterion in legislation or theory for choosing between these two terms. However, there is an opinion that they are not entirely synonymous. "Oversight" is often understood as careful observation or monitoring, while "control" implies taking active actions, verification, and examination. Another perspective argues that oversight is a broader concept, while control is narrower, with control being considered the most intense form of oversight. Therefore, the term "control" is often used in the context of the parliament-executive relationship because the parliament not only monitors but also takes active measures using various mechanisms to correct the work of executive bodies and ensure compliance with the constitution and laws.

posal. Considering the existence of a dedicated working body for environmental protection, through which parliamentary oversight is exercised in this area, it can be said that, in terms of the legal framework, there are multiple mechanisms within the NA for exercising the oversight function⁴⁹ in the field of environmental protection. They are normatively well-established, and their number is comprehensive in the sense that, when the mechanisms in domestic law are compared with those in comparative parliamentary law, it cannot be said that anything essential is lacking in the normative part (Law on the NA, Rules of Procedure). However, even though the mechanisms exist, it appears that there is a need to work on their suitable implementation and the availability of data about them. This is considering that their application, as well as the effectiveness of parliamentary control, varies from one convocation to another, as a consequence of the political structure of parliament, which is a characteristic of a parliamentary democracy.

Parliamentary oversight and the control function of parliament involve various forms, ranging from asking questions, seeking information, monitoring the situation, making requests, to voting on motions of no confidence. Modern parliamentary development, driven by the need for greater specialization, is characterized by sectoral control, which involves: (1) control through the committee system and (2) control through and over independent state bodies. Parliamentary oversight is considered essential for realizing the principles of good governance and ensuring efficient, transparent, and accountable public administration. Within the OECD's⁵⁰ *The Principles of Public Administration*, principle 16 states: The parliament, ombudsman and supreme audit institution effectively scrutinise public administration. Regarding the parliament, the aforementioned Principle 16 implies two specifications: (a) The parliament and its committees effectively scrutinise the executive and monitor the quality of its work, through hearings, questions to government, parliamentary inquiries, evaluations of public policies and



49 It is interesting to note that in the Second Global Parliamentary Report, published in 2017, the NARS is highlighted in multiple instances, particularly in the section addressing parliamentary oversight on page 24: 'Building Public Trust in the Parliament in Serbia.' The report notes that the RS actively worked on enhancing political institutions to strengthen public participation and build public trust. Efforts were directed towards achieving transparency in operations, accountability, and involving civil society (non-governmental sector). In the context of achieving these goals, the introduction of public hearings is emphasized. Special attention is given to the Rules of Procedure of the NA, which institutionalizes the organization of public hearings to obtain information and expert opinions on legislative proposals, as well as in the context of monitoring the implementation of regulations. Furthermore, it is highlighted that, with the support of UNDP in Serbia, the first committee sessions outside the parliament's headquarters were held, enabling the Assembly to conduct parliamentary oversight throughout the country. Innovations based on public involvement have led to an increasing level of public support for the parliament, as evidenced by public opinion polls. The conclusion is drawn that these initiatives have contributed to establishing connections and improving relationships between representatives of citizens and the public, resulting in more effective resolution of both local and national issues. See Inter-Parliamentary Union (2017, 24).

50 The Organisation for Economic Co-operation and Development.

budget oversight. (b) The parliament actively supports the ombudsperson and the supreme audit institution (SAI) in their oversight functions by ensuring adequate resources, considering their reports and urging the government to correct the deficiencies identified by the oversight bodies.⁵¹

In contemporary parliamentary development, committees are considered crucial to specialized oversight, emphasizing the importance of the strength of committees.⁵² The existence and effectiveness of specialized committees are the first indicators of the parliament's ability to play a significant role in shaping national policies. A well-institutionalized structure of standing committees should parallel the structure of the executive branch.⁵³ Parliamentary control is believed to be more effective, developed, and detailed when conducted at the level of parliamentary committees. Control through the committee system is independent of the dynamics of plenary sessions and the legislative agenda, surpassing the frameworks of the parliament's plenary session agenda. Committees establish their own programs and priorities concerning the oversight function; they independently decide whom to invite for public hearings;⁵⁴ they independently decide whether the sessions will be open to the public or not, etc. In many parliaments in modern democracies, efforts are made to ensure that the chairpersons of committees crucial for parliamentary control are not from the ruling party because the effectiveness of control often depends on this in practice.⁵⁵

According to the Rules of Procedure of the NA, a committee, within its scope, does the following: considers draft laws and other regulations, monitors the implementation of the policies pursued by the Government, monitors the execution of laws and other regulations, examines the work plan and report of the relevant ministry and other state bodies, organizations,



51 OECD (2023, 28).

52 It is pointed out that the critical importance of committee systems in determining the ability of parliaments to hold governments accountable. Committees tend to be strong when party control over committees is weak, especially in parliamentary systems. Specifically, single party dominance tends to weaken committees. See: Parliamentary Centre – World Bank Institute (2020, 26).

53 DCAF's Parliamentary Staff Assistance Programme (2012, 29).

54 Regarding the differences between public debate and public hearing, see Vukadinović (2016, 36-43).

55 Generally, at a theoretical level, it can be said that the jurisdiction, or more precisely, the scope of the committee's work implies that committees: (1) propose decisions to the plenary on matters within their purview and provide opinions on draft laws; (2) are mainly responsible for formulating recommendations regarding the work of the executive branch; (3) committee reports and opinions are generally the starting point for the debate on draft laws during plenary sessions; (4) Ministries submit reports and information about their work to the committees (in Serbia, ministries provide information about their work to the relevant committee of the NA every three months, and at least once a year, they submit a comprehensive report). Committees monitor the work and activities of the executive branch within their areas of expertise, as well as the work of other state authorities or bodies. Committees oversee the implementation of ministry programs, request information from the executive branch, if necessary, demand documentation and reports, invite government representatives to their sessions, and require them to explain and justify their work.

and institutions, reviews the annual work program of the NA, grants approval to acts of state bodies, organizations, and institutions that, in accordance with the law, submit these acts to the NA for approval, initiates and submits proposals to the NA in accordance with the law and these rules, considers initiatives, petitions, submissions, and proposals within its scope, and discusses other matters within the competence of the NA.⁵⁶

Parliamentary control strategies through the committee system encompass: (1) Proactive approach ("police patrol") where the committee works regularly and systematically, holding sessions to discuss draft laws, the state of affairs, and further development, examining regular reports submitted to the committees, etc., and (2) Reactive approach ("fire alarm") where the committee organizes public hearings or initiates a parliamentary inquiry into issues that arise during parliamentary debate, in the media, or are brought to attention through petitions or reports. In practice, most committees combine proactive and reactive approaches in exercising parliamentary control.

The possibilities of the NARS, aimed at improving the monitoring of the implementation of the AC, encompass mechanisms of parliamentary oversight within the legislative framework. The existing mechanisms of parliamentary oversight and the institutions through which the NA exercises its control function include: 1. Interpellation regarding the work of the Government or a member of the Government; 2. Voting of no confidence in the Government or a member of the Government; 3. The right of MPs to request information and explanations; 4. Reporting to the NA on the work of the Government;⁵⁷ 5. Examination of reports from state bodies, organizations, and institutions; 6. MP's question; 7. MP's question related to a current topic (question time); 8. Establishment of an inquiry committee and commission; 9. Information provided to the committee about the work of the ministry (every three months); 10. Public hearing; 11. Adoption and control of the execution of the budget as well as the final account of the budget of the RS; 12. Control of the security sector.

Firstly, in line with the global trend in contemporary parliamentary development, where the focus of parliamentary work shifts from the plenary sessions to working bodies, it is essential to highlight that the NA has a dedicated permanent working body: the Environmental Protection Committee. The fact that the Parliament consistently (across multiple convocations) maintains a dedicated permanent working body, i.e., the Environmental Protection Committee, both in a system with 30 committees and the current system with 20 committees (includ-

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56 Article 44 of the Rules of Procedure of the NA.

57 The Government submits a report to the NA when requested by the NA or on its own initiative, at least once a year.

ing the Committee for the rights of the child as a separate working body)⁵⁸, demonstrates that the Parliament recognizes the importance of environmental protection issues. Regarding information accessibility, it should be noted that written information about each committee session is available on the Parliament's website. Additionally, every committee session can be directly (live) monitored, with video recordings also accessible on the NA's website under the archive section. Through this described approach and information availability, it can be affirmed that the committee's work is transparent.

In carrying out the oversight function of Parliament, the Environmental Protection Committee reviews the annual report of the Ministry on the state of the environment, as well as reports from special organizations (the Environmental Protection Agency). Additionally, the committee considers quarterly environmental status updates. Besides holding regular sessions, typically at the NA headquarters, the Environmental Protection Committee (like all working bodies of the NA) has the option to convene sessions outside the NA's premises.⁵⁹ These off-site sessions, sometimes colloquially referred to as "mobile sessions,"⁶⁰ have demonstrated triple significance in practice. Firstly, they enable the committee to directly familiarize itself with the actual conditions on the ground, practical issues that can be relevant for considering legislative proposals and regulations. Secondly, these sessions serve, in a way, as parliamentary oversight throughout the country, strengthening the parliamentary control role. This allows the parliament to monitor both the implementation of laws and other regulations. Thirdly, committee sessions held outside the NA's premises allow representatives of the national parliament to identify specific issues at the local level and determine whether there is a need to amend national regulations to improve the local situation. The situation where representatives of different institutions and levels of government meet in person at one location can contribute to the creation of a specific constructive synergy in addressing issues and can help avoid so-called jurisdiction shifting. Instead, it encourages everyone to take responsibility and agree on specific steps to be taken "on the spot." In this way, off-site committee ses-

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58 The number and structure of committees as permanent working bodies represent a part of the parliament's right to self-organization.

59 See Article 42, paragraph 4, of the Rules of Procedure of the NA, *Official Gazette of the Republic of Serbia*, no. 20/12- consolidated text.

60 The Third Global Parliamentary Report, published in 2022, which focuses on public participation and inclusion in the work of assemblies and parliaments (participation, encouraging citizen involvement in shaping public policies), highlights the initiative of parliamentary committees to go outside their headquarters to listen and engage, citing examples of good practices from the Republic of Serbia: committee sessions held outside the headquarters and public hearings (see page 29). This report identifies five global trends regarding public participation and inclusion in parliamentary work: (1) involving youth, (2) "leave no one behind" (inclusive representation), (3) transforming communication and work methods in line with contemporary technological changes (digital tools), (4) encouraging innovation, and (5) connecting and networking. See Inter-Parliamentary Union (2022, 8-9).

sions contribute to improving coordination and collaboration among different levels of government, all aimed at solving specific life problems and creating better living conditions for people. In this sense, this mechanism facilitates the more efficient resolution of both local and national issues simultaneously.⁶¹

Up to May 7, 2023, nine sessions of the Environmental Protection Committee were held outside the premises of the NA. Among these, four sessions took place during the current XIII convocation (since August 1, 2022): in Žagubica (April 25, 2023), Babušnica (March 30, 2023), Loznica (November 25, 2022), and Majdanpek (September 29, 2022). The remaining five sessions were held in earlier convocations in Čačak (July 23, 2021), Sremska Mitrovica (June 4, 2021), Novi Sad (March 23, 2017), Subotica (September 24, 2013), and Pančevo (October 10, 2008). During the observed period, the committees of the NA held a total of 101 sessions outside the premises of the NA.⁶² Based on this data, the conclusion is drawn that the share of such "mobile" sessions of the Environmental Protection Committee is 8.91%. The video recordings of most mobile sessions are also publicly available on the website of the NA.

When it comes to the sessions of the Environmental Protection Committee, whether held at or out of the headquarters of the NA, a mechanism of special significance is the "green chair."⁶³ The term "green chair" refers to a designated seat in the NA's Environmental Protection Committee, reserved for a representative of the civil sector on a rotating basis. This representative actively participates in the committee's work, poses questions, attends mobile sessions and public hearings, thereby articulating interests and providing better information to the committee members.⁶⁴ Available data indicates that over 50 CSOs (NGOs)⁶⁵ are involved through the "green chair" mechanism in the work of the Environmental Protection Committee.

The "green chair" mechanism is legally regulated both by the Rules of Procedure of the NA and a specific Regulation on the Green Chair adopted by the CSOs collectively involved in

61 Vukadinović (2022, 27.)

62 Information about all sessions of all committees of the NA outside the headquarters of the NA is available at Top of Form: <http://www.parlament.gov.rs/aktivnosti/narodna-skupstina/radna-tela/sednice-odbora-van-sedista-narodne-skupstine.4146.html>, 6.7.2023.

63 The Green Chair is also cited as an innovative example from Serbia in the Third Global Parliamentary Report, within the context of parliamentary committees and consultative processes, as an effort to promote greater inclusivity. See Inter-Parliamentary Union (2022, 27).

64 As an example of joint action within the Green Chair mechanism, a case from February 2016 can be mentioned when, following a meeting and discussions with experts, organizations gathered around the Green Chair sent proposed amendments to environmental protection laws to the Committee. These comments were considered by the relevant Ministry and discussed at the Committee meeting, where the Ministry presented proposed amendments to the laws. To see more about this, refer to: <https://zelenidijalog.rs/zs/pravilnik/>, 1.6.2023.

65 See: <https://zelenidijalog.rs/zs/>.

the "green chair" mechanism. According to the Rules of Procedure of the NA, the Committee may allow the presence and participation of representatives of citizens and citizen associations in its sessions, discussing specific environmental protection issues.⁶⁶ Essentially, the "green chair" can be seen as an institutional mechanism for the participation of environmental CSOs in the work of the parliamentary Environmental Protection Committee. The Regulation on the Green Chair⁶⁷ defines the basic principles of this mechanism's operation, as well as the rights and obligations of network members.

Another crucial aspect of parliamentary work, regarded as a unique mechanism for exercising parliamentary oversight, is the conduct of public hearings. Public hearings, particularly in the area of environmental protection, serve a dual purpose of significance. Firstly, they can be structured as legislative-consultative sessions to meticulously identify and define issues, with the overarching goal of formulating more effective systemic legal resolutions for the identified problems. Secondly, they function as a supervisory tool, scrutinizing the application of laws and responses to potential implementation challenges. This facilitates direct insights for MPs into the necessity for amendments and supplements to existing laws, or even the initiation of new legislation, a prerogative available to any MP.⁶⁸ As of May 7, 2023, the committees of the NA have convened a total of 132 public hearings. Within this total, the Environmental Protection Committee has overseen 25 environmental public hearings. Statistical data reveals that, despite being one of the 20 committees in the NA, the Environmental Protection Committee has overseen nearly one-fifth, precisely 19% (18.94%), of the overall total of public hearings within the NA. Comprehensive video recordings of all public hearings, encompassing the 25 environmental sessions, are publicly accessible on the NA's website. Each recording is accompanied by an agenda and written documentation detailing the proceedings of every conducted public hearing, thus ensuring the public availability of information on all matters discussed.⁶⁹ These described mobile sessions and public hearings actively engage citizens, including repre-



66 See Article 63, paragraph 2, of the Rules of Procedure of the NA.

67 The regulation is designed to address the following 10 questions: (1) What does participation in this network enable for civil society representatives? (2) How does the mechanism function in practice? (3) How are committee sessions scheduled, and the agenda determined? (4) How are representatives of the Green Chair delegated to participate in committee sessions? (5) How many representatives of CSOs can attend a session? (6) The selection of network representatives during committee sessions. (7) What are the expectations from the representatives of the Green Chair during the session, and what are their obligations afterward? (8) Apart from participating in committee meetings, what other activities are undertaken by network members? (9) In what way can an organization become a member of this network? (10) Reasons for the exclusion of an organization from network membership.

68 About different types of public hearings, the evolution of this institute in the Republic of Serbia, as well as comparative solutions and rules on public hearings, see Vukadinović (2021, 69-117).

69 See <http://www.parlament.gov.rs/aktivnosti/narodna-skupstina/radna-tela/javna-slusanja.3013.html>, 3.7.2023.

sentatives of the public, and CSOs. Simultaneously, the disseminated information is publicly accessible through the NA's website.

All of the above has inspired the interest of other parliamentarians who are not committee members, leading to the formation of an informal Green Parliamentary Group. In the NARS, the Green Parliamentary Group was established as early as 2009. Similar to other informal groups, members of the Green Parliamentary Group have included parliamentarians from various parliamentary groups, representing different political parties. In the Assembly of the Autonomous Province of Vojvodina, the Green Parliamentary Group was formed in 2017, and in 2022, the Green Council Group of the City Assembly of Sremska Mitrovica⁷⁰ was constituted. In addition, it is important to mention the organization of special conferences, gatherings, and meetings dedicated to the AC, contributing to the promotion of its goals. For instance, on November 16, 2016, a national conference, "Aarhus Mirror," on the implementation of the AC in Serbia was held in collaboration with the organization Young Researchers of Serbia. Furthermore, on December 18, 2018, the Green Parliamentary Group held a working meeting commemorating the 20th anniversary of the adoption of the AC. Such mechanisms and all the activities mentioned undoubtedly contribute to the popularization of environmental issues.⁷¹

Regarding citizen involvement and accessibility, a contact form has been published on the NA's website for contacting committees (working bodies) and MPs. The contact information for committee secretaries has been disclosed, including their direct email addresses and phone numbers. A dedicated section of the NA's website, titled "Cooperation with Civil Society," has been created. In this section, a form is provided for interested CSOs to fill out, informing the parliament about their field of activity and desired collaboration methods. This has led to the establishment of a unified database for CSOs collaborating with the NA. An email address⁷² has been provided for submitting the completed form and the organization's registration certificate. Additionally, a citizen petition form⁷³ has been published on the NA's website.

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70 It can be concluded that the mentioned activities have stimulated the process of transferring best practice examples from the national to the local level, as seen in terms of public hearings, green chairs, green parliamentary groups, etc.

71 It would be useful to conduct research on the number of parliamentary questions related to environmental protection, as such analytical data would be valuable for monitoring the situation, drawing conclusions about tendencies and trends, and gaining a broader understanding of public participation and the significance of environmental issues. About the significance of public hearings for local self-governments and the transfer of good practices from the national to the local level, see Vukadinović (2015, 39-41).

72 E-mail: civilnodrustvo@parlament.rs.

73 See: <http://www.parlament.gov.rs/gradjani/pitajte/inicijative,-peticije,-predstavke-i-predlozi.1098.html>.

5. Current contribution of the Interparliamentary Union

Taking into account the initiator of the AC (UNECE) and the number of countries that have ratified it in Europe, the undeniable contribution of this convention to a common European response to environmental protection issues is evident. However, it can also be said that it aligns with global or international efforts aimed at collective action, strengthening the awareness that environmental protection issues transcend national borders. It underscores the need for joint and concerted efforts to address matters of significance to humanity.

In addition to the previous well-known efforts of the Inter-Parliamentary Union in the field of environmental protection, primarily related to the adoption of the Resolution on the role of parliaments in environmental management and in combating global degradation of environment, a new initiative in 2023 is the global action named "Parliaments for the Planet." This initiative includes a media and social media campaign aimed at mobilizing parliaments to take action on the climate emergency. As part of this campaign and the presentation of case studies from around the world, the IPU has released case studies from 44 parliaments or countries.⁷⁴ Additionally, the IPU is releasing two-minute video clips featuring one parliamentarian each, explaining specific measures and actions taken by their parliament for the planet in response to the question: "How is climate change affecting your country?" So far, 54 video interviews have been published,⁷⁵ and at the end of June 2023, a compilation of experiences of parliamentarians worldwide was prepared, titled: *My parliament, my planet, our future!* In the described manner, MPs and parliaments, by their own example, demonstrate a greater commitment to environmental protection issues, enabling the exchange of experiences and encouraging other parliamentarians and parliaments to engage in global efforts for environmental protection and improvement in this field. For those who wish to join this campaign and share their experience with the community, the IPU has prepared a toolkit of communication and social media assets.⁷⁶ That environmental issues are one of the most important priorities for the IPU is evidenced by the fact that the Cremer-Passy Prize, which is awarded annually under the auspices of the IPU, was presented to a parliamentarian who made an outstanding contribution to promoting the goals of the IPU and those 'who contribute to a more united, peaceful, sustainable, and equitable world.' This recognition was awarded in October 2023 for exceptional achievements in the fight against climate change.⁷⁷

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74 The state of affairs as of 15.11.2023. See: <https://www.ipu.org/news/case-study>.

75 The state of affairs as of 15.11.2023. See: https://www.youtube.com/playlist?list=PLLwJpE_EfvM5NZB8YLHreSg-zJMRZ_F4f.

76 Available at: <https://www.ipu.org/sites/default/files/2023-10/IPU%20Toolkit%20%20FINAL.pdf>.

77 See: <https://www.ipu.org/news/press-releases/2023-10/tuvalu-speaker-wins-mp-year-award>.

In addition, in 2023, the IPU released a special guide titled '*10 Actions for Greener Parliaments (and those who work in them)*,' outlining concrete steps and key actions that institutions and individuals can consider and take to adopt 'greener' policies and embrace a culture of sustainability. This aims to address climate crises and pave the way for stronger climate action. The guide is currently available in four languages: English, French, Spanish, and Arabic. In this regard, consideration could be given to translating it into Serbian. These 10 actions are organized into three groups: (1) Institutionalizing the 'greening' of parliaments; (2) 'Greening' the way parliaments and their members work; (3) Leading and fostering a culture of sustainable change. Essentially, the IPU emphasizes that parliament leads and promotes a culture of sustainable change, ecological, and climate awareness. This can be achieved by the parliament undertaking regular activities focused on raising awareness among parliamentarians and staff about global and national trends and issues related to environmental protection, holding meetings on parliament's sustainability plans and practices, engaging parliamentarians in their communities and involving their constituents in discussions on environmental issues, finding opportunities for dialogue with civil society representatives, environmental experts, and youth to hear and understand their experiences and needs regarding environmental protection. As a specific step, it highlights the importance of prioritizing collaboration, knowledge exchange, and transfer related to environmental protection, working at multiple levels: within parliamentary groups to expedite initiatives and advocate for better legislation in this domain, building partnerships with local, national, regional, and international stakeholders to improve conditions; parliamentarians sharing their experiences with the IPU and other parliaments, using international forums and conferences for dialogue and knowledge exchange, etc. The guide provides concrete guidelines and steps on how to answer the question '*Where to start?*' specifically for: speakers of parliament, parliamentarians, secretaries general of parliaments and parliamentary staff, and offers a list of additional information sources.⁷⁸ Additionally, beyond all the aforementioned, an electronic database of all national laws and documents related to climate change has been established, encompassing all countries. As of November 14, 2023, it contains over 5,000 documents.⁷⁹

Climate action has been recognized as the top policy priority for the IPU.⁸⁰ The IPU helps parliaments make progress on the Paris Agreement as well as other climate treaties, accelerate decarbonization and reduce the carbon footprint within parliaments themselves through its

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78 See: <https://www.ipu.org/resources/publications/reference/2023-03/10-actions-greener-parliaments>.

79 Available at: <https://climate-laws.org/>.

80 The ultimate goal of the IPU's action on climate change is to allow all people to live on a healthier planet with warming limited to 1.5 degrees Celsius above pre-industrial levels. See: <https://www.ipu.org/impact/climate-change>.

research, tools and meetings. All year, the IPU organizes events for parliamentarians to come together and exchange good practice when it comes to legislating, budgeting or scrutinizing government action on climate change.⁸¹

Finally, some national parliaments, in connection with ecology, enact specific laws related to the environmental aspects of business and human rights. This not only attests to the priority of national legislators but is also evident in information about legal proceedings, indicating an approach to environmental protection from the perspective of human rights. For example, in Germany, as of January 1, 2023, the new German Corporate Due Diligence Act to prevent human rights violations in supply chains came into legal force. This law is considered the most ambitious undertaking in the global trend of regulating the duties of legal entities to prevent human rights violations and is the most recent law in this area in the EU as of today. The aim of the law is to protect internationally recognized human rights, including environmental rights, by prescribing extraterritorial obligations to German business entities to respect these rights. In this regard, the German legislator establishes direct responsibility for companies for breaches of the duty of care prescribed to prevent human rights violations.⁸² This law highlights the current trend of integrating environmental law, corporate law, and consumer rights, all from the perspective of human rights. In addition, the German Bundestag offers an interesting case study in how to reduce energy consumption and minimize environmental impact. The measures implemented by the Bundestag since July 2022 encompass building operations and vehicle management, reflecting the institution's commitment to sustainability.⁸³

6. Conclusion and recommendations for further development

The relationship between parliament and the AC is diverse, given that parliament plays various roles not only related to the AC but also in the broader context of environmental protection. Today, in line with the principles of participatory and deliberative democracy and citizen involvement in decision-making processes, not only in the field of environmental protection, the primary role of the parliament lies in the process of ratifying the AC. By enacting laws of confirmation, the NA incorporates the convention into the legal framework of the

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81 See: <https://www.ipu.org/events>.

82 It does not establish a specific legal liability of a civil nature but is limited to public-law sanctions such as fines and administrative measures restricting participation in public procurement. The subject of the duty of attention for companies in the field of the environment includes pre-defined risks by law, such as conditions where, based on actual circumstances, there is a sufficiently high probability of violating one of the legally established prohibitions on human rights violations and environmental protection breaches (Tomić, 2023, 213-214).

83 See: <https://www.ipu.org/news/case-studies/2023-11/bundestag-blueprint-sustainability>.

RS. This role can be considered legislative, including the enactment of other laws that establish a regulatory framework for environmental protection and citizen involvement. An important role is also budgetary, as when passing budget laws, it is crucial to plan and allocate the necessary resources to achieve the goals set by the laws. In this way, it can be analysed, taking into account the share in the overall budget, whether environmental protection is one of the priorities. Furthermore, a crucial role of parliament is oversight, implying that, through parliamentary oversight, it monitors the implementation and enforcement of laws. Thus, parliament holds the executive accountable, contributing to good governance.

When examining what the NA has done in the period after ratifying the AC, aiming at transparency, information accessibility, and citizen and civil society engagement, several normative advancements and useful examples from parliamentary practice are evident. These have been recognized as good practice examples in several reports by the IPU. The principles and objectives of the AC, in the context of parliamentary development, contribute to transparency and citizen participation in shaping public policies and enacting regulations, thereby enhancing democracy and improving representative democracy through participatory mechanisms. Greater access to information and transparency leads to increased accountability, all of which contribute to accountability and, consequently, the fight against corruption. Simultaneously, parliamentarians have at their disposal mechanisms of parliamentary oversight and control to monitor the implementation and enforcement of laws they have enacted. Besides being legally established, it is crucial that these mechanisms are functional, ensuring their practical implementation without difficulties. Although it is evident from the above that much has been accomplished, improving performance is an ongoing process. Therefore, further steps are possible towards enhancing the monitoring of the implementation of the AC and the application of prescribed rules on information accessibility and citizen participation. In this context, addressing the question of how Parliament can help make information publicly available as a prerequisite for citizen involvement, it would be beneficial to consider some of the following ideas:

- (1) It would be beneficial for the entire legislative process, considering the theme of this paper related to environmental issues but also extending more broadly to all laws, to be easily accessible to the public on the Parliament's website. This entails not only the proposal of laws and the final text of the adopted law but also all submitted amendments (regardless of whether they were later adopted or rejected) with explanations. This would ensure that citizens are promptly informed and have the opportunity to express their opinions and participate in shaping the final text of the law. This aligns with citizens' rights to participate in the development of plans, programs, policies, and legislation that may impact the environment, as proclaimed by the AC.

- (2) Consider the possibility for all submitted MPs' questions and responses to MPs' questions related to environmental information to be publicly disclosed and accessible on the website of the NA. This directly derives from citizens' right to information on the environment held by state authorities, as proclaimed by the AC.
- (3) Consider the possibility for all reports, conclusions, and decisions of the committee responsible for environmental protection issues to be published and accessible on the parliament's website. While it may be technically demanding to make all this information available on the website, it is essential to consider the positive effects of having official, relevant, and credible information publicly accessible on the government's website (as it reduces the risk of spreading unverified and inaccurate information). It is commendable and positive that committee sessions and public hearings are publicly available on the website of the NARS, both in real-time and in their archived recordings.
- (4) Continual work on issuing and publishing (on the Parliament's website) public invitations to citizens, institutions, and CSOs to provide their opinions, comments, recommendations, and suggestions regarding ways to improve the environmental situation. It is important that such invitations are issued in a timely manner, allowing participants enough time to prepare and submit their suggestions and observations, which can be highly valuable both to MPs and the committee as a working body in legislative and oversight functions. It is particularly important that invitations for public hearings are sent well in advance to ensure participants have sufficient time to prepare, making their testimonies and expert opinions more valuable to MPs in their decision-making and oversight roles. Consider exploring new methods and channels of communication, such as electronic communications and social media, to facilitate engagement with citizens.
- (5) Based on the information received from citizens and the public, the committee could establish a registry of open issues in the field of environmental protection. This registry would be transparent and used not only in the work of the current convocation but could also facilitate the institutional transfer of achievement, knowledge, and identified issues among parliamentary convocations. This would enable the new convocation to be fully and transparently informed about the current state of affairs and continue its work seamlessly. Alongside identified open issues, the committee's staff could document changes in the situation and compile recommendations for addressing identified problems.
- (6) Consider the possibility of establishing a registry of experts and scientific institutions in the field of environmental protection as a prerequisite for greater engagement of sci-

entific institutions and scientists in committee work. Members of such a registry could be directly invited when the need arises, for example, when making certain decisions or considering draft laws. This possibility would also be beneficial to other committees dealing with their respective areas of expertise.

- (7) In addition to forming the previously mentioned registry for inviting experts as needed, consideration could be given to establishing advisory councils for the Committee. These councils could consist of experts who are competent and interested in providing continuous expert support to the committee when addressing professional issues. They would serve as an extended composition of the committee, including individuals who are not MPs but have the right to participate in committee work without voting or decision-making rights.
- (8) Consider the possibility of organizing specialized training sessions for MPs in the field of environmental protection and access to information in each convocation of the NA, particularly for members of the Environmental Protection Committee and other MPs interested in these areas. Additionally, consider incorporating these topics to some extent into the introductory (basic) training (seminar) for all newly elected MPs. This is crucial, especially for a specialized seminar for committee members because they may not necessarily be legal experts or have prior experience or knowledge. Information about the environment can often be of such technical expertise that it exceeds the understanding of the average person. Still, in this case, we are talking about elected representatives, members of the relevant committee for this area, who are expected to delve deeply into environmental protection issues. Therefore, it is essential that they can understand such information thoroughly at all times, serving as a starting point for their further work, especially given the importance of such information and its potential consequences for human health.
- (9) Consider options for increasing the capacity of parliamentary staff providing expert support to the Environmental Protection Committee. Focus on their continual training and acquisition of necessary knowledge to provide adequate expert support to MPs, taking into account frequent changes in the legal framework and new developments in this field.
- (10) Consider the possibility of creating a specialized guide for parliamentarians that would present, in an adapted manner, the information they need for the performance of their duties.

- (11) Strengthening continual two-way communication between citizens and MPs because holding elections should not mark the end of interest in who will represent them in parliament but rather the beginning of ongoing communication. In this context, it would be beneficial to consider the possibility of (re)opening parliamentary offices outside the headquarters of the NA and other mechanisms and channels of communication to facilitate access and direct communication with the MPs.
- (12) Consider the possibility of developing guidelines or a guide for participation in public hearings, tailored to various target groups of participants, to enhance the effectiveness of public hearings and assist those invited to prepare suitably and focus on the relevant issues.
- (13) It would be useful for the Parliament, within the context of parliamentary oversight, to monitor the implementation of the Law on the planning system of the RS, to observe the organization of public consultations, and to track activities and measures taken to inform and involve the public. In addition to this law, consider the general possibility of regular preparation of *ex post* analyses of law implementation for the purpose of post-legislative scrutiny – monitoring the enforcement and application of laws.

In the previously described ways, with greater availability of information and incentives for more transparency and awareness, parliament would contribute not only to applying a set of principles referred to as good governance within the institution itself but would also, through effective utilization of existing mechanisms of parliamentary oversight and control, directly influence the executive branch to implement the principles of good governance.

With everything highlighted in this work, I want to emphasize that my focus is on parliament as the central institution of democracy, the first branch of government that establishes the constitution and laws. Debates and discussions in parliament on environmental protection issues and considering ecological aspects in carrying out parliamentary functions contribute to raising awareness among citizens about environmental issues. Both parliament and other state institutions, including the judiciary, as well as educational and CSOs, should do everything within their competence, domains, and scopes to strengthen intersectoral collaboration, encourage constructive dialogue among all relevant actors, all with the goal of a comprehensive approach to preserving and enhancing environmental conditions and protection, and involving citizens in decision-making processes that affect them.

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