**STATEMENT BY NON-GOVERNMENTAL ORGANIZATIONS ABOUT THE ARTICLE 42 OF THE NEW ANTI-COVID 19 LAW**

*This is an unofficial translation from Slovenian by the Business & Human Rights Resource Centre.*

On Tuesday, the government endorsed an amendment to the anti-COVID-19 law, which quietly inserted additional conditions for NGOs to be allowed to participate in construction permit procedures. The conditions are so demanding that no organization can meet them in a given situation. Read more in the press release below.

**The government wants to quietly facilitate investments in environmentally damaging projects**

The government has opened the door widely to investors whose construction projects are endangering the environment and nature by amending the anti-COVID law. The new anti-COVID package contained an unpleasant surprise: Article 42 of the law sets out almost impossible conditions for public-interest NGOs to participate in construction permit procedures, through which environmental impacts are assessed.

The government has approached the exclusion of NGOs imaginatively: it did not take away the right to participate in proceedings altogether, but it set such a high threshold of conditions for participation that almost no organization will be able to reach them - especially since they would have to have been met for the past two years! The government, of course, knows that almost none of the organizations can fulfill the new conditions retroactively - since at that time these conditions were not there yet and the organizations did not know that they had to fulfill them.

The envisaged additional conditions are (which have to be proven for the current year and the past two years):

* for associations: to have 50 active members (as evidenced by regular membership dues and attendance at member meetings);
* for institutions: to have 3 full-time employees with 7th level professional training in the field of NGO activity;
* for institutions: to have at least EUR 10,000 in assets at all times.

 What does this mean for the environment and nature? Over the next two years, all construction projects will be able to be implemented without proper public scrutiny of the legality and environmental suitability of the projects! Such an arrangement is contrary to the Aarhus Convention, to the Constitution of the Republic of Slovenia, which provides for the direct application of ratified conventions, and to the EU directives on the assessment of the effects of certain public and private projects on the environment.

Let's put it bluntly: to make it impossible to exercise a right through putting in place conditions that cannot be fulfilled means that that right is practically gone. Why is the government afraid of environmental considerations? Disabling the work of environmental organizations means disabling environmental protection. We are not against development, but we are against development that is damaging the environment. The purpose of environmental assessment is to give green light to projects that are environmentally friendly and sustainable. Only with such development do we have a future.

EKO KROG – društvo za naravovarstvo in okoljevarstvo

Pravno-informacijski center nevladnih organizacij – PIC

Ekologi brez meja

Umanotera, Slovenska fundacija za trajnostni razvoj

Focus, društvo za sonaraven razvoj

IPoP - Inštitut za politike prostora

Zveza društev za obvarovanje in sonaravni razvoj ob Muri – MOJA MURA

Greenpeace v Sloveniji

CNVOS – Center za informiranje, sodelovanje in razvoj nevladnih organizacij

CIPRA Slovenija, društvo za varstvo Alp

Amnesty International Slovenije

Slovenska filantropija

Društvo za opazovanje in proučevanje ptic Slovenije (DOPPS)

Slovensko društvo za zaščito voda

Slovensko odonatološko društvo

Ljubljanska kolesarska mreža

Mariborska kolesarska mreža, društvo za vzpodbujanje kolesarjenja in trajnostnega prometa

Društvo za ohranjanje, raziskovanje in trajnostni razvoj Dinaridov – Dinaricum

Herpetološko društvo – Societas herpetologica slovenica

Lutra, Inštitut za ohranjanje naravne dediščine

Morigenos – slovensko društvo za morske sesalce

Društvo za proučevanje in ohranjanje metuljev Slovenije

DPRS - Društvo za preučevanje rib Slovenije

Društvo za raziskovanje jam Ljubljana

Zavod Dobra pot, zavod za kulturo in sonaravno delovanje

Slovensko društvo za proučevanje in varstvo netopirjev

Botanično društvo Slovenije

Red Tree Heritage, zavod za interpretacijo dediščine in trajnostni razvoj

Center za trajnostni razvoj podeželja Kranj

Zavod Voluntariat

Zavod Sopotniki

Zavod Revivo

Društvo za Naravo – Jalovec

Društvo Pazi!park

Zavod za uporabno botaniko Divji vrt

Društvo Študentov Naravoslovja

Društvo Humanitas – Center za globalno učenje in sodelovanje

Ekvilib Inštitut

Kulturno ekološko društvo Smetumet

Zavod Krog

Zavod Tri, Skofja Loka

Zavod Symbiosis, so. p.

Forum za enakopraven razvoj

Zavod Muzej norosti, Trate

KD prostoRož

Botanično društvo Slovenije

Organizacija za participatorno družbo

Mladi za podnebno pravičnost

Mirovni inštitut

Turistično društvo Barje

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Društvo ljubiteljev Križne jame

Pekarna Magdalenske mreže

Društvo arhitektov Ljubljana

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