

# ICIC Report for the 53rd Session of the UN Human Rights Council

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## Input for the Report on FOE and Sustainable Development

The interconnection between human rights and their required incorporation into a society's growth has given rise to the idea of an all-encompassing right to development. One of the most basic human rights is the right to access information held by public authorities, with only a few exclusions that are consistent with a democratic society and are proportional to the purpose that motivates them.

Public's ability to make decisions, hold governments responsible, evaluate public officials' performance in implementing and monitoring the sustainable development goals (SDGs), and to facilitate effective public engagement all rest on peoples' free access to information, which powers the freedom of opinion and expression.

To this end, providing individuals with open and equal access to information strengthens communities and paves the way for more empowered and equitable knowledge-based societies.

### The Media and Their Role in Sustainable Development

The media has a significant impact on society as a whole by raising awareness of sustainable development, the necessity for more sustainable patterns of consumption and production, as well as the significance of taking action to create a better future.

It is commonly accepted that ordinary citizen, not experts or politicians, is the most powerful force for positive social change. Mass communication channels, such as newspapers, magazines, radio, television, and the Internet, are the most effective means of reaching these audiences. When civil society is educated on the complexities of environmental and development challenges, it will be empowered to take the necessary steps for long-term sustainability.

In this regard, the media plays a crucial role in stimulating discussion, shaping public opinion, and motivating individuals to adopt more sustainable practices.

## Sustainable Development and the Media in the Republic of North Macedonia

Freedom of the media and press protects citizens' ability to make judgments, hold their government responsible, and hear a range of viewpoints without interference from the state.

The media in the Republic of North Macedonia are frequently referred to as *the fourth pillar of democracy or the fourth branch of the government*. Although the Constitution establishes the three departments of government (executive, legislative, and judiciary), the media are often referred to as the fourth pillar of democracy because of the unofficial but largely acknowledged function they play in supplying the citizens with information that can be used to curb governmental power.

Journalists' reporting informs voters' choices on subjects as varied as how much money should be allocated to their local school districts, the safety of the food and drugs they plan to consume, and, of course, who they should support in the upcoming election.

One of the challenges faced by journalists in the Republic of North Macedonia when performing their task is the silence of the administration practiced by certain institutions at the central and local levels. This is especially pronounced in cases where journalists are interested in and investigate certain information that affects the general public. However, they do not receive a response from the institutions.

In order to halt and correct the bad practice of silence of the administration, the Agency for the Protection of the Right to Free Access to Public Information applies certain mechanisms through its competencies.

As an illustration, the journalist has the right to submit a complaint to the Agency based on the administration's silence. Then, deciding as a secondary authority, the Agency adopts its decision ordering the holder of the information/institution at the central or local level to deliver the requested information to the requester/journalist in the form and in the manner in which the information was requested.

## Protection of Investigative Journalism and Whistleblowing

In the Republic of North Macedonia, journalists are free to report on matters pertaining to public health, challenge elected leaders – often in an assertive way — and bring up contentious topics without fear of retaliation.

Not only do politicians' preferred viewpoints get covered, but so do those of the press' critics. Journalists in the Republic of North Macedonia that specialize in investigative reporting dig deep into pressing issues in order to bring the public the information they need.

Moreover, in the Republic of North Macedonia, all journalists are guaranteed freedom of independent expression, publishing, and research by the respective Law on Media and the Constitution, so they can freely report on any form of rally or demonstration without fear of reprisal.

## The Macedonian Whistleblower Protection Law

On March 18, 2016, the [Whistleblower Protection Law](#) and its implementing regulations went into effect. The law protecting whistleblowers in the Republic of North Macedonia ensures that those who report wrongdoing will not have their rights violated, that they and their close ones will not suffer any repercussions and that their private information and identity will remain protected.

The law requires each institution with ten or more employees to establish a "rulebook" outlining the rights and protections of whistleblowers. In addition, the institutions in question must designate a liaison person for employees to contact if they suspect misconduct.

First, they have to take measures to conceal the identity of the whistleblower. If the officer fails to do so and a whistleblower's anonymity is compromised, the individual has the legal right to seek legal protection and compensation from the company for any hardships encountered as a result of the company's failure to safeguard his/her identity.

Concerning this, no later than 15 days after receiving the original report, the officer must report back to the whistleblower concerning the company's actions to the claims of misbehavior.

As a result of a well-established system for protection when reporting, the whistleblowers feel safe coming forward with information on unlawful, forbidden, or penalized activity, without worrying about the repercussions for themselves or their families.

[The Center for Investigative Journalism - SCOOP Macedonia](#) and [Transparency International Macedonia](#), which is part of the global anti-corruption coalition [Transparency International](#), both support the sustainable development enabled by the Macedonian Law on Whistleblower Protection, which has been successfully implemented by all state institutions.

## Practical Implementation

To this end, there are several instances where whistleblowers have revealed misuse of authority and corruption in the Republic of Macedonia, thus preventing a societal crisis on a larger scale.

The mass wiretapping in the Republic of Macedonia stands out as the most notable example. Specifically, two long-time Ministry of Internal Affairs officers and two awardees for projects

related to national security began providing evidence of unlawful operations in 2010 after learning of major abuses of human rights through illegal wiretapping.

Their personal sacrifice and courage to resist these operations directed against citizens represent a high moral act, because despite the danger and possible repercussions on their lives, they decided to become whistleblowers for this great crime that brutally violated human rights.

As a sign of respect of their courage and encouragement of the democratic process in the country which power the sustainable development, the Government of the Republic of North Macedonia awarded these two whistleblowers who discovered the mass wiretapping in Macedonia, [received the "Meto Jovanovski" award](#), for the highest recognition for long-term achievements in the field of promotion, protection and advancement of human rights.

Needless to say, whistleblowers are crucial to the success of any significant investigative journalism project, as investigative journalists and whistleblowers have an inherently close and mutually beneficial relationship.

Therefore, to ensure that individuals are aware of the protections afforded to those who "put themselves in the shoes of a whistleblower," it is important that the provisions of the Law on Whistleblower Protection are more accessible. Here's where the benefits of unrestricted access to information and communication technology for sustainable development really shine.

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