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Tel: +41 (0)22 917 3294 (direct)
+41 (0)22 917 1234 (Palais des Nations)
Fax: +41 (0)22 917 0123
E-mail: aarhus.compliance@unece.org

Palais des Nations, Room 348
CH-1211 GENEVA 10

Ref: ACCC/C/2013/89

26 July 2013

Tatiana Plesnikova
Department of Legal Services and Appeals
Ministry of Environment
Námestie. Ľ. Štúra 1
Bratislava 812 35
Slovakia

Dear Ms. Plesnikova,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Slovakia with the access to justice provisions of the Convention in connection with the extension of the Mochovce nuclear power plant (ACCC/C/2013/89)

On 10 June 2013, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication addressed to the Compliance Committee of the Convention. The communication concerns compliance by Slovakia with the access to justice provisions of the Convention in general and also in connection with the extension of the Mochovce nuclear power plant; it also includes allegations of non-compliance with the public participation provisions of the Convention due to a recent amendment of the nuclear laws restricting access to public information for planned nuclear activities. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7.

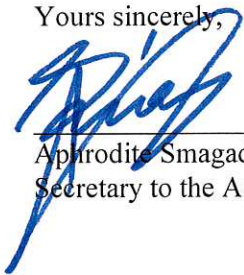
The communication has been registered under the symbol ACCC/C/2013/89, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.htm>.

The Compliance Committee, having considered the admissibility of the communication at its forty-first meeting (25-28 June 2013), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. The Committee recalls that it had already examined the issue of public participation in connection to the same project and that it was currently following up with the recommendations of the Meeting of the Parties in decision IV/9e, but the present communication raises different issues. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. by 26 December 2013), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime. Additionally, please provide information regarding applicable legislation.

Please do not hesitate to contact the secretariat if you have any questions.

Yours sincerely,



Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of the Slovak Republic to the United Nations Office and other international organizations in Geneva

Thomas Alge, Managing Director, ÖKOBÜRO

Jan Haverkamp, Greenpeace Slovensko

Eva Kovacechova, Via Iuris

Reinhard Uhrig GLOBAL 2000/Friends of the Earth Austria

Patricia Lorenz, GLOBAL 2000/Friends of the Earth Austria

Encs. Communication ACCC/C/2013/89 (including annexes)
Preliminary determination on admissibility
Datasheet on the communication