

Von: thomas.alge@oekobuero.at

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An: public.participaption@unece.org; fiona.marshall@unece.org

Cc: klaus.kastenhofer@global2000.at; patricia.lorenz@tmo.at

Betreff: ACCC 41 Slovakia: Comments to progress report

Dear secreteriat,

it came to our attention that the Slovak Republic submitted its progress report implementing the MoP decision. The documents are not on UN-ECE website yet. We would request the secretariat to forward us, for the further process, any communication in this case as appropriate.

We are concerned regarding the statement of the party concerned on pages 7 and 8. It seems that party concerned is still of the opinion that the three permitting decisions of 2008 do not fall under the scope of the Convention. It also seems that the party concerned sees national law prevailing EU and international law. This fear was confirmed in a meeting with the public concerned in Bratislava some weeks ago.

We are not convinced that the party concerned will allow the public to participate in the further permitting procedures for this project since it is unclear when new legislation enters into force. In particular the reference to the EIA-act is not clear since the existing EIA act did obviously not provide for early and effective participation in permitting procedures. We are also not convinced that the party concerned sees procedures falling under the nuclear acts as decisions under article 6.

We therefore call upon the Compliance Committee to request the Party concerned for clarification on the issues above, in particular whether it is guaranteed that the public concerned will have the right to participate in an early and effective manner in the outstanding permitting procedures falling under various acts, including the nuclear act, before the NPP enters into operation and whether effective legal remedies exist, including injunctive relief in accordance with Article 9 par 2 and 4 of the Convention.

Best wishes

Thomas Alge
on behalf of the communciant GLOBAL 2000

Thomas ALGE
Head Environmental Law
OEKOBUERO - Coordination office of Austrian Environmental Organisations
(ZVR873642346)
Justice and Environment
Volksgartenstrasse 1, A-1010 Wien (Vienna)
Tel +43-1-524-9377/15, Fax /20; mobile +43-699-102-95-159;
thomas.alge@oekobuero.at
www.oekobuero.at - www.justiceandenvironment.org - www.participate.org
