

**From:** brigitte-artmann [REDACTED]

**Sent:** 31 October 2018 8:27 PM

**To:** Fiona Marshall [REDACTED]; ECE-Aarhus-Compliance [REDACTED]

**Cc:** [REDACTED]  
[REDACTED]

**Subject:** Comments from Communicant C71 concerning Decision VI/8e (Czechia) - first progress report of the Party concerned for your possible comments

Dear Ms Marshall,

Thank you for the possibility to provide comments to the Party concerned's answers concerning the implementation of decision VI/8e.

Concerning the party concerned's answer "Czech authorities cannot exercise their power on the territory of another country".

Comment from Communicant C71:

It's not a question of power. Nothing forbids the memberstates of the Aarhus Convention, like the party concerned and its neighbour states, to ensure a reliable transboundary public information, participation and access to justice system for EIA (and SEA) procedures under the Aarhus Convention.

Concerning the party concerned's answer

"CZ MoE: Any NGO that meets the conditions set by the EIA Act may participate in the decision-making procedure regarding the Temelín NPP

- ♣ The conditions: a legal person of private law whose principal activity is not business (or other profit making activity) and whose activity set in the founding act is protection of the environment or public health + either has been in existence for 3 years or is supported by at least 200 persons by their signatures.
- ♣ There is no condition regarding the state of origin of an NGO that intends to participate in the decision-making procedure – therefore foreign NGOs may participate as well.

Comment from Communicant C71:

This means, that the Czech EIA act violates the Aarhus Convention because "simple" individuals from the public concerned like the Communicant are excluded from any further participation in the decision-making procedure regarding the Temelín NPP.

Kind regards,

Brigitte Artmann