

Bratislava 31<sup>th</sup> of May 2019

Dear Mr. Svedas,

as a director of Environmental Impact Assessment department and the focal point for the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter as “Espoo Convention”), and its Protocol on Strategic Environmental Assessment, I am pleased to answer your questions in a letter sent through the secretariat by email on 16<sup>th</sup> of April 2019.

We are sorry to see that questionnaires that we filled in were not understood in a way we meant them. First of all, let me ensure you, we responded to all questions asked in accordance with our obligations. We are sending questionnaires again as an attachment to this letter.

Article 4 of the Espoo Convention is about preparation of environmental impact assessment documentation. First paragraph of this article accommodates minimum requirements for information to be submitted to the competent authority for environmental impact assessment. These are described in appendix II of the Espoo Convention. In Slovak legislation is Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment transposed via the Act no 24/2006 Coll. on the Environmental Impact Assessment (hereinafter as “EIA/SEA Act”). All this information mentioned and more are as a requirement in an environmental impact assessment report and can be found under § 31 and appendix 11 of EIA/SEA Act. Most of the information is submitted to the competent authority even before and also in the screening process if it takes place and is sent to the affected party when available for it to decide whether they want to be part of environmental impact assessment process.

Public involvement is in Slovak legislation a very important part of environmental impact assessment process. As you may know our EIA/SEA Act allows for public to know all important information about the process of environmental impact assessment and to become an active part in the process they have to submit to the competent authority or the municipality concerned their opinion, comment or objection about the proposed activity and they automatically become public concerned. They can find all information about the planned activity on a ministry website, from the developer and by public notices at the likely to be affected areas. If the process of the environmental impact is transboundary, the same is expected from the affected party. After notification under Espoo convention is given to the Slovak republic, the competent authority makes it available at the ministry website and in the area likely to be affected in with information on place and time to send comments to the competent authority and to the focal point. After comments from public and authorities are received, competent authority answers to the notification whether Slovak republic wants to take part in the environmental impact assessment. After this when the environmental impact assessment report and information we asked about the party of origin is received we let public and authorities time to comment on the environmental report and if possible we take part in a public

hearing and we also inform our public about date, time and place of public hearing. If necessary and possible, also face to face consultations take part.

If Slovak republic is the party of origin and considers that proposed activity may have a significant adverse transboundary impact it sends notification within the Espoo Convention in line with § 44 of EIA/SEA Act to the possible affected Party. Competent authority, with is it ministry of Environment then follows the Articles in the Espoo convention till the final decision is taken. Without due delay after indication to participate, the competent authority sends the environmental impact report and information needed for affected party to notify its public and authorities. The outcome of environmental impact assessment then also includes opinions and comments from the affected party, public of the affected party, and also it consultations took place the results of consultations.

Recalling question I. 17 of the questionnaire, it was connected to Public participation. Question was: How can the public express its opinion on the EIA documentation of the proposed project (art. 5). Answer to this question was that Slovak republic both, as a party of origin and an affected party let its public know a place and time to send comments to the competent authority or a focal point and let them take a part in a public hearing and if it is a party of origin follows the rules of our legislation in the whole process.

In question I.20 with regard to specific mechanisms to ensure sufficient quality of the environmental impact assessment documentation as a Party of origin we checked the box saying “checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments.

Thank you for your letter and time to let us explain, I hope that this explanation will help you to better understand how Slovak republic implemented the Espoo Convention. If we can be of any more help please let us know.

Yours sincerely,

Ing. Roman Skorka  
director

Attachment

Copy of Response to the questions sent via letter 2178/2017 by the Ministry of Environment of the Slovak republic in May 2017, concerning the planned construction of unit 3 and 4 of Khmelnitsky power plant

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