

Third progress report on the implementation of decision VI/8e on compliance by Czechia with its obligations under the Convention

Prague, 1 October 2020

In accordance with paragraph 7(a) of decision VI/8e the Czech Republic provides the Compliance Committee with an update regarding the recommendations included in decision VI/8e.

Preparation of this report was negatively affected by the covid-19 situation which had detrimental impact on processes and state-functioning in probably all countries around the world. Our ability to respond to the recommendations of the Compliance Committee were and still are limited also due to the insufficient staff capacity.

On paragraph 3(a) of decision VI/8e

Based on the conclusions of the Compliance Committee made in the reviews of the last two progress reports we understand that the work of Czechia on the subject of elimination of noise itself is considered irrelevant for the purpose of describing progress on the application of the recommendation in paragraph 3(a) of the decision VI/8e.

Nevertheless, Czechia indeed continues its work on the elimination of noise both through the legislative and non-legislative measures. We would also like to highlight that the current draft of the new State Environmental Policy of the Czech Republic (SEP) currently contains a list of types of measures that are expected to help to reduce noise including measure “awareness raising and access to noise information.”

SEP is a national strategic document, which formulates goals in the field of environmental protection in the Czech Republic and sets a strategic direction until 2030 with a view to 2050. The process of drafting was open to wide public participation that we described in the second progress report.

However, over the period of one year since the last progress report was submitted, it was not possible to change the legal situation as far as the possibility of challenging the acts by administrative authorities are concerned.

On paragraph 3(b) of decision VI/8e

Following the recommendation in paragraph 3(b) of decision VI/8 we tried to provide the Committee in our last report with examples of plans that would demonstrate that Czech Republic is committed to ensure public participation in the preparation of plans and programmes similar in nature to the National Investment Plan.

The Committee concluded that the information we provided does not describe any “legislative, regulatory and administrative measures” taken to ensure that Czechia will, in future, submit plans and programmes similar to the National Investment Plan to public participation as required by article 7 of the Convention.

At this point of time Czech Republic is not able to state progress on meeting the expectations of the Compliance Committee.

On paragraph 6 of decision VI/8e

At the moment Czech Republic is in the middle of the discussion on how to approach this issue. In previous two progress reports we described how Czech Republic proceeds in cases similar to the one mentioned in the communication. In and that in these consultations that were organized after the public consultation that was examined in this communication, Czech Republic considers its approach to be in compliance with the Aarhus Convention. No complaints were received that any person that would desire to participate in the hearings did not receive the information related to the consultation.

In all cases, we have followed relevant provisions of international law (such as Article 2, para 6 of the Espoo Convention). We therefore acknowledge requests by the Compliance Committee to provide additional information, but at the moment we are unable to provide satisfactory answers.