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ОБЪЕДИНЕННЫЕ НАЦИИ
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ДЛЯ ЕВРОПЫ

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

Environment, Housing and Land Management Division
Bureau 332
Palais des Nations
CH-1211 Geneva 10
Switzerland

Phone: +41-22-917 2384
Fax: +41-22-917 0634
E-mail: jeremy.wates@unece.org
Website: www.unece.org/env/pp

23 July 2009

Dr. Klaus Kastenhofer
Director GLOBAL 2000/Friends of the Earth Austria
Neustiftgasse 36
1070 Vienna
Austria
Fax: 0043/1/812 57 28

Dear Dr. Kastenhofer,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the Slovak Republic with provisions of the Convention in connection with the extension of the Mochovce nuclear power plant (Ref. ACCC/C/2009/41)

On 1 July 2009, 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 submitted by your organisation and addressed to the Convention's Compliance Committee regarding compliance by the Slovak Republic with certain provisions of the Convention. 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.

The communication has been registered under the symbol ACCC/C/2009/41, which you are invited to cite in future correspondence on the matter.

At its twenty-fourth meeting (30 June - 3 July 2009), the Committee determined on a preliminary basis that the communication was admissible in accordance with paragraph 20 of the annex to decision I/7. 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.

The communication is being forwarded to the Party concerned in accordance with paragraph 22 of the annex to decision I/7, together with the preliminary determination on admissibility. The Party concerned is being invited to provide a response to the communication as soon as possible and at the latest within five months, in accordance with paragraph 23 of the annex to decision I/7.

In order to facilitate further consideration of the communication, the Committee has requested the secretariat to invite you to address in particular the following questions:

1. It appears that you did not make use of any remedy to challenge the relevant decisions/actions. Was there no available procedure for appeal or legal review? Please explain the remedies available, and to what extent they were used by you. If remedies were available, explain why they were not used.
2. If possible, please provide English translations of the core part of the relevant decisions.
3. Please clarify more in detail the various permits referred to in the communication. In particular, explain the legal effects of each permitting decision.

In a letter to the Party concerned, a copy of which is attached for your information, the Committee has invited the Government to address other questions. You are welcome to respond to those questions if you so wish.

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

Yours sincerely,



Jeremy Wates
Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Ms. Lucia Fančová, Department of Environmental Protection, Science and Education, Ministry of Environment of the Slovak Republic
Recipients list indicated in section I of the communication

Encs. Preliminary determination on admissibility
Datasheet on the communication
Letter to the Party concerned dated 23 July 2009