

From: Jan Haverkamp

Sent: 04 February 2020 11:28 AM

To: Prityi Marek

Cc: ECE-Aarhus-Compliance; Reinhard Uhrig; Patricia Lorenz; Kovacechova; Jan Haverkamp; Thomas Alge; Priska Lueger; Jana Szelecka; Martin Pospisil; Iwo Los; Bernhard Obermayr

Subject: Re: Decision VI/8i (Slovakia) - request for article 8 of the Atomic Act as amended

Dear Ms Marshall,

1. For clarity sake, I would like to point out that the translated paragraphs are not - nor is any other paragraph in the legislation - including the criteria for exemptions from the obligation to publish environmental data as formulated in the Aarhus Convention art. 4(4). Furthermore, because the exclusion criteria in this law are formulated wider than in art. 4(4), and because of historical experiences with earlier nuclear legislation in Slovakia, it cannot be guaranteed that the exclusion criteria are "interpreted in a restrictive way, taking into account the public interest served by disclosure and taking into account whether the information requested relates to emissions into the environment."

2. I also would like to stress that the law text in no way makes clear that all information related to nuclear safety and the operation of nuclear installations, i.e. to the potential release of radioactive substances into the environment, is per definition environmental information and hence falls under the obligations of the Aarhus Convention. In the past, the Office has withheld information haphazardly from the public, claiming that the information was not "environmental information" or that publication posed a "security risk", including information concerning seismic risks, radioactive waste production and others. This law does in our view not prevent repetition of such false interpretation of the obligations under art. 4 of the Aarhus Convention.

With regards,

Jan Haverkamp

representative of Greenpeace CEE, one on of the initial communicants