

Name of Exercise: Strategic Environmental Assessment of Slovak Energy Policy to 2005

Location: Bratislava, Slovakia

Participation Exercise under which Article? *Article 7*

Purpose of Participation Exercise:

Public Participation in the strategic environmental assessment of the Slovak Energy Policy to 2005.

Participation Techniques Used:

The "Energy Policy for Slovakia up to the year 2005" was accepted by the Government of Slovakia in Resolution No. 562 on August 1993. For the first time it was prepared by the independent national Slovak Energy System. The decree obliged the Ministry of the Economy to implement the Energy Policy and to prepare its updated version in collaboration with particular Ministries by 30 September 1995.

A simple strategic environmental assessment (SEA) was applied in 1995 to the Updated Version of the Energy Policy for Slovakia up to the year 2005 according the Slovak EIA Act. The Updated Version of the Energy Policy was not accepted by the Slovak Government. In 1997 a SEA process was applied to the next version of the Updated Energy Policy. Both of the above mentioned Energy Policies were also subject to public discussions.

In the period 1996-1997 the Ministry of Economy elaborated the proposal for the Act on Business Activities in the Energy Sector and the proposal for the Act on Energy Efficiency. The Nuclear Regulatory Authority of Slovakia elaborated the proposal for the Act on a peaceful use of nuclear power. All these Acts were reviewed by members of NGOs in co-operation with Slovak and foreign professionals. The comments and statements on the proposals were also given to members of the Environment and Nature Conservation Committee of the National Council of Slovakia. Public discussion and the reviewing process of the policy was organised in November 1995. Reviewing the proposals for the new Acts and of other materials concerning the energy sector increased the interest and the level NGO activity. It encouraged co-operation between professionals engaged in energy supply, water management, environment, nature conservation and sustainable development. This meant that the public was better prepared for the SEA process of 1997.

Participation Techniques Used:

During the SEA process of the EP-1997 the following steps were made:

1) Public involvement and consultation during the initial phase of the preparation of EP-1997 (August-October 1996)

In August 1996, the Ministry of Economy elaborated a draft of the content of the "Energy Policy of Slovakia" and asked NGOs (participating in ENERGY 2000) to prepare comments. ENERGY 2000 prepared comments in co-operation with experts from universities, research institutions and private practices. In October 1996, ENERGY 2000 obtained a new, completed proposal of the content of the Updated Energy Policy for Slovakia to the year 2005.

These activities were directly connected to drafting EP-1997 and led to better contacts between NGOs and professional experts (e.g. through exchanging comments and information). In May 1997, NGO representatives visited the Ministry of Environment and discussed the expected time schedule of the SEA of EP-1997 under the EIA Act.

2) Information for the public about the preparation of EP-1997 (April-May 1997)

The Ministry of Economy published the full text of draft EP-1997 (without Appendixes) in the Economic Newspaper on 25 April 1997 and in the newspaper 'Trend' on 12 May 1997. On request the public could obtain the full text with Appendices at the Ministry of the Economy.

3) Reviewing process (May-June 1997)

In May 1997 relevant departments of the Ministry of Environment elaborated comments on the EP-1997. In addition the Ministry of Environment asked eight experts from different areas to submit expert opinions for public discussion. Other comments and statements on the published EP-1997 were sent directly to the Ministry of Economy or to the Ministry of Environment before the public discussions.

4) Public discussion, consultations and the statement of Ministry of Environment (June 1997)

The Ministry of Environment, on the basis of agreement with the Ministry of Economy, organised a public discussion at the Faculty of Natural Sciences of Comenius University, Bratislava. The public discussion lasted a whole day and more than 120 participants from the Ministry of Economy, the Ministry of Environment, from other bodies of state administration, professional bodies and organisations, producers of equipment for energy-related industries, operators of equipment utilising renewable sources of energy, representatives of universities and research institutions, non-governmental organisations and media participated.

The Ministry of Environment prepared the statement on the basis of the experts' opinion, other comments sent to the Ministry of Economy and Ministry of Environment, the public discussions and consultations between the Ministry of Economy and the Ministry of Environment.

5) Conclusions and a new, re-worked version of EP-1997 (July 1997)

The conclusions of the public discussion together with the Statement of the Ministry of Environment and the Statement of the Ministry of Economy were sent to all participants on 30 July 1998. The Ministry of Economy submitted a new, re-worked version of proposal of EP-1997 to the Slovak Government, in which some SEA conclusions and recommendations were taken into account.

6) Acceptance of the proposal of EP-1997 (September 1997)

The Slovak Government discussed and accepted EP-1997, approved specific points of the Government Resolution on the Updated Energy Policy and commissioned the ministries with their implementation.

Who participated?

NGO representatives and professionals from universities, research institutions and enterprises (under the umbrella of the civic association ENERGY 2000) as well as representatives of other organisations participated in many discussions in the National Council of Slovakia. These concerned alternative solutions for energy supply in Slovakia, especially non-nuclear alternatives, nuclear safety, radioactive waste treatment and disposal, public relations, use of renewable sources of energy, programs for energy saving and energy price policy.

The Ministry of Economy invited experts from energy research institutions, experts from professional organisations involved in management in the Ministry of Economy and other professionals to the public discussions.

The Ministry of Environment invited experts from universities and research institutions, experts from administrative bodies and professional organisations managed by the Ministry of Environment (such as the District and Regional Authorities, the Slovak Environmental Inspection, the Slovak Environmental Agency etc.) and also members of selected NGOs (e.g. in the field of sustainable development, nature and landscape protection, alternative solutions for Slovak water management, energy supply etc.) to the public discussions.

What information was made available?

The Ministry of Economy published the full text of draft EP-1997 (without Appendixes) in the Economic Newspaper on 25 April 1997 and in the newspaper 'Trend' on 12 May 1997. On request, the public could obtain the full text with Appendixes at the Ministry of Economy.

What was the outcome of the public participation exercise?

The proposal of EP-1997 did not contain environmental assessment, health assessment and socio-economic assessment on an appropriate scope. During the SEA process, NGO representatives presented

strong critical opinions. The expert opinions, public discussions and consultations between the Ministry of Economy and the Ministry of Environment were very important since they complemented some necessary parts of the environmental assessment. Within the framework of the SEA process NGOs submitted a non-nuclear alternative and made comparisons with the nuclear alternatives from the environmental, economic and social perspectives. Despite all these efforts and relatively effective public discussions, consultations and clearly formulated recommendations, the final version of the Updated Energy Policy contained only the nuclear options without any principal changes.

Comments of participants in process:

As mentioned above, the SEA did not influence the basic alternatives of EP-1997 and the time horizon of 2005 was also very short. The success of the SEA procedure depends mainly on administrative bodies responsible for preparing proposals, bodies implementing SEA results and bodies responsible for approval of proposals of sector policies, land use planning documentation and legislation.

Contact:	Maria Kozova, Head of EIA Centre
Address:	Faculty of Natural Sciences, Comenius University, Bratislava
Phone:	+421 7 602 96 581
Fax:	+421 7 654 28 938
E-mail:	kozova@fns.uniba.sk

REC view on participation exercise:

The case shows the possibilities of wider participation in policy-making. In spite of the shortages of the EP-1997 and some weaknesses in the framework of SEA process we can evaluate some procedural points positively:

- The Ministry of Economy published the full text of EP-1997 (without Appendices) rather than only a short advertisement (information) about the preparation of EP-1997 as is required by the EIA Act. In addition, the whole text, including Appendixes, was available to those who requested it.
- The new draft of EP-1997, in comparison with the former proposal from 1995, had a more precise and logical structure.
- In addition to obligatory duties for the proponent following from Article 35 of the EIA Act, the Ministry of Economy (on the basis of greater public interest and strong pressure from NGOs) organised, together with Ministry of Environment, public discussions.
- The Ministry of Environment used all experiences from the SEA process and the public discussions of 1995, as well as the SEA policy handbook, 1996.
- Eight experts elaborated opinions on the basis of the request of the Ministry of Environment. In general, in comparison with the public discussion in 1995, more comments and statements (with positive or negative content) were delivered to both the Ministry of Economy and the Ministry of Environment.
- The Ministry of Environment allowed the experts to present their opinions during the first phase of the public discussion. The discussions followed a correct, unemotional and matter-of-fact course with a good balance in presentation of both sides: the proponent's side and the opponents. The presentation of all participants in the discussion had the same time limit and each participant had the possibility of requesting a presentation.
- The conclusion of the public discussion, together with the Statement of the Ministry of Environment and the Statement of the Ministry of Economy, was sent to all participants on July 30, 1998 and was available for anyone who expressed interest.

Significant omissions from requirements of Article 7:

None, based on the information available