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Economic Commission for Europe

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

Fourth session

Chisinau, 29 June–1 July 2011

Item 5 (b) of the provisional agenda

Procedures and mechanisms facilitating the implementation of the Convention: compliance mechanism

Draft decision IV/9e on compliance by Slovakia with its obligations under the Convention

The Meeting of the Parties,

Acting under paragraph 37 of the annex to its decision I/7 on the review of compliance,

Taking note of the report of the Compliance Committee and the corresponding addendum (ECE/MP.PP/2011/11 and Add.3) with regard to a case concerning public participation in the decision-making for the construction of the Mochovce Nuclear Power Plant,

1. *Notes with regret* the lack of agreement demonstrated by the Party concerned in responding to the Committee's findings and recommendations;

2. *Endorses* the following finding of the Committee that the Party concerned: by failing to provide for early and effective public participation in the decision-making leading to the decisions by the Slovak Nuclear Regulatory Authority 246/2008, 266/2008 and 267/2008 of 14 August 2008 concerning the Mochovce Nuclear Power Plant, the Party concerned failed to comply with article 6, paragraphs 4 and 10, of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters;

3. *Recommends* that the Party concerned review its legal framework so as to ensure that early and effective public participation is provided for in decision-making when old permits are reconsidered or updated, or the activities are changed or extended compared to previous conditions, in accordance with the Convention;

4. *Invites* the Party concerned to submit to the Committee a progress report on 1 December 2011 and an implementation report on 1 December 2012 on achieving the recommendation above;

5. *Requests* the secretariat, and invites relevant international and regional organizations and financial institutions, to provide advice and assistance to the Party concerned as necessary in the implementation of these measures;

6. *Undertakes* to review the situation at its fifth session.
