

29 April 2021

Mr. Marek Prítyi
Ministry of Environment
Slovakia

Ms. Katka Batková
NGO Via Iuris
Slovakia

Dear Mr. Prítyi,
Dear Ms. Batková,

**Re: Communication to the Aarhus Convention Compliance Committee
concerning compliance by Slovakia with provisions of the Convention concerning
public participation and access to justice with respect to the preparation of the
Forest Act (ACCC/C/2014/120)**

In order to complete its draft findings regarding the above communication, the Committee has identified certain points to clarify with the communicant and the Party concerned. To this end, please find **enclosed** the questions prepared by the Committee for your attention.

The Committee would be very grateful to receive your replies by **Thursday, 20 May 2021**. Please send your replies to aarhus.compliance@un.org, copying the other party. The other party will have one week from the receipt of your answer to provide the Committee with any comments it wishes to make on your reply.

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

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva

Enc: Questions from the Committee to the parties

Questions from the Committee to the parties:

Questions to the Party concerned:

1. Article 13(8) of the Legislative Rules states that the public may submit their comments either through the legislative portal, by email or in paper form. In the light of the foregoing, please explain why, pursuant to article 14(9) of the Legislative Rules, comments submitted in writing (as opposed to comments submitted via the portal), are not included in the evaluation of the commenting procedure to be put before the Legislative Council and the Government under article 18(2)(e) of the Legislative Rules? How does the different treatment of comments received from the public via the portal or in writing ensure a clear, transparent and consistent framework to implement article 8 of the Convention, as required by article 3(1) of the Convention?
2. Please provide:
 - (a) The full text in Slovak;
 - (b) An English translation of those provisions which set out the opportunities for the public to participate in the preparation of draft laws and to have the results of their participation taken into account,of each of:
 - (i) The “Uniform methodology for assessing selected influences”, as currently in force;
 - (ii) Act No. 400/2015 Coll. on the Making of the Act and on the Collection of the Acts, as currently in force.
3. Following the entry into force of Act No. 400/2015, is it still the case that comments submitted by the public in writing, as opposed to those submitted via the portal, are not included in the evaluation of the commenting procedure to be put before the Legislative Council and the Government?
4. If comments submitted by the public in writing are now required to be included in the evaluation of the commenting procedure to be put before the Legislative Council and the Government, please provide the text, in Slovak, of the provision setting out that requirement, together with an English translation of that provision.
5. Please provide an English translation of the following annexes to the Party concerned’s response to the communication dated 27 November 2015:
 - (i) Annex 2;
 - (ii) Annex 5;
 - (iii) Annex 6 – pages 1 and 2, and the complete row of each line of the table which concerns the seventeen comments submitted by Mr. Oružinský;
 - (iv) Annex 7;
 - (v) Annex 8.
6. Was the contradictory negotiation report of 10 June 2013¹ published on the websites of the Ministry for Agriculture and Rural Development or the parliament? If so, please provide the relevant link together with the dates between which it was available on the website.
7. Please provide the full text, in Slovak, of judgment I. ÚS 73 / 2014-280 of the Constitutional Court of 5 March 2014, together with an English translation of “Part II” of the judgment (pages 19-29).

¹ Party’s response to the communication, annex 5.

Question to the communicant:

8. Please provide the Committee with the specific sentences, in English, in Part II of the Constitutional Court's judgment of 5 March 2014 that you consider demonstrates that, in breach of article 9(3) of the Convention, the courts of the Party concerned will not examine an alleged contravention of the requirements of article 8 of the Convention.
-