

FROM:

Mr. Evžen Doležal
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TO:

List of recipients below

Date: 22 May 2019, Prague
Dealt by: Mr. Milan Muzikář
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Re: „Letter from the Chair of the Implementation Committee“ – Fifts Review of Implementation of the Convention – Reply of the Czech Republic

Dear Mr. Chairman,

Regarding to your letter from the date 16 April 2019 about a question how the Czech Republic, as the party concerned, ensures public participation in the environmental impact assessment procedure under Articles 3 (8) and 4 (2) of the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter „Convention“). Our explanation to your question you can see below.

The transboundary assessment of the projects implemented outside the territory of the Czech Republic is regulated by the Act No. 100/2001 Coll., on Environmental Impact Assessment and amending certain related Acts (Environmental Impact Assessment Act), as amended (hereinafter „the EIA Act“)

Article 3 (8) of Convention is regulated in the Czech Republic's legislation in § 14 para 1 and para 2 of the EIA Act.

In § 14 EIA Act is written:

Para 1 - If the Ministry of the Environment of the Czech Republic (hereinafter „Ministry“) receives a notification of a project or otherwise learns of a project that is to be implemented in the territory of the country of origin, it shall publish it pursuant to § 16 without delay and send such notification, or information about such notification, to the affected administrative bodies and affected local governments with a request for comments.

Para 2 - The public, affected administrative bodies and affected local governments shall be entitled to send written comments on the notification pursuant to para 1 above to the Ministry within 30 days of the date of the publication of the information about the notification. The

Ministry shall send all the comments, together with its own comments, to the country of origin within 10 days of the expiry of the deadline pursuant to the first sentence.

Article 4 (2) of Convention is regulated in the Czech Republic's legislation in § 14 para 4 and para 5 of the EIA Act.

§ 14 para 4 - If the Ministry receives an environmental report of a project or a proposal for a consultation from the country of origin, it shall send such environmental report, or information about such environmental report, to the affected administrative bodies and affected local governments with a request for comments, and publish such environmental report pursuant to § 16.

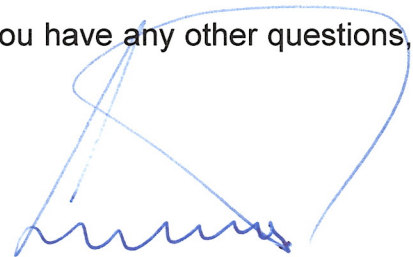
§ 14 para 5 - The public, affected administrative bodies and affected local governments shall be entitled to send written comments on the environmental report pursuant to para 4 above to the Ministry within 30 days of the date of publication of information about the environmental report. The Ministry shall send all the comments, together with its own comments and information that it will participate in the consultation, where appropriate, to the country of origin within 10 days of the expiry of the deadline pursuant to the first sentence.

The public hearing in the territory of the Party of Origin is regulated in the Czech Republic's legislation in § 14 para 6 of the EIA Act, namely:

(6) If the Ministry receives in due time information on the place and time of the public hearing held in the territory of the country of origin, it shall publish it pursuant to § 16.

We hope that our clarification answers all your questions. If you have any other questions, do not hesitate to contact us.

Kind regards



Mr. Evžen Doležal, m.p.

List of recipients:

- Mr. Romas Svedas, Chair of Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context and Protocol on Strategic Environmental Assessment, Institute of International Relations and Political Science, Vilnius University, Vokieciu str. 10, LT-01130, Vilnius, Lithuania
- Secretariat: Ms. Elena Santer, UNECE, Paleis des Nations, CH-1211 Geneva 10, Switzerland