



Ministry of Environment  
of the Slovak Republic

*Public  
participation  
in decision-making:*

*System of  
authorisation  
of field trials  
in Slovakia*



## Competent Authorities

### ❖ Ministry of the Environment of the Slovak Republic (MoE)

#### Department of Environmental Risk and Biosafety

- ❖ Act No. 151/2002 Coll. on the use of genetic technologies and genetically modified organisms, (Act on GMOs)
- ❖ implementing Decree No. 399/2005 Coll.
- ❖ contained use of GMOs
- ❖ introduction into the environment
  - deliberate release under part B of Directive 2001/18/EC
- ❖ placing on the market

### ❖ Slovak Inspectorate of Environment (SIE)

- ❖ control body for the use of genetic technologies and GMOs



## *Biosafety Committee and Panel of Experts*

- ❖ advisory body of MoE
- ❖ follows new genetic technologies
- ❖ use of new knowledge for issuing of statement for MoE
- ❖ 14 permanent members of the Committee,
- ❖ 16 experts, review of the risk assessment of an application depending on their specialization
  
- ❖ Meeting of the Biosafety Committee
  - ❖ analysis of expert examination and public comments
  - ❖ issue of statement to the MoE



## System of authorisation

- ❖ request for authorization / application for approval
- ❖ control of the application, call for amending
- ❖ disclosure at the website with the call for public comments
- ❖ the application is examined by an expert
- ❖ meeting of the Biosafety Committee
- ❖ information on application to the European Commission through a web portal JRC - SNIF form
- ❖ adoption of the decision
- ❖ disclosure of the decision on the website
- ❖ information to the European Commission on the decision through the web portal JRC



## Public participation

- ❖ Application available to public on the website [www.minzp.sk](http://www.minzp.sk) and [www.gmo.sk](http://www.gmo.sk) with notice for public comments within 30 days
  
- ❖ **Association of citizens** may be party to the proceeding
  - ❖ written request to become a party to MoE within 10 days since the publication,
  - ❖ registered as association at least for one year to the date of submission of its request,
  - ❖ the objective to protect the environment or consumers pursuant to its Charter,
  - ❖ a petition signed by at least 100 natural persons as part of the request to become a party.



## Party to the proceeding

- ❖ Act No. 71/1967 Coll. on administrative proceeding
- ❖ Party to the proceedings is
  - ❖ the one whose rights, legally protected interests or obligations will be discussed or may be directly affected by the decision,
  - ❖ also the one who claims that the decision may directly affect in his/her rights, law protected interests or obligations until the contrary is proved.
  - ❖ the one to whom a special law recognizes this status.



## A person other than a party

- ❖ Act No. 71/1967 Coll. on administrative proceeding:
  - ❖ may participate on the proceeding or a part thereof under conditions provided by a special law
  - ❖ has less rights than a party
  
- ❖ Act on GMOs:

Ministry may decide to grant **status of person concerned** to the association of citizens provided that

  - ❖ approval had been given before to the same GMOs,
  - ❖ enough experience with introduction in comparable ecosystems with comparable bio- and geo- conditions.



## Evaluation of public comments

- ❖ Many comments are questions on procedural approach of the Ministry of Environment – regulated by the Act !

- ❖ MoE deals only with public comments which
  - ❖ address issues of specific application,
  - ❖ contain technical arguments and quantitative data,
  - ❖ obtain data from renowned institutions.

- ❖ Act No. 71/1967 Coll. on administrative proceeding:
  - ❖ the principle of material truth  
= to determine real state of things in each case





## Decision / Authorisation

- ❖ decision on the introduction into the environment
  - ❖ must be issued within 90 days
  - ❖ includes statement of Biosafety Committee
  - ❖ requires to follow the procedures of work as they were stated in the application (implementation of control plans, waste management, taking samples for analysis, etc.)
  - ❖ requires to submit to MoE a report on monitoring results
  - ❖ guidance on appeal / review by the court
  - ❖ published on websites
  
- ❖ Information to European Commission – web portal JRC



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*Thank you for your  
attention*

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