



*Permanent Mission of the Slovak Republic*

*Geneva*

OHCHR REGISTRY

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Recipients: *SPD*

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The Permanent Mission of the Slovak Republic to the Office of the United Nations and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to submit the written reply of the Slovak Republic to the communication of the Independent Expert on on the issue of human rights obligations related to access to safe drinking water and sanitation (Human Rights Council Resolution 7/22).

The Permanent Mission of the Slovak Republic avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration

Geneva, 27 January 2010



Office of the High Commissioner for Human Rights  
Palais Wilson  
Geneva

**Reply by the Slovak Republic to the Questionnaire of the Office of the High Commissioner For Human Rights (OHCHR) Concerning Access to Drinking Water and Sanitation (January 2010).**

*Which obligations do States bear in the context of private sector participation in the provision of water and sanitation services?*

Slovakia's task with respect to access to drinking water is to prepare and adopt regulations that specify rights and obligations of all affected stakeholders, from the source to consumers, and to oversee compliance with these regulations and monitor the quality of drinking water at the consumer end.

The State specified equal statutory rights and obligations for public water supply system owners and operators (regardless of whether they are private or public bodies) and their mutual relations, as well as the competences of public authorities in the area of public water supply systems by Act No. 442/2002 Coll. on public water supply systems and public sewerage systems and on amendments to Act No. 276/2001 Coll. on regulation in network industries as amended. The coordinator of the respective act is the Ministry of the Environment of the Slovak Republic.

*What should the regulatory framework put into place by States provide for?*

As far as price regulatory measures are concerned, they are the responsibility of the Regulatory Office for Network Industries pursuant to Act No. 276/2001 on regulation in network industries as amended; the Office regulates the prices of drinking water supplied through the public water supply system.

The main regulatory framework applicable in the area of drinking water supply in Slovakia consists of Act No. 355/2007 Coll. on the protection, support and development of public health as amended, and Government Regulation No. 354/2006 Coll. laying down requirements on water intended for human consumption and quality control of water intended for human consumption. These two pieces of legislation define drinking water, its health safety and requirements for its assessment and control. A quality assessment is conducted using the quality indicators limits set for drinking water. Rights and obligations of drinking water producers and suppliers are also specified, along with the exemptions for provisional use of drinking water failing to meet quality requirements for drinking water.

*Apart from regulation, what additional measures, structures and institutions are necessary?*

In our opinion, the existing measures are sufficient, but it is necessary to continuously ensure:

- awareness-raising and information dissemination on water-related problems;
- a partnership and cooperation of ministries involved in water issues (the Ministry of Health of the Slovak Republic, the Ministry of the Environment of the Slovak Republic, the Ministry of Agriculture of the Slovak Republic);
- cooperation with expert institutions dealing with the water issues (Water Research Institute, Slovak Hydrometeorological Institute, Slovak Water Management Company, the State Geological Institute of Dionýz Štúr, Slovak Environmental Agency);
- training and education;
- communication with producers, operators and supervisory bodies of other ministries.



*What are the responsibilities of the private sector when participating in the provision of water and sanitation services?*

With respect to the provision of water supply in Slovakia, the private sector is comprised of water management companies. They are obliged to monitor the quality of water taken from a water source up to its delivery to consumers. Their duties also include reporting to state authorities and the general public on the quality of drinking water.

Obligations of a public water supply system owner are exhaustively laid down in §15 of Act No. 442/2002 Coll. as amended; obligations of a public water supply operator are exhaustively laid down in §17 of the same Act.

*How can existing frameworks on private sector responsibility for human rights protection (including the work of the Special Representative of the Secretary General on human rights and transnational corporations and other business enterprises, OECD guidelines, the Global Compact, etc.) be used to guide our understanding of private sector responsibility in water and sanitation service provision?*

In terms of drinking water quality, it is irrelevant whether services are provided by the private sector, municipal authorities or the State; i.e., the rights and obligations should be the same from the aspect of the competence of public health authorities. In Slovakia, the protection of human rights is taken into consideration during the drafting of each legislative standard.