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## MINISTRY OF FOREIGN AFFAIRS

Directorate for Multilateral and Global Affairs

Department of human rights

Prešernova cesta 25

1000 LJUBLJANA

Subject: **Human rights and access to safe drinking water and sanitation services**

Due to your letter from 20th of November 2009 we are sending you the answers to Independent Expert's questions about human rights and access to safe drinking water and sanitation services.

Ministry of the environment and spatial planning, Department of Public Environmental Protection Services is responsible for monitoring of implementation of mandatory municipal commercial environmental protection public services, among others supply of drinking water and collection and treatment of urban and rainwater waste-water. Obligations which are carried out through this public services are regulated by two regulations: *Rules of drinking water supply* (Official Journal RS, No.35/2006 and 41/2008) and *Rules of tasks carried out through mandatory municipal commercial environmental protection public services of collection and treatment of urban and rainwater waste-water* (Official Journal RS No. 109/07 and 33/08), which were adopted on the basis of *Environment protection act* (Official Journal RS, No. 39/06-ZVO-1-UPB1, 49/06-ZMetD in 66/06-OdlUS, 112/06-OdlUS, 33/07-ZPNačrt, 57/08-ZFO-1A and 70/08). In accordance with the laws and regulations in force, private sector may participate in carrying out two of mentioned municipal commercial environment protection public services in a form of public service with concession. Awarding concessions for two mentioned public services is under the authority of municipalities. Obligations and relations of public services at performance of mandatory municipal commercial environmental protection public services pursuant to concession contract are laid down with *Public-private partnership act* (Official Journal RS, No.127/2006) and *Public utilities act* (Official Journal RS, No.32/1993 with changes).

Category of private waterworks, i.e. waterworks which are not included into control system of commercial public services shall be adjusted to the requirements of *Rules of drinking water supply* by 31st of December 2015. Private waterworks could under above mentioned Rules through self supply of drinking water, supply drinking water to not more than 50 inhabitants and annual capacity of drinking water supply less than 10 m<sup>3</sup> per day in territories where public services are not performed. It should be taken into account that water permit holders in case of private waterworks are all users of such waterworks. For private waterworks, which supply more than five buildings with permanent residents or building or more buildings where catering, tourist or food business activity is performed is obvious to have manager (legal or natural person), approved by municipality. If among users of private network

agreement about manager is not reached the municipality would appoint provider of water supply public services in its territory.

In areas where is no public sewerage system, the owners of the buildings have to fulfil until prescribed time limits (31. 12. 2015, 31. 12. 2017) appropriate treatment of urban waste-water in small waste-water treatment plants, which could be individual or collective by themselves. According to *Rules of tasks carried out through mandatory municipal commercial environmental protection public services of collection and treatment of urban and rainwater waste-water* shall specific services (such as operational monitoring of small waste-water treatment plants, collection of contents of no-streamed cesspools with transportation to the waste-water treatment plant and collection of mud from small urban waste-water treatment plants with transportation to the urban waste-water treatment plant) provide the provider of public services of collection and treatment of urban waste-water.