**Questionnaire of the UN Special Rapporteur on the human rights to safe drinking water and sanitation - response of the Ministry of Environment of the Slovak Republic**

**Different levels and types of services**

The legislation of the Ministry of Environment, in particular Act No. 442/2002 Coll. on public water supply systems and public sewerage systems stipulates that every applicant for connection to public water supply system can be connected to public water supply system only based on a written contract concluded with the public water supply system owner (Article 22 (1)). The owner of the public water supply system is obliged, based on the previous consent of the operator, to permit connection to the public water supply system, if the connected land or building is situated in the territory with a water supply network and the connection is technically viable (Article 15 (7) (a)). Act No. 442/2002 Coll. contains a similar provision for the connection to public sewerage.

**Gender equality**

The Constitution of the Slovak Republic (Article 12a) lays down that “Fundamental rights shall be guaranteed in the Slovak Republic to everyone regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status. No one shall be aggrieved, discriminated against or favoured on any of these grounds.” Several other articles of the Constitution declare gender equality in human rights.

**Development cooperation**

As regards the question concerning the performance of activities in the area of human rights to water provision and waste water collection, the Directorate for Water Protection of the Ministry of Environment of the Slovak Republic has no information on the performance of such activities.

**Affordability**

The Slovak Republic executes the provision of access to publicly controlled drinking water for people from marginalised groups, who do not have any access to drinking water in their dwellings (shacks, simple dwellings). The access is provided mostly at points of water dispensing. The project is implemented in compliance with Act of the Ministry of Health of the Slovak Republic No. 355/2007 Coll. on public health protection, support and development and on the amendment to certain acts as amended.

In general, the price for drinking water supplied by public water supply system and the price for waste water collection (water supply and sewerage) in Slovakia is regulated by the Regulatory Office for Network Industries in compliance with Act No. 250/2012 Coll. on regulation in network industries as amended and with Decree No. 21/2017 Coll. laying down the price regulation for production, distribution and supplies of drinking water by public water supply system, and waste water collection and treatment by public sewerage system as amended by Decree No. 204/2018 Coll. The price is determined for each regulated entity (provider of these services) separately.
In Slovakia, the average price for drinking water supply is at a level of 0.946€/1 m3 inclusive of VAT. The average price of waste water collection including treatment is at a level of 1.091€/1 m3 inclusive of VAT.

If consumers are not able to pay their bill, they must contact their service supplier at the customer centre and agree upon a schedule of payments. In Slovakia, the fees for water supply and sewerage do not follow different rules for low-income households than for the other households. The way of determination of the price for initial connection, the amount of it or the fee for violation of payments for consumption vary depending on business relationships – the contract concluded between the customer and the particular supplier; the Ministry of Environment is not entitled to enter such business relationships.

**Regulation**

The right to water and sanitation is not defined in the legislation of the Ministry of Environment as a human right. Act No. 369/1990 Coll. on municipalities as amended lays down that the local government of municipality provides public services, in particular municipal waste and small construction waste management, keeping the municipality clean, administration and maintenance of public green areas and street lighting, water supplies, waste water collection, sump waste water management and local public transport. The Ministry of Environment of the Slovak Republic creates conditions for co-funding of construction of public water supply systems to supply the population with drinking water from various funds.

The applicant for connection to the public sewerage system/public water supply system may be connected to the public sewerage system only based on a written contract concluded with the owner of the public sewerage system (Act No. 442/2002; Article 23 (1)). The owner of the public sewerage system is obliged, based on the previous consent of the operator, to permit connection to the public sewerage system, if the connected building is situated in the territory with a sewerage network and if it is technically viable (Act No. 442/2002, Article 16 (7) (a)). If the owner of the public sewerage system refuses to connect the applicant because it is not technically viable or because it is costly, the inhabitant shall be obliged to provide for waste water collection and disposal in another way, for example by means of a residential waste water treatment plant or sump.

**Forcibly displaced persons**

The legislation of the Ministry of Environment of the Slovak Republic does not differentiate between inhabitants with respect to any aspects, whether it is a member of a marginal group, refugee, etc. All the provisions apply to supplies for the population without any differences.

**Principle of accountability**

In Slovakia, Act No. 442/2002 Coll. on public water supply systems and public sewerage systems clearly lays down: Article 3 Establishment and ownership of public water supply systems and public sewerage systems, Article 5 Operation of public water supply systems and public sewerage systems, and Article 13 Drinking water quality and water quality monitoring, including the associated provision of up-to-date results of drinking water quality monitoring at its website.

In general, legislation of Slovakia does not define informal providers, thus, drinking water is not supplied in such a way in the territory of the Slovak Republic. Act No. 442/2002 Coll. clearly defines, who can be owner of a public water supply system in Article 3 and thus ensure continuous drinking water supplies in Article 10.

Operation of public water supply systems and public sewerage systems falls under the provisions of Act No. 442/2002 Coll., where control is carried out by professionally competent persons defined by and subject to the provisions of Article 6 of the above Act.

**Spheres of life beyond the household**

In the Slovak Republic, public space is defined by Article 2 (1) of Act No. 369/1990 Coll. on municipal establishment as amended. In the above Act, public space means street, square, park, market-place and other space accessible to the public without limitation, which regardless of ownership relations serves to general usage unless otherwise specified by a special act. If a municipality has adopted individual measures concerning the provision of access to drinking water and public social facilities, we also recommend reaching out to the Ministry of Interior of the Slovak Republic, whose competences cover local governments of municipalities, or to the Government Plenipotentiary for Roma Communities.

The access to available controlled drinking water in public space, such as market-places, parks and streets, is given by the particular possibilities of municipalities and towns. Spaces such as railway and bus stations and airports do not mean public space in the Slovak legislation, i.e. the access to drinking water for users of the stations and airports is provided by their owner or operator. Subsequently, drinking water consumption in these spaces is invoiced to the owner of the railway, bus station or airport.

 **Mega-projects**

Every project, which would affect water quality of quantity or concerns the provision of drinking water and sanitation, is subject to the process of environmental impact assessment pursuant to act No. 24/2006 Coll. on environmental impact assessment and on the amendment to certain acts. The assessment concerns environmental impact assessment and not human rights.