

Dear Ms. Marshall,

We are writing to express our concern regarding the format of communication between the Compliance Committee and the Party concerned as well as to comment on the data provided by the Party concerned in its latest correspondence related to communication ACCC/C/2011/62.

Informal manner of communication of the Republic of Armenia, with no letterhead, no official requisites and signature raises a question on who should bear the responsibility for the provided information. More specifically, we are confused with the incorrect information provided to the Compliance Committee by the Party Concerned on April 4, 2012 in respect with communication ACCC/C/2011/62.

On question 2 of the Compliance Committee on access to justice for NGOs whose statutory goals include protection of the environment the Party pointed to the Decision of the Court of Cassation from October 30, 2010, which found that "EcoEra" environmental NGO has a legal standing in respect with Teghut mining case. Meanwhile, the above-mentioned Decision of the Court of Cassation was not the last judicial act on that matter. In fact, it was followed by the decision of the same Court of Cassation from April 1, 2011, where "EcoEra" NGO was found as having no legal standing and was actually deprived of access to justice. Hence, the Party concerned provided evidently incorrect information to the Compliance Committee.

In its answers to question 3 regarding the meaning of the words "any or abstract" in the Decision of the Administrative Court dated March 22, 2010, the Party stated that "administrative authorities violated the public subjective rights of natural or legal entity". This information is confusing too as Administrative Court is a judicial body and not an executive/administrative authority and its decision violated access to justice.

With this letter we would like to draw your attention to the problems of the provided information and make a recommendation for the matter of communication with Parties to the Convention. We feel that the requirement for an official format of correspondence with respective authorities' signatures and requisites would raise the responsibility for the quality of information for both Parties as well as communicants.

Sincerely,

Hrayr Savzyan, Chair of Ecoera NGO.

