

20 January 2020

Ivana Krstulovic Bakovic
Association for Nature, Environment and Sustainable Development “Sunce”
Croatia

Dear Ms. Krstulovic Bakovic,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Croatia with article 7 in conjunction with article 6(3), (4) and (8) of the Convention in connection with a new ferry port

I refer to the communication submitted by Sunce and the Local Committee Kucista on 30 May 2019. The communication alleges that Croatia has failed to comply with article 7 in conjunction with article 6(3), (4) and (8) of the Convention with respect to a new ferry port.

As indicated in my email of 29 October 2019, the Chair and the Vice Chairs of the Compliance Committee have reviewed your communication and instructed the secretariat to ask you to clarify certain aspects of your communication before it can be forwarded to the Committee for a possible determination of preliminary admissibility. Please find enclosed the questions from the Chair and Vice Chairs for your reply.

The Chair and Vice Chairs would be grateful to receive your reply to the enclosed questions as soon as possible and by **Monday, 3 February 2020** at the latest.

Please do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Enc: Questions from the Chair and Vice Chairs for the communicants

Questions to the communicants

1. Please provide the text, together with an English translation thereof, of the relevant provision(s) of the Local and Regional Self-Government Act pursuant to which Local Committee Kuciste was established and which sets out its mandate, role, powers and functions.
2. Is Local Committee Kuciste a “public authority” within the meaning of article 2(2) of the Convention? Please provide reasons for your answer.
3. Is Local Committee Kuciste a member of the “public” within the meaning of article 2(4) of the Convention and paragraph 18 of the annex to decision I/7 of the Meeting of the Parties.¹ Please provide reasons for your answer.
4. Please explain why the communicants did not bring administrative or judicial proceedings to appeal the UDP Perna within the timeframe for doing so (see pages 9-10 of the communication).
5. Please provide evidence, including examples of costs from similar cases, to substantiate your claim at page 10 of the communication that bringing judicial proceedings to challenge the UDP Perna would have been prohibitively expensive.

¹ <https://www.unece.org/fileadmin/DAM/env/pp/documents/mop1/ece.mp.pp.2.add.8.e.pdf>