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**ДЛЯ ЕВРОПЫ**

**UNITED NATIONS**  
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To: Mr. M. Akmuradov  
Minister for Nature Protection  
Ministry of Nature Protection of Turkmenistan  
102, Kemine Street  
744000 Ashgabat  
Turkmenistan

18 October 2005

Fax: + 993 12 39 31 84

Dear Minister Akmuradov,

**Re: Decision II/5c of the Meeting of the Parties to the Aarhus Convention  
concerning compliance by Turkmenistan with its obligations under the Convention**

Thank you for your letter of 27 July 2005 addressed to the Aarhus Convention Compliance Committee concerning the compatibility of the Turkmen Law on Public Associations with the requirements of the Aarhus Convention. The Committee considered your letter at its ninth meeting (Geneva, 12-14 October 2005) and wishes to express its appreciation of Turkmenistan's engagement with the process.

The Committee notes that your Government does not concur with the findings of the Meeting of the Parties that Turkmenistan was not in compliance with certain provisions of the Convention. In this regard, the Committee points out that as a body which falls under the authority of the Meeting of the Parties, it is not in a position to change or re-negotiate the decisions of the Meeting of the Parties.

It also notes that your Government had various opportunities to provide information and input during the preparatory process leading up to the adoption of findings and recommendations first by the Committee and later preparation and adoption of the relevant decision by the Meeting of the Parties. In particular, it was required, under paragraph 23 of the annex to decision I/7, to respond to the communication

ACCC/C/2004/5 submitted by the NGO Biotica within five months of receiving it but failed to do so.

Furthermore, having examined the substance of your letter, the Committee does not consider that the information and argumentation provided, had it been available before the Committee finalised its findings and recommendations to the Meeting of the Parties, would have altered the main conclusions and recommendations.

Pursuant to decision II/5, paragraph 2, the Committee stands ready to enter into a dialogue on the substantive issues addressed in your letter, within the framework of the recommendations of the Meeting of the Parties. Having noted, inter alia, the clear understanding of your Government that the Law on Public Associations is not intended to restrict the rights of foreign citizens or persons without citizenship to join or establish NGOs, the Committee is optimistic that such a dialogue could have a fruitful outcome and contribute to the resolution of the problems identified by the Meeting of the Parties.

In order to further the process, the Committee is willing to arrange for such a dialogue to take place at one of its forthcoming meetings, e.g. the eleventh session scheduled for 29-31 March 2006. The secretariat is willing to facilitate the practical arrangements, including arranging English-Russian interpretation and providing financial support for up to two representatives of your Government to travel to Geneva. We would be grateful if you would indicate whether you believe this would be useful.

Please accept, Sir, the assurances of my highest consideration.

Yours sincerely,



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Prof. Veit Koester

Chairman of the Aarhus Convention Compliance Committee