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Ref: ENV/2013/100

2 May 2013

Excellency,

**Re: Decision IV/9h of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)**

On behalf of the Aarhus Convention Compliance Committee, I would like to thank Mr. Taras Tretyak representing Ukraine in the discussion of the above-referenced decision of the Meeting of the Parties at the fortieth meeting of the Compliance Committee (Geneva, 25-28 March 2013).

During the discussion, the Committee noted the continuous failure of Ukraine to implement the public participation procedures of the Convention over the past eight years. It also noted that the report you submitted in November 2012 related primarily to changes introduced by the draft law "On amending certain laws of Ukraine in connection to implementation of the Convention on Environmental Impact Assessment in a Transboundary Context", which according to recent information, had in the meantime been withdrawn from parliamentary proceedings.

An observer present at the meeting also informed the Committee that the current changes to the new draft were not open to public comment; that there was currently no draft legislation before the parliament with respect to public participation; and that public participation, especially in the context of the State ecological expertiza, had significantly deteriorated, while at the same time the scope of review by the competent authorities was much more limited.

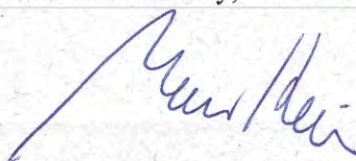
His Excellency  
Mr. Oleg Proskuryakov  
Minister for Ecology and Natural Resources  
Ukraine  
Kyiv

You are kindly requested to comment on the above, in particular on the statement made by the observer, and also to submit an advance copy of the new draft law, after its approval by all the relevant ministers, and before it is submitted for parliamentary approval. Please provide the requested information as soon as you can, but no later than 31 July 2013. The Committee will review the situation at its next meetings.

You are invited to contact the secretariat if you require any clarification regarding the above.

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

Yours sincerely,



Marco Keiner  
Director

Environment Division  
United Nations Economic Commissions for Europe

cc: Permanent Mission of Ukraine to the United Nations Office and other international organizations in Geneva

Mr. Taras Tretyak, Assistant focal point for the Aarhus Convention and the PRTR Protocol, Ministry for Ecology and Natural Resources

Ms. Yelyzaveta Aleksyeyeva, Environment-People-Law (former Ecopravo-Lviv), communicant ACCC/C/2004 /03

Mr. Andriy Andrusyevych, Resource & Analysis Center "Society and Environment", observer in ACCC/C/2004 /03