

**Ms. Fiona Marshall**  
**The Secretary**  
**to the Aarhus Convention**  
**Compliance Committee**  
CH-1211 Geneva 10  
Palats des nations, Room 429-A  
SWITZERLAND

17 June 2015  
By e-mail

ACCC/C/2013/87

Dear Madam,

First of all I acknowledge receipt of your correspondence of 10 June 2015.

I would like to draw attention of the Honorable Committee to the fact that my communication was not considered during more than two years only due to the Ministry of Ecology and Natural Resources of Ukraine neglecting the Committee's requests.

Donetsk city was occupied by pro-Russian rebels only in June, 2014, while my communication was pending in the Committee since May, 2013. Nothing impeded the State in gathering the appropriate documents during a whole year. Also I cannot understand how the occupation of Crimea affects the breach of the Aarhus Convention in Donetsk city.

As a conclusion, I state that only Party concerned is guilty in delay of my communication's consideration.

Also, I want to state, that I managed to lodge to the Committee all documents that concern the case, so I hardly believe that the State will be able to find and add something else anytime in future.

I would like to claim that violations of the Convention were committed by the State during 2009-2014, mostly before the occupation of the Donetsk city. So there is no need to check whether the incineration plant is still under construction or no, as my rights to access to environmental information, to public participation in specific activities and access to justice, guaranteed by the Convention, are already violated by the State.

The stabilization of the situation in the South-East of Ukraine will objectively last for years and I believe that Conventional guarantees should be effective, non-illusory and in-time.

So, I kindly ask the Committee to consider my communication in the nearest future according to the documents that already are in the case. I believe that I provided them enough and to spare.

Sincerely,  
**Oleksandr Lapin, Communicant**

