

From: "o.lapin  
To: aarhus compliance <aarhus.compliance@unece.org>  
Date: 28/06/2017 16:43  
Subject: Re: ACCC/C/2013/87 (Ukraine) - to the communicant

Dear Ms. Marshal,

I am sorry for been late with this reply due to overload at the work, but I would like to brief you that in my humble opinion new EIA Law (and specifically its Article 7 "Public discussion") still does not fall in with standards of Aarhus Convention (specifically with provisions of Article 6 para 8 and 9), as still there is no obligation to arrange open (and not for specifically chosen participants even not been local citizens) public hearings related to activities of the facilities of 1st category of danger (listed in Article 3 para 2 of the new EIA Law), which to my best knowledge is the only efficient remedy for local citizens to participate in decision-making.

Speaking about submission of the comments in writing, I would like to draw the attention of the Committee to the fact that I spent one year of my life in attempts to receive answer from the incineration plant on my request. Despite of the fact I was an attorney at law at that time and used all available legal remedies. I hardly believe that new EIA Law which is extremely declarative in matters of involvement of the public in decision-making process, will change something to best in my country.

As a conclusion I would like to state that even in case if new EIA was adopted in 2011 when I occasionally learned about plants of local council and company to build an incineration plant in my district, in view of absence of clear and strict obligation to arrange open public hearings related to issues of 1st category of danger activities, this legislation would be as ineffective as previous one.

Sincerely,  
Oleksandr