



NATIONS UNIES
COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

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01 February 2011

Dear Mr. Ignashchenko,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991). As indicated as a possibility in my letter to you of 18 January 2011, the Committee now has further questions about the strategy of the Government of Ukraine to implement the Convention.

The Committee is concerned to learn that initiation of new draft laws gives rise to changes in the strategy which was adopted and presented to the Committee, rather than the strategy setting the direction for new laws. In particular, the Committee understands that the new law on regulation of urban construction activity, adopted by the Parliament of Ukraine on 13 January 2011, amends the system of decision-making on construction, including the provisions for ecological, sanitary and other expertises.

The Committee therefore requests a description of the key elements of the new system and an explanation of how it will ensure implementation of the Convention. In particular please describe:

- (a) What types of activities will require environmental impact assessment (EIA);
- (b) What will be the role of environmental and health authorities;

... /...

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- (c) Who will be responsible for public participation, including:
 - (i) notifying the public,
 - (ii) organizing public discussions,
 - (iii) providing information;

- (d) Who will be responsible for:
 - (i) preparation of the EIA documentation,
 - (ii) verification of the EIA documentation;

- (e) Who will be responsible for identification of potential significant transboundary effects on the environment, how the relevant procedure under the Convention will be triggered and who will run the procedure;

- (f) Who will be responsible for taking into account the results of the EIA procedure, including comments from the public and from potentially affected countries;

- (g) What will be the “final decision” and who will take it;

- (h) Who will be responsible for informing the public and potentially affected countries of the final decision;

- (i) Any time limits applicable to the above procedural steps.

The Committee kindly requests a response to its questions above, by 31 May 2011.

Yours sincerely,



Matthias Sauer
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context