

From: Олександр Лапін
To: aarhus compliance <aarhus.compliance@unece.org>,
Date: 02/03/2015 13:58
Subject: ACCC/C/2013/87 update from the applicant

Dear Fiona,

Please kindly be briefed about the court proceedings in national courts re my case.

As I have informed in my communication in 2013, I have appealed Voroshilovskiy District Court in Donetsk city (VDCinDc) negative decision on 17Apr13.

On 14May13 Donetsk Appellate Administrative Court (DAAC) issued a decision that cancelled the 1st instance court decision and terminated consideration of the case on grounds that such case is out of administrative courts jurisdiction.

On 07June13 I lodged cassation appeal to the High Administrative Court of Ukraine (HACU) against both 1st instance and appellate instance court decisions.

On 14June13 HACU issued ruling and started the cassation procedure in case.

On 14Feb14 I sent a reminder to HACU.

On 170314 HACU answered that the case was still pending.

On 01Apr14 HACU issued decision cancelling the DAAC decision and sending the case to DAAC for further consideration.

On 13May14 DAAC issued decision that rejected my appeal against 1st instance court decision.

On 23May14 I lodged cassation appeal against both 1st instance and appellate instance court decisions.

On 03June14 HACU issued ruling and started the cassation procedure in case.

On 12Aug14 HACU issued final decision that rejected my cassation appeal and left both negative 1st instance and appellate instance court decisions without change.

I want to point your attention that, at first, despite I asked HACU to give me opportunity to participate in trial, the case was considered without informing me about it and in my absence; and at second, the leading judge in HACU was the same (Donez O.Ye.) as the last time (01Apr14), that also violates against me para 1 and 2 of the Article 9 of the Aarhus Convention.

So, the national remedies in the case are exhausted.

Also please kindly find scan-copies of the above-mentioned docs with purged contact information available

at <https://drive.google.com/folderview?id=0B4z5iw62FxQkfmJaVXNHdlREa3dtWnc4OTBiTE1WbGs1RmEyB0IxSkprckg3RmltbU80cFU&usp=sharing>

I will send the scan-copies with purged contact data of the other docs, listed in Communication as Annexes 17, 18, 19, 20, 21, 24, 25, 27, 29, 31 tomorrow.

Sincerely,
Alexander