



UNITED NATIONS
ECONOMIC COMMISSION FOR EUROPE

The Executive Secretary

Under-Secretary-General

Ref: ECE / ENV / 2015 / 70

6 March 2015

Excellency,

I have the honour to congratulate you on your appointment as Minister of Ecology and Natural Resources of Ukraine. I very much look forward to working with you in the future.

In this regard, I write to convey the concern of the Aarhus Convention Compliance Committee that, despite several reminders, the Government of Ukraine has to date failed to provide its response to communication ACCC/C/2013/87 concerning its compliance with the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). The Government's response has been overdue since 26 December 2013.

Further, it is my honour to draw your attention to the letter of 26 July 2013 addressed to your predecessor, His Excellency, Mr. Oleg Proskuryakov, then Minister of Ecology and Natural Resources of Ukraine, from Marco Keiner, Director of the Environment Division of ECE, a copy of which is enclosed for your reference.

In his letter, Mr. Keiner informed Mr. Proskuryakov that communication ACCC/C/2013/87 concerning compliance by Ukraine had been determined by the Aarhus Convention Compliance Committee to be preliminarily admissible at its forty-first meeting (Geneva, 25–28 June 2013). The communication therein enclosed concerned compliance by Ukraine with the provisions of the Convention on access to information and public participation in relation to the decision-making process for the construction of a biofuel and waste incineration plant in the city of Donetsk.

His Excellency
Mr. Ihor Shevchenko
Minister of Ecology and Natural Resources
of Ukraine
Kyiv



In accordance with paragraph 23 of the annex to decision I/7 of the Meeting of the Parties to the Convention, the Government of Ukraine was required to submit as soon as possible, but at the latest within five months from the date of Mr. Keiner's letter (that is, by 26 December 2013), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime.

Despite several reminders sent to Ukraine's national focal points to the Convention, including on 27 June 2014 and 4 December 2014, Ukraine has to date failed to provide its response to the communication.

At its forty-seventh meeting (Geneva, 16–19 December 2014), the Aarhus Convention Compliance Committee requested me to write to you expressing the Committee's concern at the continuing failure of the Government of Ukraine to respond to the communication. The Committee asked me to inform you that if no response to the communication is received in advance of the Committee's upcoming forty-eighth meeting (Geneva, 24–27 March 2015), the Committee will schedule the discussion of the communication notwithstanding the lack of response from the Government.

On behalf of ECE, I reiterate the willingness of the secretariat to work with the Government of Ukraine in meeting its obligations under the Aarhus Convention. Please do not hesitate to contact the secretariat (aarhus.compliance@unece.org) if you require any further information.

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

Christian Friis Bach

cc: Ms. Maryna Shimkus, Chief Specialist of the Division of State Ecological Expertise, Department of State Ecological Expertise and Auditing, Monitoring and Technical Regulations

Ms. Olha Molotska, Head of Communications, Directorate General for Organizational and Analytical Support, Ministry of Ecology and Natural Resources

Mr. Alexander Lapin, communicant of communication ACCC/C/2013/87

Enclosure