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Palais des Nations, Room 348
CH-1211 GENEVA 10

Ref: ENV/2013/...

26 July 2013

Dear Sir,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Ukraine with provisions of the Convention in connection with the decision-making for the construction of biofuel and waste incineration plants (ACCC/C/2013/87)

On 13 May 2013, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication addressed to the Compliance Committee under the Convention. The communication concerns 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 biofuel and waste incineration plant in the city of Donetsk. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7.

The communication has been registered under the symbol ACCC/C/2013/87, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.htm>.

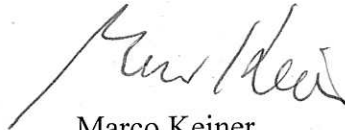
H.E. Mr. Oleg Proskuryakov
Minister
Ministry For Ecology and Natural Resources of Ukraine
35, Urytskogo Str.,
Kiev
Ukraine

The Compliance Committee, having considered the admissibility of the communication at its forty-first meeting (25-28 June 2013), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. 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. Additionally, please provide information regarding applicable legislation.

Please do not hesitate to contact the secretariat if you require further information.

Yours sincerely,



Marco Keiner

Director

Environment Division

cc: Permanent Mission of the Ukraine to the United Nations Office and other international organizations in Geneva
Ms. Ganna Dudka, Ministry for Ecology and Natural Resources
Mr. Taras Tretyak, Assistant focal point, Ministry for Ecology and Natural Resources
Mr. Alexandr Lapin, communicant

Encs. Communication ACCC/C/2013/87 (including annexes)
Preliminary determination on admissibility
Datasheet on the communication
Letter sent to the communicant acknowledging receipt