



UNITED NATIONS
ECONOMIC COMMISSION FOR EUROPE

The Executive Secretary

Under-Secretary-General

ECE/EHLM/ 368 /2010/ L

1 November 2010

Excellency,

I refer to my letter to you of 16 April 2009 and subsequent correspondence between the UNECE secretariat and the Ministry of Nature Protection regarding decision III/6e (ECE/MP.PP/2008/2/Add.13) on compliance by Turkmenistan with its obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) adopted by the Meeting of the Parties at its third session held from 11 to 13 June 2008 in Riga.

Through paragraph 5 of decision III/6e, the Meeting of the Parties decided to issue a caution to the Government of Turkmenistan, to become effective on 1 May 2009, unless the Government fully satisfied certain conditions set out in that paragraph and notified the secretariat of this fact by 1 January 2009. The successful fulfillment of the conditions was to be established by the Compliance Committee.

At its twenty-third meeting held in Geneva from 31 March to 3 April 2009, the Committee considered the letter sent by the Government of Turkmenistan on 28 March 2009 and reviewed the steps taken by Turkmenistan to fulfill the conditions set out in paragraph 5 of decision III/6e. The Committee found that the Government of Turkmenistan had failed to communicate, by 1 January 2009 or since, that it had taken measures to implement the conditions set out in paragraph 5 of decision III/6e. In particular, the Committee found that the Government of Turkmenistan had not indicated that the 2003 Act on Public Associations had been amended in such a way as to bring its provisions into compliance with the Convention. In light of the Committee's findings, the caution issued by the Meeting of the Parties through that decision became effective on 1 May 2009.

His Excellency
Mr. Rashid Meredov
Minister of Foreign Affairs of Turkmenistan



In its findings, the Committee welcomed the Government of Turkmenistan's invitation to members of the Committee to visit Turkmenistan and also welcomed the Government's willingness to take part in joint projects with the UNECE to strengthen Turkmenistan's capacity to implement the Convention. The Committee also expressed its willingness, within available resources, to work with the Government to assist it in ensuring that its new legislation, where relevant to the Aarhus Convention, will be in compliance with Turkmenistan's obligations under the Convention.

At its twenty-ninth meeting (21-24 September 2010), the Compliance Committee noted that Turkmenistan had still failed to submit the draft revised Act on Public Associations, that was due to be submitted at the request of the Committee by 1 February 2010. The Committee requested Turkmenistan to submit this document no later than 1 November 2010 in order that the Committee may review it prior to its thirtieth meeting (14-17 December 2010).

I shall also inform you that at its thirtieth meeting the Committee will prepare its report to the Meeting of the Parties regarding whether the Government of Turkmenistan has satisfactorily fulfilled the conditions contained in paragraph 5 of decision III/6e. The Meeting of the Parties will consider the Committee's report at its fourth session (Chisinau, 15-17 June 2011).

UNECE considers this to be an important matter and stands ready to assist your country with the Convention's implementation. Officers of the UNECE secretariat together with the Chairperson and the members of the Aarhus Convention Compliance Committee are therefore available to visit Turkmenistan and meet with the officials and experts from your country in early December 2010. I would kindly invite your officials to correspond directly with the secretary to the Aarhus Convention, Ms. Ella Behlyarova, to finalize arrangements for the visit.

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

Ján Kubiš

cc: H.E. Mr. Gurbanguly Berdimuhamedov, President of Turkmenistan
H.E. Mr. Babageldi Annabayramov, Minister of Nature Protection of Turkmenistan