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22 December 2009

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Dear Ms. Filipova and Mr. Shakhmatenko,

Re: Decision III/6f of the Meeting of the Parties to the Aarhus Convention concerning compliance by Ukraine with its obligations under the Convention

As you are aware, at its twenty-sixth meeting (15-18 December 2009), the Aarhus Convention Compliance Committee reviewed the progress of the Government of Ukraine in implementing decision III/6f of the Meeting of the Parties.

The Committee took note of the progress report submitted by the Government of Ukraine dated 30 November 2009 on the state of implementation of the decision and also of information provided by Environment-People-Law (EPL), dated 20 November 2009. There was a discussion in open session which included interventions by representatives of the Governments of Ukraine and Romania as well as EPL. The transcripts of those interventions submitted to the secretariat will in due course be posted on the Convention website at <http://unece.org/env/pp/compliance/Compliance%20Committee/CCimpIDocsUkraineMoP3.htm>.

The Committee welcomed the report received from the Government of Ukraine, while noting the concerns expressed by the Government of Romania and EPL. After hearing the interventions, the Committee decided to take the following action:

1. The Committee requested Ukraine to provide the full texts of the draft Law of Ukraine "On amendment to article 25 of the Law of Ukraine on Environmental Protection" and the draft Decree of Cabinet Ministers of Ukraine "On approval of the provision and dissemination of environmental information" in Ukrainian language to the secretariat, copying EPL, immediately and an English translation of the full texts by 1 January 2010. Upon receipt, the secretariat will forward these forthwith to the Government of Romania.
2. The Committee requested the Government of Ukraine to provide the full text of the draft Decree of Cabinet Ministers of Ukraine "On approval of public participation in decision-making in the field of environmental protection" in both Ukrainian and English language versions by 1 February 2010, copying EPL. Upon receipt, the secretariat will forward these forthwith to the Government of Romania.
3. The Committee requested the Government of Ukraine to post the Ukrainian texts of the three draft laws on its website on or before the date they provide them to the secretariat. On this point, the Committee noted that it would be good practice for the Government of Ukraine to make draft legislation available on its website as a matter of course.
4. Any comments that the Government of Romania and EPL may have on the draft Law of Ukraine "On amendment to article 25 of the Law of Ukraine on Environmental Protection" and the draft Decree of Cabinet Ministers of Ukraine "On approval of the provision and dissemination of environmental information" should be provided to the secretariat by 14 January 2010. Upon receipt, the secretariat will forward these forthwith to the Government of Ukraine.
5. Any comments that the Government of Romania and EPL may have on the draft Decree of Cabinet Ministers of Ukraine "On approval of public participation in decision-making in the field of environmental protection" should be provided to the secretariat by 14 February 2010. Upon receipt, the secretariat will forward these forthwith to the Government of Ukraine.

The Committee will consider the draft legislation and any comments received at its twenty-seventh meeting.

If you require further clarification regarding any of the above, please do not hesitate to contact the secretariat (public.participation@unece.org).

Yours sincerely,

pp 

Jeremy Wates

Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Ms. Alexandra Spanu, Permanent Mission to the United Nations, Romania
Ms. Elizaveta Alexeyeva, Environment-People-Law, Ukraine