

8 November 2020

Dr. Maria Carmela Giarratano
Director-General
Directorate-General for Innovation, Personnel and Participation Policies
Ministry of the Environment
Italy

Mr. Alessandro Giadrossi
WWF Italia
Italy

Dear Dr. Giarratano,
Dear Mr. Giadrossi,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Italy with provisions of the Convention related to the cost of judicial procedures (ACCC/C/2015/130)

As you may recall, on 7 October 2020 I wrote to seek the views of the Party concerned and the communicant on whether a hearing would be needed prior to the Committee commencing its deliberations on its draft findings in this case. The deadline for each party's reply was 21 October 2020.

The communicant replied on 21 October 2020, indicating that it did not consider a hearing was needed. However, the Committee has received no reply from the Party concerned either before the deadline or since. The Committee has asked me to convey its disappointment at the Party concerned's lack of engagement in this regard. In the circumstances, the Committee has decided that a hearing is indeed needed. It accordingly proposes to hold a hearing to discuss the substance of communication ACCC/C/2015/130 at its sixty-eighth meeting on 23-27 November 2020.

The hearing of the above communication is scheduled for **Tuesday, 24 November 2020**, starting at 10:30 am CET and concluding by 4.30 pm CET. Due to the exceptional circumstances of the ongoing COVID-19 pandemic, the meeting will be held virtually.

In accordance with chapter IX of the annex to decision I/7 of the Meeting of the Parties to the Convention, both parties are entitled to participate in the hearing on the subject matter of the communication, though not in the preparation or adoption of any findings, measures or recommendations of the Committee.

According to the Committee's normal practice, the hearing of the communication, which will be held in open session, will be interspersed with at least one closed session in which the Committee will begin the process of preparing draft findings. It is envisaged that the first part of the hearing in open session will take the following form:

- introduction by the Chair;
- opening of the hearing by the curator for the case (10-15 minutes);
- concise presentations by the communicant and by the Party concerned, including possible joint proposals (10-15 minutes each);
- questions from Committee members, responses from the Party concerned and the communicant (30 minutes);
- comments from other observers at the invitation of the Chair (10 minutes);
- final comments by the communicant (5-10 minutes);
- final comments by the Party concerned (5-10 minutes).

Further details concerning the timetable for the hearing will be provided in the provisional timeline for the meeting to be published nearer the time on the webpage for the sixty-eighth meeting, <http://www.unece.org/index.php?id=53239>.

During the second part of the hearing (i.e. following the closed session), the Committee may pose additional questions to the Party concerned or the communicant, or invite reactions to any tentative conclusions it has reached. In accordance with its usual practice, the Committee may also invite the Party concerned to indicate whether, should the Committee ultimately find the Party to be in non-compliance, it would agree to the Committee making its recommendations to it directly, in accordance with paragraph 36(b) of the annex to decision I/7.

I would be grateful if you would confirm to aarhus.compliance@un.org before **Monday, 16 November** that you or a representative will participate in the hearing. All participants wishing to attend the meeting should thereafter register online at <http://www.unece.org/index.php?id=53239> by Friday, 20 November.

Finally, the Committee invites each party to provide a brief written update on any relevant developments in this case before **Friday, 20 November**.

Please do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,



Fiona Marshall

Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Italy to the United Nations Office and other international organizations in Geneva