



NATIONS UNIES
COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

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ECONOMIC COMMISSION
FOR EUROPE

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1 October 2007

To: Mr. Lavdosh Ferruni and Mr. Ardian Klosi
Civic Alliance for the Protection of the Bay of Vlora
Rr Sami Frasheri, Tirana
Albania

Dear Mr. Ferruni and Mr. Klosi,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the European Community with the provisions of article 6 of the Convention (Ref. ACCC/C/2007/21)

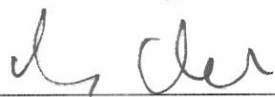
The Compliance Committee under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), considered the above communication at its seventeenth meeting (26-28 September 2007).

Before making a preliminary determination as to whether or not the communication is admissible, the Committee would like to ask you to provide more detailed information, in particular with regard to issues related to the requests for information referred to in footnote 5 of the communication. This should include copies of any correspondence relating to the requests that were made and argumentation as to why there was a violation of the Convention, if this is indeed what you are alleging.

The Committee would also be grateful if you would clarify whether you consider that the European Investment Bank (EIB) was required under the Convention to provide for public participation in its decision to finance the project, e.g. because you consider that the EIB is a public authority within the meaning of article 2, paragraph 2(d) of the Convention and that such a financing decision falls within the scope of article 6, paragraph 1); or whether you consider that EIB had a duty under the Convention to ensure that the regular permitting decisions for the project (e.g. siting, construction, environmental permit etc) included public participation opportunities under the Convention on account of the fact that the Bank is an institution of the EC which is a Party to the Convention. In either case, please elaborate on the legal basis for such a claim.

We would be grateful if you would provide your response sufficiently in advance of the next meeting of the Committee (28-30 November 2007) and at the latest by 9 November 2007.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Wates', written over a horizontal line.

Jeremy Wates

Secretary

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