



NATIONS UNIES  
COMMISSION ÉCONOMIQUE  
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ  
ЭКОНОМИЧЕСКАЯ КОМИССИЯ  
ДЛЯ ЕВРОПЫ

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FOR EUROPE

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24 December 2008

Mr. Ilya Trombitsky  
Eco-TIRAS International Environmental Association Of River Keepers  
Teatră 11A  
Chişinău, MD-2012, Moldova  
Tel. /Fax: (+373-22) 225615, 550953

Dear Mr. Trombitsky,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the Republic of Moldova with provisions of the Convention in connection with access to information on contracts for rent of forest land (Ref. ACCC/C/2008/30)**

On 3 November 2008, 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 submitted by you on behalf of Eco-TIRAS International Environmental Association Of River Keepers, Chisinau, Republic of Moldova, and addressed to the Compliance Committee of the Convention, regarding compliance by the Republic of Moldova with certain provisions of the Convention. 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.

The communication has been registered under the symbol ACCC/C/2008/30, which you are invited to cite in future correspondence on the matter.

The Compliance Committee, having considered the preliminary admissibility of the communication at its twenty-second meeting (17-19 December 2008), 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.

In order to facilitate further consideration of the communication, the Committee has requested the secretariat to invite you to address the following questions, providing your views on the practical application of the Convention's provisions, where relevant:

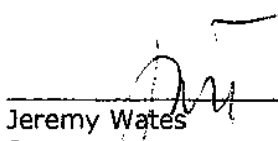
1. Is the decision of the Civil Chamber of Chisinau Court of Appeals (dated 23.06.2008, Case #3 - 2039/2008) is final and binding on the Forest Agency Moldsilva?

2. What measures have been relied on or applied to enforce the decision of Civil Chamber of Chisinau Court of Appeals (dated 23.06.2008, Case #3 – 2039/2008)? If no measures have been taken or applied for, please specify reasons for failure to do so.
3. To your knowledge, does the Moldovan legislation afford you the possibility to appeal the Regulation on Forest Fund Rent for the Purposes of the Hunting Management and/or Recreation approved by Government Decision No. 187, dated 20.02.2008 (hereinafter - Decision No. 187), in particular article 48 (e) of the Regulation?
4. Please provide your views, if any, on the application of the Convention by courts in the Republic of Moldova (in the light of the absence of any references to the Convention in the decision of the Chisinau Court of Appeals).
5. To the best of your knowledge, does Moldovan legislation or its practical application by public authorities provide for the possibility to request an applicant to state his or her interest in receiving the requested information?
6. Are you aware of any existing practice by the Moldovan public authorities regarding separating out information exempted from disclosure and making available the remainder of the requested environmental information, as set out in article 4, paragraph 6, of the Convention?
7. According to the communication, the decision of the Civil Chamber of Chisinau Court of Appeal (dated 23.06.2008, Case No. 3 – 2039/2008) was not executed by 20 October 2008. Please provide the Committee with information on any subsequent enforcement of the decision.

A number of additional questions have been raised in a letter to the Party concerned, a copy of which is attached for your information. Should you wish to address any of those questions, you are welcome to do so.

We look forward to hearing from you.

Yours sincerely,

  
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P.P. Jeremy Wates  
Secretary

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

Cc: Ms. Inga Podoroghin, Head, International Cooperation and European Integration Division, Ministry of Environment and Natural Resources of Moldova

Encs. Preliminary determination on admissibility  
Copy of letter to Ms. Inga Podoroghin, Head, International Cooperation and European Integration Division, Ministry of Environment and Natural Resources of Moldova  
Datasheet on the communication