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UNITED NATIONS

ECONOMIC COMMISSION
FOR EUROPE

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Palais des Nations, Room 429-4
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Ref: ACCC/C/2013/98

18 May 2015

Ms. Agne Murauskaite and Ms. Egle Leonaviciute
Law and Personnel Department
Ministry of Environment
Vilnius
Lithuania

Ms. Ramune Ramanauskiene
Vilnius
Lithuania

Dear Ms. Murauskaite and Ms. Leonaviciute,
Dear Ms. Ramanauskiene,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Lithuania in connection with the construction of overhead powerlines (ACCC/C/2013/98)

During the discussion of the above communications at its forty-eighth meeting (Geneva, 24-27 March 2014), the Compliance Committee indicated that following the meeting it would send questions for the written response of the communicant and the Party concerned. Please now find enclosed the questions prepared by the Committee for your attention.

The Committee would be very grateful to receive your responses to the enclosed questions on or before the deadlines stated overleaf for each question. Please send your response to aarhus.compliance@unece.org, copying the other party. The other party will thereafter have two weeks to provide the Committee with any comments it wishes to make on your response. The Committee will consider the responses and comments received by the stated deadlines when deliberating upon its draft findings at its upcoming forty-ninth meeting (Geneva, 30 June – 3 July 2015).

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

Yours sincerely,

Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of the Republic of Lithuania to the United Nations Office and other international organizations in Geneva
Enc: Questions from the Compliance Committee

Questions from the Compliance Committee

Question to the communicant (deadline for response Friday, 5 June 2015)

- 1) With respect to your allegation that the Party concerned has failed to comply with article 6, paragraph 8 of the Convention, please provide the Committee with English translations of:
 - a. The most important objections and comments you submitted during the EIA procedure which you allege were not taken into account in the decision-making;
 - b. The official answers to these objections and comments provided during the public participation procedure by (i) the developer; and (ii) the competent public authority.

Questions to the Party concerned (deadline for response, Friday 5 June 2015)

- 2) Please provide English translations of:
 - a. The decision of the Kaunas District Court on 05.07.2012 in Administrative case No I-757-422/2012;
 - b. The decision of the Supreme Administrative Court dated May 2013 regarding the appeal from the above case;
 - c. The Government's submissions to the Kaunas District Court in Administrative case No I-757-422/2012;
 - d. The Government's submissions to the Supreme Administrative Court in the appeal of the above case.
- 3) With respect to the time frames set out in Lithuanian legislation for the public to inspect the EIA documentation and to submit comments, please specify:
 - a. What is the minimum time period set out in the legislation for the public to inspect the EIA documentation before the date of a public hearing?
 - b. What is the minimum time period set out in the legislation for the public to be able submit comments after the public hearing?
 - c. Does the legislation expressly require that the EIA documentation must remain available for inspection by the public after the date of the public hearing and if so, for how long (for example, until the end of period for public comments)?

Question to the Party concerned (deadline for response, Monday 22 June 2015)

- 4) With respect to the issues identified by the communicant in its response to question 1 above, please provide an English translation of the full reasoning set out in the competent authority's official response document for the decision-making procedure concerning each of these issues.