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ECONOMIC COMMISSION
FOR EUROPE

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Ref: ACCC/C/2013/98

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11 May 2016

Ms. Agne Murauskaite
Head of Law Application Division
Law and Personnel Department
Ministry of Environment
Lithuania

Ms. Egle Leonaviciute
Chief Desk Officer
Law Personnel Department
Ministry of Environment
Lithuania

Dear Ms. Murauskaite, Ms. Leonaviciute,

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

At its fifty-second meeting (Geneva, 8-11 March 2016), the Committee continued its deliberations on the above communication in closed session and following the session, agreed to invite the Party concerned to provide clarification on certain factual and legal points.

To this end, please find enclosed some questions from the Committee. The Committee would be grateful to receive your reply to the enclosed questions on or before **Wednesday 25 May 2016**. Please send your reply to aarhus.compliance@unece.org, copying the communicant. The communicant will then have until **Monday 30 May 2016** to provide the Committee with any comments it wishes to make on your reply. Your reply to the Committee's questions and the communicant's comments on the same should each be no more than 2000 words in total (and considerably less if possible). The Committee will consider the information received by the above deadlines when deliberating upon its draft findings.

Please do not hesitate to contact the secretariat if you require any further information.

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
Mr. Ramune Ramanauskiene, on behalf of Association Rudamina Community (communicant of communication ACCC/C/2013/98)
Enc: Questions to the Party concerned

Questions to the Party concerned

1. Was the reference to OHL in the 2002 General Plan legally binding for the subsequent decision-making?
 2. If the reference to OHL in the 2002 General Plan was not legally binding, was the reference to OHL in the 2002 General Plan effectively politically binding on Alytus in practice?
 3. If the reference to OHL in the 2002 General Plan was either legally or politically binding, was the 2002 General Plan subject to public participation prior to its adoption? If so, please describe the public participation carried out.
 4. What was the scope of the decision-making in the EIA procedure approved by Decision No. ARV2-5-1810 of Alytus RED on 30 December 2010? For example, did the EIA procedure decide both routing and technology, or technology only?
 5. What was the scope of the decision-making in the SEA procedure finalised by order 1-211 of the Ministry of Environment dated 30 August 2011? For example, did the SEA procedure decide both routing and technology, or routing only?
 6. What was the legal relationship, if any, between the decision-making in the above SEA and the EIA procedures?
 7. Was the final route (i.e. the route now constructed) an option subject to public participation under (i) the EIA procedure or (ii) the SEA procedure or (iii) both?
 8. Was the choice of technology (i.e. OHL or underground line) an option subject to public participation under (i) the EIA procedure or (ii) the SEA procedure or (iii) both?
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