

3 August 2018

Massimo Cozzone  
Department for Sustainable Development, Environmental Damage  
European Union and International Affairs  
Ministry for the Environment, Land and Sea  
Rome, Italy

Alessandro Giadrossi  
Lawyer  
WWF Italia  
Trieste, Italy

Dear Mr. Cozzone, dear Mr. Giadrossi,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Italy with provisions of the Convention in relation to judicial fees (ACCC/C/2015/130)**

Having reviewed the documentation provided by the Party concerned on 9 April and 12 June 2018, and by the communicant, on 30 April 2018, the Committee has identified that there are a number of legislative provisions and judgments referred to in the parties' submissions which have not been provided to the Committee.

As you may be aware, the working language of the Committee is English. Accordingly, the text of any legislation or judgment that you wish the Committee to consider must be provided to the Committee in its original language, together with a professional English translation of all its relevant parts.

In this regard, I would be grateful to receive on or before **Monday, 1 October 2018** the attached list of outstanding documents and translations identified by the Committee. Please send the outstanding documents/translations to [aarhus.compliance@unece.org](mailto:aarhus.compliance@unece.org), copying the other party. The other party will then have until **1 November 2018** to provide the Committee with any comments it wishes to make on the documentation and translations provided. The Committee will consider the information received by the above deadlines when deciding how to proceed with respect to the communication at its sixty-second meeting (Geneva, 5-9 November 2018).

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

Yours sincerely,



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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
- Enc: List of outstanding documents and translations

**List of outstanding documents and translations:****To the communicant:**

1. Please provide a professional English translation of the relevant paragraphs of the five judgments annexed to the communicant's reply of 30 April 2018.

**To the Party concerned:****I. Legislative Decree 117 of 2017 and any related implementing measures**

2. In its reply of 9 April 2018 to question 2 of the Committee's questions dated 30 January 2018, the Party concerned refers to Legislative Decree 117 of 2017. Please specify which provisions of Legislative Decree 117 of 2017 the Party concerned considers to be relevant to this case.
3. In its comments of 30 April 2018, the communicant asserts that Legislative Decree 117 of 2017 has not yet come into force. Is this correct? If, contrary to the communicant's assertion, the relevant provisions of Legislative Decree 117 of 2017 are in force, please specify the date of their entry into force. Please also indicate the provisions and/or implementing measures which brought the Legislative Decree into force. Please note that if you do not address these points in your reply, the Committee may understand that you do not dispute the communicant's assertions on this issue.
4. Please provide the following in both Italian and a professional English translation thereof:
  - (a) Articles 5 and 79-83 of Legislative Decree 117 of 2017, together with any other provisions of the Legislative Decree the Party concerned considers relevant to this case.
  - (b) Any relevant implementing measures with respect to the above provisions of Legislative Decree 117 of 2017.

**II. Outstanding documents to be provided in Italian:**

5. Please provide the following in Italian:
  - (a) Article 13 and 18(5) of Law 349 of 1986.
  - (b) The text of each of the provisions referred to in article 10 of Decree 460 of 1997.
  - (c) Decision n.4073/6.7.2017 of the Lazio Regional Tax Court (see the Party concerned's reply of 9 April 2018 to question 9 of the Committee's questions dated 30 January 2018).

**III. Translations to be provided in English:**

6. Please provide professional English translations of the following:
  - (a) Article 13 and 18(5) of Law 349 of 1986.
  - (b) Articles 10 and 12 of Legislative Decree 460 of 1997.
  - (c) Article 14 of Annex 2 to Legislative Decree 104 of 2010.
  - (d) Articles 12, 14.3-bis, 26, 74-76 and 119 of Presidential Decree 115 of 2002.
  - (e) Appeal judgement no. 21522, 20.09.2013, *WWF v. Agenzia delle Entrate*.
  - (f) The relevant paragraphs of each judgment referred to the Party concerned's reply of 9 April 2018 to question 9 of the Committee's questions dated 30 January 2018.