



Warsaw, 17, 07 2019

**MINISTRY OF THE ENVIRONMENT
UNDERSECRETARY OF STATE**

Sławomir Mazurek

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**Ms Fiona Marshall
Secretary to the Aarhus Convention
Compliance Committee
UN Economic Commission for Europe
Environment Division
Room 429-2
Palais des Nations
CH-1211 Geneva 10
Switzerland**

Dear Ms. Marshall,

I am writing in response to the letters concerning communications: ACCC/C/2016/151, ACCC/C/2017/154 and ACCC/C/2018/158. In these letters the Committee requested the Party concerned and the Communicants to express any reasons why the above mentioned communications should not be considered jointly.

As I understand, this is a suggestion from the Committee. Unfortunately, the letters do not explain why the Committee views that the above mentioned cases should be joined. It is of utmost importance to clarify the intentions of the Committee in this regard. My view is that joining of the cases would imply some serious consequences.

It is a matter of fact that all the above-mentioned communications are related in some kind to plans and programs. However, there are significant differences between some of the plans and programs enlisted in each communication. The specific circumstances relating to each instrument have already been explained in the correspondence concerning each case.

Some plans and programs are mentioned in more than one communication. But there are also other plans that are subject to only one communication and under specific legal circumstances e.g. hunting plans – these plans differ significantly from other plans and programs. In such circumstances there is some uncertainty concerning the manner of further proceedings before the Compliance Committee. For example I would like to know, whether the possible hearing in such

a joint case, would comprise the questions about all plans and programs that are subject to the communications. It would create logistical problems for the Party concerned to bring all the relevant experts for one hearing. I would also like to learn how the Committee intends to finalize such a joint case. Does the Committee plan to draft one findings comprising all the plans and programs enlisted in the above-mentioned communications? As you are possibly aware, the Party concerned has made some comments on admissibility of some parts of the aforementioned communications. Is this issue going to be decided jointly or rather the Committee would take an individual approach for each charge concerning a given plan or program?

Before I can submit my comments on your letters, I would be grateful if you could dispel my doubts as to the way of further proceedings, in particular by clarifying all the reasons that stood behind the Committee's suggestion on such an arrangement.

best
PODSEKRETARZ STANU
Stanisław Mazurek