

**Jonas Ebbesson**  
**Chair of the Compliance Committee under the UNECE Convention on Access to Information, Public  
Participation in Decision-making and Access to Justice in Environmental Matters**  
**(Aarhus Convention)**

3 November 2016

Dear Mr. Nuri,

**Re: Submission ACCC/S/2016/03 to the Aarhus Convention Compliance Committee concerning  
compliance by Albania with the provisions of the Aarhus Convention**

I would first like to thank the President's Office for its excellent cooperation to date, and for the helpful information provided on 28 October and 22 September 2016.

The Committee has taken careful note of the information provided, including the information on the ongoing domestic procedures before the Administrative Court of Appeal and the Ombudsman's Office. In the light of its examination of the information provided regarding these ongoing procedures, the Committee has determined that the issues that the President's Office has asked the Committee to examine in its submission ACCC/S/2016/3 are, in fact, very much related to the issues that are currently being examined by the Ombudsman and the Administrative Court of Appeal in their respective procedures.

The Committee greatly appreciates the efforts made and any arrangements already put in place by the Party concerned in order to facilitate the Committee's proposed mission on 14-16 November 2016. However, until the additional information provided on 28 October and 22 September 2016, the Committee was not in a position to ascertain the status of the domestic procedures and to form a view on whether they dealt with issues closely related to those set out in the submission. Having analysed the submitted documents, it is clear to the Committee that the issues raised are indeed to a significant extent entwined.

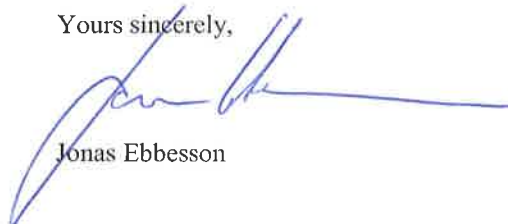
In accordance with the Committee's established practice, while the submission of the Party concerned will be duly examined in accordance with paragraph 16 of the annex to decision I/7 of the Meeting of the Parties, the Committee takes into account the available domestic remedies of the Party concerned. This is in line with paragraph 21 of the annex to decision I/7, which should apply by analogy also to the Committee's examination of submissions, unless there are strong reasons not to do so. It is clear to the Committee that it will not be in a position to adequately and effectively examine whether the Party concerned complies with the Convention until the ongoing domestic procedures, including any related appeals, are fully completed. Only then will the Committee be able to see whether any non-compliant situation in the Party concerned was duly remedied by the Party concerned itself.

For this reason, the Committee will not undertake the mission proposed for 14-16 November 2016. It will proceed with its deliberations on the submission, in accordance with paragraph 16 of the annex to decision I/7, when the ongoing domestic procedures, including any related appeals, are fully completed.

I invite you to inform the Committee once the procedures before the Ombudsman and the Administrative Court of Appeal have been completed, including any related appeals. Should you at that time consider that the domestic procedures did not satisfactorily address the issues raised in your submission, the Committee will resume its examination of the submission, including a possible mission, if appropriate.

I thank you again for your kind understanding and cooperation in this matter. Please do not hesitate to contact the secretariat if you have any questions.

Yours sincerely,



Jonas Ebbesson

Mr. Florjan Nuri,  
Office of the President of the Republic  
Secretary General  
Republic of Albania

Cc: Mr. Ols Lafe, Office of the President of the Republic of Albania  
Ms. Edlira Dersha, national focal point for the Aarhus Convention, Ministry of the Environment,  
Forests and Water Administration, Albania  
Permanent Mission of the Republic of Albania to the United Nations Office and other international  
organizations in Geneva