

From: Виктория Киреева [REDACTED]
Sent: Tuesday, March 14, 2023 5:22 PM
To: ECE-Aarhus-Compliance <aarhus.compliance@un.org>
Subject: Re: Communication PRE/ACCC/C/2022/191 (Ukraine) - Committee's consideration of preliminary admissibility

Dear Fiona,

Thank you for your concern and the opportunity to participate in seventy-eight meeting on 21-24 March 2023.

We have considered the issues outlined in the position of the communicant, which in our opinion, are not related to violations of the Aarhus Convention. However, we completely trust the decision of the Chair of the Compliance Committee regarding the preliminary admissibility of the case.

In addition, we inform you that on January 20, 2023, the Supreme Court of Ukraine, as part of the panel of judges of the Administrative Court of Cassation, considered in the order of written proceedings the administrative case based on the cassation appeal of the Public Organization "Ecoclub" on the cancellation of the conclusion on the environmental impact assessment of LLC "Kronospan Rivne". The final decision in case No. 460/8998/20, the Supreme Court of Ukraine dismissed the cassation appeal of "Ecoclub" without satisfaction, and therefore confirmed the legality of planned activity of the enterprise in the village of Horodok, in the Rivne region and recognized it as permissible. Proceedings in this case have been ongoing since 2020 and have passed through all levels of courts.

We are not asking to postpone its consideration of preliminary admissibility review, but there will be no more comments at this stage.

If the Committee considers the preliminary admissibility of the case at the seventy-eighth meeting, please send us the results of the decision.

Best regards,

Viktoriiia