

14 November 2023

Mr. Giuseppe Dini
Italy

Ms. Chiara Landini
Ministry of the Environment and Energy Security
Italy

Dear Mr. Dini,
Dear Ms. Landini,

Re: Determination of inadmissibility of communication to the Aarhus Convention Compliance Committee concerning compliance by Italy in connection with a proposed photovoltaic plant in Sant'Angelo in Vado (ACCC/C/2023/202)

On 3 July 2023, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication from Mr. Giuseppe Dini addressed to the Compliance Committee of the Convention. The communication concerns compliance by Italy with respect to public participation in decision-making on a proposed photovoltaic plant in the municipality of Sant'Angelo in Vado.

The communication was registered under the symbol ACCC/C/2023/202 and all documentation relating to the communication is available on the Committee's website at: <https://unece.org/env/pp/cc/communications-from-the-public>.

At its eightieth meeting (19-22 September 2023), the Compliance Committee considered the preliminary admissibility of communication ACCC/C/2023/202. During the meeting, the Committee heard the views of both the communicant and the Party concerned on the preliminary admissibility of the communication. After considering in closed session the information received, the Committee noted that the proposed activity is not an activity listed in paragraphs 1 – 19 of annex I of the Convention, nor is it required to undergo an environmental impact assessment procedure under national legislation, in accordance with paragraph 20 of annex I. For that reason, the Committee determined the communication to be inadmissible in accordance with paragraph 20 (d) of the annex to decision I/7 of the Meeting of the Parties to the Convention for being incompatible with the Convention, on the ground that the activity does not fall within the scope of article 6 or article 8 of the Convention.

The text of decision I/7 of the Meeting of the Parties is available at: <https://www.unece.org/fileadmin/DAM/env/pp/documents/mop1/ece.mp.pp.2.add.8.e.pdf>

If the communicant considers that the Committee's determination that the communication is inadmissible was based on a manifest error, it may request a reconsideration of the Committee's determination of admissibility. Any such request must be submitted to the secretariat, with a reasoning of no more than 1200 words (2 pages A4 size), no later than five weeks from today, i.e., Tuesday, 19 December 2023. Please note that a request for reconsideration is not an opportunity to provide information on either subsequent developments or evidence that could have been provided earlier.

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 Italy to the United Nations Office and other international organizations in Geneva