



NATIONS UNIES
COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

Environment, Housing and Land Management Division
Bureau 332
Palais des Nations
CH-1211 Geneva 10
Switzerland

Phone: +41-22-917 2384
Fax: +41-22-917 0634
E-mail: jeremy.wates@unece.org
Website: www.unece.org/env/pp

17 October 2006

Ms. Bettina Lorz
Principal Administrator
Legal Affairs and Governance
European Commission
Environment Directorate-General
Avenue de Beaulieu 5, 6/149
B-1160 Bruxelles, Belgium
Fax: + 32 2 299 10 68

Dear Ms. Lorz,

**Re: Communication to the Aarhus Convention Compliance Committee
concerning compliance by the European Community with the Convention in
relation to the EC Council Directives 85/337/EC and 96/61/EC as amended by
Council Directive 2003/35/EC (Ref. ACCC/C/2006/17)**

Further to the previous correspondence on the above matter, the Aarhus Convention Compliance Committee would like to request that while clarifying the matters referred to in the communication and describing the way the Convention has been implemented by the relevant EC legislation, you also address the fact that while article 6, paragraph 7, of the Convention requires that "[p]rocedures for public participation shall allow **the public** to submit [...] any comments [...] or opinions that it considers relevant to the proposed activity" (emphasis added), the relevant parts of EC legislation (article 6, paragraph 4, of Directive 85/337/EEC and Annex V, point 3, to Directive 96/61/EC) envisage that a possibility to submit such comments and opinions is granted only to the public concerned.

We look forward to hearing from you.

Yours sincerely,

Jeremy Wates
Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Mr. Ulrich Salburg and Ms. Ramunė Dulevičienė, Simonfay & Salburg