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Ref: ACCC/C/2012/77 (United Kingdom)

Palais des Nations, Room 348  
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9 July 2013

Ceri Morgan  
Head of EU Environment Policy  
Department for Environment, Food and Rural Affairs  
Area 1C, Nobel House  
17 Smith Square  
London SW1P 3JR  
United Kingdom

John Sauven  
Executive Director  
Greenpeace Limited  
Canonbury Villas  
London N1 2PN  
United Kingdom

Dear Ms. Morgan and Mr. Sauven,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom in connection with costs inflicted in case of refusal to grant judicial review (ACCC/C/2012/77)**

On behalf of the Aarhus Convention Compliance Committee, I would like to thank the participants in the discussion of the above referenced communication at the forty-first meeting of the Compliance Committee (Geneva, 25-28 June 2013).

The report of the meeting, including information concerning the discussion on the communication at issue, will be shortly accessible at the following link <http://www.unece.org/env/pp/ccMeetings.htm>.

You may recall that during the discussion of the communication, the Committee requested you to submit some additional information, as detailed in the questions annexed to the present letter. You are invited to reply to the questions as soon as you can, but no later than **20 August 2013**. In providing your responses, please address the questions of the Committee in a brief and explicit manner and provide the text of the relevant supporting documents. If you wish to react to the response provided by the other party, you may do so by **2 September 2013**.

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,

Aphrodite Smagadi  
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva

**Annex**  
**Communication ACCC/C/2012/77 United Kingdom**  
**Questions to parties after the discussion at CC-41**

**To the Party concerned:**

- 1) Which issues have been closed and settled through the National Policy Statement (NPS), apart from the need for nuclear energy? Which issues remain open?
- 2) Was there any correspondence with the communicant before the pre-action protocol of 16 August 2011, requesting to reopen discussion on certain issues of the NPS, further to the Fukushima events? And in general, what is the usual impact of such letters?
- 3) How would the amendments introduced in April 2013, in following up with decision IV/9i of the Meeting of the Parties to the Convention, influence the outcome of the costs in the specific case?

**To the communicant:**

Was it possible to seek review through the administrative channels, before you sought judicial review? And if yes, did you make use of that possibility and what happened? If you did not make use of the possibility, please explain the reasons.