



# ASOCIACIÓN ANDALUZA PARA LA DEFENSA DE LOS ANIMALES

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ASANDA es miembro de la Federación Española de Sociedades Protectoras de Animales y Plantas, declarada de Utilidad Pública y Benéfico- Docente. ASANDA es miembro de la Sociedad Mundial para la Protección de los Animales (WSPA). ASANDA es miembro fundador de la Plataforma Animalista Mundial, de la Plataforma Animalista Andaluza y de la Plataforma Antitaurina Europea.

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Secretary to the Aarhus Convention  
United Nations Economic Commission for Europe  
Environment and Human Settlement Division  
Room 332, Palais des Nations  
CH-1211 Geneva 10, Switzerland  
**A/a Aphrodite Smagadi**

**Re: Commnication to the Aarhus Convention Compliance Committee concerning compliance by Spain with the provisions of the Convention in connection to the opening and operation of a ZOO (ACCC/C/2012-78)**

## **Contestación a la Aarhus Convention's Compliance Committee**

In reply to your communication of 9<sup>th</sup> July 2013, in which you requested that we provide our opinion in relation to the allegations against the Spanish Government we inform the following:

-Although it is true that in April 2013 the Agriculture, Fisheries and Environment Department (Consejería de Agricultura, Pesca y Medio Ambiente) provided us with most of the information we requested, they did this WITHOUT complying with the current laws regarding the access rights to environmental information. They provided the information following the general guidelines regarding access rights to Archives and Registries regulated by the "Régimen Jurídico de las Administraciones Públicas y del Procedimineto Administrativo Común".

-The aforementioned is much more restrictive than the Law 27/2006 that regulates the access rights to environmental information. For example, it denies access to documents issues regarding uncompleted processes. The highlighted text in Annex 1 (correspondence that accompanied the requested documentation in March 2008), indicates that "as the sanction process against Prudencio Payare Zoological Park has been finalized and resolved, we provide a copy of the documentation we hold regarding the Zoological Park". In other words, when providing the documentation it was confirmed that the documentation was only provided because the sanction process had been finalized. In other words, had the process lasted a further five years, they would have delayed releasing the documents and replying to our request a further five

ASANDA mantiene Convenios de Colaboración en materia de Defensa de los Animales con:

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Diputación Provincial de Sevilla

Entidad colaboradora del Defensor del Pueblo Andaluz



years. We believe that when we denounced Aarhus in August 2012 they are employing the same delaying tactics regarding the access rights to environmental information.

-In the documentation requested, some of the critical documents have not been provided, such as the results of the control for the legal possession of animals integrated in the collection held by Prudencio Navarro Pallarés Zoological Park and a copy of the documents that accredit this legal possession. When, in April 2013, we specifically requested these documents they were not provided. Were they not available our request should have been remitted to the corresponding administrative department (Article 10.b of the Law). However the reply informed us that we should contact CITES Authority (Annex 2).

-Finally, and as proof that they are employing the same tactics and attitude regarding the access rights to environmental information as in the denouncement of Aarhus, we annex a copy of a request for environmental information from April 2013 that has not been replied to.

Así lo informamos en Sevilla a 4 de septiembre de 2013



Luis Gilpérez Fraile  
Representante legal de la Asociación Andaluza para la Defensa de los Animales