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Ms Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee
UN Economic Commission for Europe
Environment Division
Palais des Nations
CH-1211 Geneva 10
Switzerland

2 December 2016

Dear Ms Marshall

**Re: Communication to the Aarhus Convention Compliance Committee
concerning compliance by the United Kingdom in connection with provisions of
the convention on public participation in connection with the River Faughan
(ACCC/C/2013/90)**

I refer to your letter of 27 September 2016 to the Communicant herein requesting a response to a number of specific questions to inform the Committee's determination of the admissibility of the Communicant's complaint at its forthcoming meeting and the Communicant's email communication of 29 November 2016.

The communicant states that they are unaware of the letter of 27 September 2016 and has no record of having received that correspondence. We note the recent communication is from the same email address to which the Committee's request was sent. We further note that all paperwork related to this communication has also been posted on the Convention's website as is standard practice. In any event the communicant claims to have prepared a "detailed response to the UK submission". This has however never been submitted for consideration.

The communicant states that they are still waiting on the Northern Ireland Environment Agency to provide information. They refer to further requests for Environmental Information made on 28 August 2016 but accept they were answered on 10 October 2016. Since then the communicant further advises that they have lodged a complaint which is being processed.

We do not consider that this provides any reasonable excuse or reason as to why the communicant was unable to or cannot now immediately provide the Committee with the communicant's "detailed response" referred to above.



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The UK's concern is that the communicant has simply failed to comply with the Committee's request and it would appear that they seek to unnecessarily delay consideration of this matter.

The UK has met all the requirements of the Committee in line with requested deadlines in seeking to address the issues raised in the communication. This reflects the UK approach throughout this process which has exhaustively dealt with every further request for information from the communicant.

It is our view that there is no reasonable reason why the communicant could not have complied with the Committee's request. The communicant claims to have prepared the response already but continues not share this in a timely or reasonable timescale. They provide no reasonable or acceptable reason for delay and should not be allowed to frustrate the process any further.

We would request that the Committee consider the key issue of the admissibility of the communication at its 55th meeting on 6-9 December 2016 on the basis of the information already submitted. If the Committee does not have sufficient information from the communicant then this communication should be deemed inadmissible rather than chasing open-endedly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ahmed Azam', with a horizontal line underneath the name.

Ahmed Azam
United Kingdom National Focal Point to the UNECE Aarhus Convention