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Palais des Nations, Room 429-2
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Ref: ACCC/C/2014/99

8 September 2014

Ms. María José Gomez
Advisor
Environmental Information Office
Technical General Secretariat
Ministry of Agriculture, Food and Environment
Pza de San Juan de la Cruz
28071 Madrid
Spain

Dear Ms. Gomez,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain in connection with the change of activity for a cement plant to process solid waste and sewage (ACCC/C/2014/99)

On 20 January 2014, 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 addressed to the Compliance Committee of the Convention. The communication concerns compliance by Spain with the provisions of the Convention in connection with its alleged failure to ensure public participation and access to justice in connection with the change of activity for a cement plant to process solid waste and sewage. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7.

The communication has been registered under the symbol ACCC/C/2014/99, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.html>.

The Compliance Committee, having considered the admissibility of the communication at its forty-fifth meeting (29 June - 2 July 2014), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. by **8 February 2015**), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime. At the same time, the Committee has by

separate letter of today's date sent a number of questions to the communicant for its clarification by 24 September 2014. The communicant's responses to the Committee's questions will thereafter be forwarded to you and you are invited to include any comments you may have on the communicant's responses in the text of your response to the communication itself.

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 Spain to the United Nations Office and other international organizations in Geneva
Mr. Alexandre Peñalver i Cabré
- Enc: Communication ACCC/C/2014/99 (including 13 supporting documents)
Preliminary determination on admissibility
Datasheet on the communication