

12 March 2018

Mr. Christoph Heinrich
WWF Germany
Berlin
Germany

Dear Mr. Heinrich,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Germany in connection with the criteria for environmental organizations (ACCC/C/2016/137)

I write to inform you that after considering the response of the Party concerned dated 3 January 2017, the communicant's comments thereon dated 7 February 2017 and the statement of Greenpeace as observer dated 8 February 2017, the Committee has decided to ask the communicant some further questions concerning the use of domestic remedies.

As you may be aware, in accordance with paragraph 21 of the annex to decision I/7, the Committee should at all relevant stages take into account any available domestic remedy unless the application of the remedy is unreasonably prolonged or obviously does not provide an effective and sufficient means of redress.

Please find attached the questions prepared by the Committee for your attention. I would be grateful to receive your reply to the attached questions by **3 April 2018**. The Committee will take into account the information received when deciding how to proceed with respect to the communication at its sixty-first meeting (Geneva, 2-6 July 2018).

Please do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Germany to the United Nations Office and other international organizations in Geneva
Mr. Matthias Sauer, Federal Ministry of Environment, Nature Conservation, Building and Nuclear Safety, Germany
Greenpeace Germany, observer.

Enc: Questions to the communicant from the Committee

Questions to the communicant from the Committee:

1. Why has your organization not submitted a request for recognition to the competent authority and if then rejected, challenged the rejection before the domestic courts (see page 6, para. 4, of the Party's response dated 3 January 2017)?
 2. Can you provide the Committee with any decisions of the domestic courts concerning appeals brought by other environmental organizations constituted in the legal form of foundations against a competent authority's rejection of a request for recognition?
 3. Please provide your views on the Party concerned's submission concerning the possibility to obtain a preliminary ruling from the Court of Justice of the European Union (CJEU) (see page 3, para. 2, of the Party's comments of 1 March 2016)?
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