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Tel: +41 (0)22 917 4226 (direct)
+41 (0)22 917 1234 (Palais des Nations)
E-mail: aarhus.compliance@unece.org
Ref: ACCC/C/2016/137 (Germany)

Palais des Nations, Room 429-4
CH-1211 GENEVA 10

3 August 2016

Mr. Matthias Sauer
Ms. Dagmar Lutz
Federal Ministry of Environment, Nature Conservation, Building and Nuclear Safety
Berlin
Germany

Dear Mr. Sauer and Ms. Lutz,

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

On 10 February 2016, 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 alleges that the criteria for environmental organizations set out in section 3, paragraph 1 of Germany's Environmental Appeals Act is too restrictive and as a result violates article 2, paragraph 5, article 3, paragraph 4 and article 9, paragraph 2 of the Convention. 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/2016/137, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication is available on the Committee's website at: <http://www.unece.org/env/pp/pubcom.html>.

The Compliance Committee, having considered the admissibility of the communication at its fifty-second meeting (Geneva, 8-11 March 2016), 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 **3 January 2017**), 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.

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 the Federal Republic of Germany to the United Nations Office and other international organizations in Geneva
Mr. Christoph Heinrich, communicant of communication ACCC/C/2016/137

Enc: Communication ACCC/C/2016/137 (including 4 attachments)
Preliminary determination on admissibility