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Aarhus Convention Secretariat
Compliance Committee
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Subject: Answer to the Compliance Committee with respect to a Communication submitted on behalf of several Icelandic NGO's concerning Iceland for Preliminary Admissibility at the 64th meeting of the Compliance Committee, Geneva 1.-5. July 2019.

The Icelandic Government would like to thank the Compliance Committee for the opportunity to deliver preliminary comments on the Communication lodged 25th of February 2019, by Magnús Óskarsson, acting as agent for several Icelandic environmental NGO's (PRE/ACCC/C/2019/168), regarding the granting of temporary operating licenses for fish farm operations in Iceland. The Communicators alleged that the Icelandic Government was in non-compliance with Articles 6, 8 and 9 of the Aarhus Convention. The Government of Iceland considers the Communication inadmissible on account of non-exhaustion of domestic remedies and the ongoing court procedures before the District Court of Reykjavík. Cases Nos E-525/2019 and E-253/2019. First hearing was held on 28th of June 2019.

The Government of Iceland would like to inform the Compliance Committee that the two cases concern the same subject matter as the communication, *i.a.* the granting of temporary operation licenses to Fjarðarlax and Artic Sea Farm. Thus, the subject matter of this Communication is currently under a domestic judicial review. The plaintiffs in the above mention cases are *Members of the public*. The Icelandic Government underlines, since domestic Courts are reviewing the merits of this Communication it should not be reviewed by the Committee through the compliance mechanism at this point.

It should also be noted that one of the listed Communicators, Náttúrverndarsamtök Íslands, is one of the plaintiffs in the cases before the District Court of Reykjavík.

Given the pending procedure, the Icelandic Government respectfully requests the Compliance Committee to suspend the proceeding and await the final outcome of the legal proceedings before taking any recommendation.

Finally, the Icelandic Government reserves the right to make a subsequent statement as to the inadmissibility of this Communication.

On behalf of the Minister of Fisheries and Agriculture


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