

From: ECE-Aarhus-Compliance <aarhus.compliance@un.org>

Sent: 18 November 2019 11:25 AM

To: Alain Lebrun; Marc Smaers

Cc: Marc Heirman; geneva (diplobel.fed.be)

Subject: PRE/ACCC/C/2019/172 (Belgium) - outcome of Committee's deliberations on preliminary admissibility at its 65th meeting

Dear Mr. Lebrun,

Dear Mr. Smaers, dear Mr. Heirman,

At its sixty-fifth meeting (Geneva, 4-8 November 2019), the Compliance Committee considered the preliminary admissibility of communication PRE/ACCC/C/2019/172 concerning Belgium submitted by environmental association Avala on 13 May 2019.

I write to inform you that, after taking into account the information received, the Committee has determined the communication to be inadmissible in accordance with paragraph 20(d) of the annex to decision I/7 of the Meeting of the Parties to the Convention on the ground that the communication does not pass a threshold of de minimis with respect to its relevance and importance in the light of the purpose and functions of the Committee. In this regard, the Committee recalled that it is not a redress mechanism and that the communication expressly states that it concerns a single specific case of alleged non-compliance and does not allege that there is a wider problem with the legal framework or judicial practice of the Party concerned with respect to the implementation of article 9(3) and (4) of the Convention.

For further information on the Committee's threshold of de minimis, please see paragraph 100 in the Guide to the Compliance Committee, which may be found here:

https://www.unece.org/fileadmin/DAM/env/pp/compliance/CC_Guidance/Guide_to_the_Aarhus_Convention_Compliance_Committee__2019.pdf

If the communicant considers that the Committee's determination that the communication is inadmissible was based on a manifest error, it may request a reconsideration of the Committee's determination of admissibility. Any such request must be submitted to the secretariat, with a reasoning of no more than 1200 words (2 pages A4 size), no later than five weeks from today, i.e., Monday, 23 December 2019. Please note that a request for reconsideration is not an opportunity to repeat information already provided nor to submit evidence that could have been provided earlier.

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

Kind regards,

Fiona



Fiona Marshall

Environmental Affairs Officer – Secretary to the Compliance Committee

Aarhus Convention secretariat

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