

27 March 2020

Mr. William Donnelly
County Tyrone, United Kingdom

Ms. Danielle Angelopoulou
Department of Environment, Food & Rural Affairs
London, United Kingdom

Dear Mr. Donnelly,
Dear Mr. Angelopoulou,

Re: Determination of inadmissibility of communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom regarding access to justice with respect to litigation concerning certain mining operations (ACCC/C/2020/176)

On 14 October 2019, 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 from Mr. William Donnelly addressed to the Compliance Committee of the Convention. The communication concerns compliance by the United Kingdom with article 9(4) of the Convention with respect to litigation concerning certain mining operations.

At its sixty-sixth meeting (Geneva, 9-13 March 2020), the Compliance Committee considered the admissibility of the communication. After taking into account the information provided by the communicant and the Party concerned, the Committee 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 matters raised in the communication, despite their understandable importance for the communicant, do not pass the threshold of *de minimis* with respect to their relevance and importance in the light of the purpose and functions of the Committee. In this regard, the Committee noted that it is not a redress mechanism and also that the communication 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(4) of the Convention.

The text of decision I/7 of the Meeting of the Parties is available at:
<https://www.unece.org/fileadmin/DAM/env/pp/documents/mop1/ece.mp.pp.2.add.8.e.pdf>

If the communicant considers that the Committee's determination that the communication is inadmissible was based on a manifest error, he 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., Friday, 1 May 2020. Please note that a request for reconsideration is not an opportunity to provide information on either subsequent developments or evidence that could have been provided earlier.

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 United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva