



NATIONS UNIES
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ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

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27 May 2009

To: UK National Focal Point for the Aarhus Convention
Respective communicants for communications ACCC/C/2008/23, 27 and 33
Cc: Coalition for Access to Justice for the Environment
(full list of addressees annexed)

Dear Sir/Madam,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with costs associated with discharge of an interim injunction (Ref. ACCC/C/2008/23)

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with the provisions of the Convention in connection with the expansion of the Belfast City Airport (Ref. ACCC/C/2008/27)

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with the scope of judicial review, costs, timing and other issues related to access to justice (Ref. ACCC/C/2008/33)

We hereby acknowledge receipt of your various letters with comments concerning the timing of the discussion on the above communications. These have been duly made available to the Committee members.

Following discussions with members of the Compliance Committee, notably the respective "curators" of the three communications, the Chair of the Committee has decided to proceed as follows:

- Communications ACCC/C/2008/23 and ACCC/C/2008/27 will be discussed at the twenty-fourth meeting of the Compliance Committee in line with the wishes of the two communicants concerned and in order to avoid as far as possible any further delays in entering substantive discussions on these communications, taking into account that some of the issues involved are not related to the issues addressed in communication ACCC/C/2008/33;

- Communication ACCC/C/2008/33 will be discussed at the following meeting (the twenty-fifth meeting, to be held in Geneva from 22 to 25 September 2009) taking into account the wishes of the Party concerned, with the concurrence of the communicant, for a postponement.

In reaching this decision, apart from taking note of the views and comments expressed by those to whom this letter is addressed, the Chair has been guided by the need to strike a balance between, on the one hand, making progress with its considerable workload in an expedient manner and without undue delay in the processing of particular communications that were received some time ago, and on the other, the desire to group together discussions on different communications that deal with common issues, for both practical and substantive reasons. The Chair is aware that some issues, notably in connection with the costs of access to justice, will be discussed at both meetings. However, he considers that the timetable for the preparation of draft findings with respect to communications ACCC/C/2008/23 and ACCC/C/2008/27 may be structured so as to allow for the possibility that relevant matters arising at its twenty-fifth meeting may be taken into account in the preparation of those draft findings.

We hereby remind you that the twenty-fourth meeting of the Compliance Committee will take place in Geneva from 30 June to 3 July 2009. The discussion of communications ACCC/C/2008/23 and ACCC/C/2008/27 will take place in open session on Wednesday 1 July 2009, starting at 9.30 am. The discussions in open session will conclude at the latest by 18.00 on the same day. According to the Committee's normal practice, the discussions held in open session will be interspersed with at least one closed session in which the Committee will begin the process of preparing draft findings. It is not the Committee's intention to combine the discussions on the two communications, notwithstanding the possible synergies achieved from having them discussed side by side. Further details concerning the timetable for the discussions during the day will be provided nearer the time.

Should you or any other representative of the Party concerned or communicant, as appropriate, wish to attend the meeting, please send the attached registration form to the United Nations Economic Commission for Europe, attention of Ms. Maricar de la Cruz (fax: +41 22 917 0634), by 16 June 2009. All participants are encouraged to cover their own costs as far as possible, but in case any of the communicants would require financial support to cover travel and subsistence costs in order to be able to send a representative to the meeting, please notify the secretariat by 1 June 2009.

According to a decision of the Committee at its fifth meeting, discussions on communications will generally take the following form:

- introduction by the Chair and opening of the discussion (by the Chair or the curator);
- presentations by the communicant and by the Party concerned, including possible joint proposals;
- questions from Committee members, responses from the Party concerned and the communicant;
- comments from other observers at the invitation of the Chair;
- final comments by the communicant;
- final comments by the Party concerned.

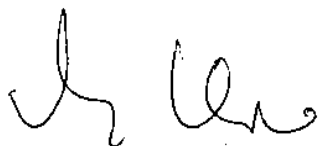
The Committee has indicated that the meeting where the discussion takes place should not be used as an occasion to introduce substantial amounts of new information that could or should have been provided to it at an earlier stage, unless this is unavoidable (e.g. because it concerns very recent developments). Should you wish to present any (further) substantial written material related to the matter, you should take into account that where such information is received less than two weeks before the

scheduled meeting, it is doubtful whether the Committee would be able to take it into consideration when it is discussing the matter, even where the information is provided in English.

Please do not hesitate to contact me if you require any further information concerning the meeting.

We are taking this opportunity also to attach an amicus brief from the Coalition for Access to Justice for the Environment (CAJE), comprising the WorldWide Fund for Nature (UK), the Royal Society for the Protection of Birds (RSPB), Friends of the Earth (England, Wales and Northern Ireland), the Environmental Law Foundation, Greenpeace UK and Capacity Global, prepared in connection with the three communications. The full version of the brief includes a number of annexes, which are not enclosed with this letter as they are not yet available to the secretariat in electronic form. These will be sent later in a separate mailing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Wates', written over a horizontal line.

Jeremy Wates

Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Encs. Amicus brief from Coalition for Access to Justice for the Environment (CAJE)
Registration form for the 24th meeting of the Compliance Committee

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