



NATIONS UNIES
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ОБЪЕДИНЕННЫЕ НАЦИИ
ЭКОНОМИЧЕСКАЯ КОМИССИЯ
ДЛЯ ЕВРОПЫ

UNITED NATIONS
ECONOMIC COMMISSION
FOR EUROPE

Environment, Housing and Land Management Division
Bureau 332
Palais des Nations
CH-1211 Geneva 10
Switzerland

Phone: +41-22-917 2384
Fax: +41-22-917 0634
E-mail: jeremy.wates@unece.org
Website: www.unece.org/env/pp

27 July 2009

Dr. Åsa Sjöström
National Focal Point for the Aarhus Convention
EU and International Coordination
Department for Environment, Food and Rural Affairs (DEFRA)
Area 1 Nobel House, 17 Smith Square
London SW1P 3JR
Fax: +44 207 238 3057

Dear Dr. Sjöström,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with an opencast coal mine at Merthyr Tydfil, Wales (Ref. ACCC/C/2009/40)

On 11 June 2009, 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 submitted by Mr. Paul Stookes of Richard Buxton Environmental & Public Law and addressed to the Convention's Compliance Committee regarding compliance by the United Kingdom with certain provisions 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 to the Convention.

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/2009/40, which you are invited to cite in future correspondence on the matter.

At its twenty-fourth meeting (30 June - 3 July 2009), the Committee determined on a preliminary basis that the communication was 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, any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the mean time.

In order to facilitate further consideration of the communication, the Committee has requested the secretariat to invite you to address in particular the following questions:

1. Are there any criteria established by law or practice applicable in respect of consideration of an application for legal aid and are there any review procedures in place?
2. Did any government authorities or courts receive any complaints by the communicant concerning allegations of being penalised, persecuted or harassed? Does national legislation provide procedures to deal with such allegations?

In a letter to the communicant, a copy of which is attached for your information, the Committee has raised a number of other questions. You are welcome to respond to those questions if you so wish.

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

Yours sincerely,



Jeremy Wates
Secretary

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

Cc: Mr. Paul Stookes, Richard Buxton Environmental & Public Law

Encs. Communication ACCC/C/2009/40
Preliminary determination on admissibility
Datasheet on the communication
Letter to the communicant dated 27 July 2009