

FrAT_C48_Delay_6July2010

Dear members of the Compliance Committee,
Dating 8 April 2010 Austria received a communication from the AT Ökobüro concerning compliance with the 3rd pillar on access to justice of the Convention with the request to provide written answers within 5 months (8 September).

The communication provided by Ökobüro, however, lacked clarity and was not well structured. This was recognised by the CC itself that asked the communicant to reorganize the content of the communication in sections and relate them to the relevant provisions of the Convention that are at stake.

After a first internal consultation on the received communication AT also asked the CC for a clearer and better organised document and, if possible, for some questions on the respective communication with the intention to focus our resources appropriately and efficiently.

On 3 June 2010 we were provided with a revised, newly organised communication from the Ökobüro, where it was stated to ignore the original communication and to only consider the new revised version as relevant. Furthermore the communicant clearly expressed in its accompanying letter his agreement that the deadline for response would be extended due to the caused delay.

Finally on 23 June 2010 we received a letter from the UNECE Sekretariat of the Compliance Committee, supplying 13 questions relating to the revised communication without giving an extension of the deadline for the response.

The whole of last week, several Aarhus meetings took place in Geneva where all Focal Points were present (including myself). This implies that realistically we can only start working on the answers of the current case 48 now. This situation causes a number of practical problems for the AT administration:

- The 13 questions cover a broad range of environmental sectors/legislation (this is different to our first two cases, that concerned concrete EIA projects)
 - In order to properly and professionally reply we need to coordinate with various units concerned internally as well as with other Ministries and/or stakeholders outside
 - During the months of July and August due to the summer holidays we will have serious difficulties in getting all players involved on board and to respond timely
- All these elements will make it very difficult or virtually impossible to keep the set deadline of 8 September for providing a proper response to all issues at stake.

Realistically an answer until end of September/beginning of October could be feasible.

Let me ask again, to kindly consider the elements provided above and to extend the deadline of reponse to appr. one more month.

Best regards from Vienna,
Lieselotte Feldmann
AT Aarhus Focal Point