



NATIONS UNIES

COMMISSION ÉCONOMIQUE  
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ОБЪЕДИНЕННЫЕ НАЦИИ

ЕВРОПЕЙСКАЯ ЭКОНОМИЧЕСКАЯ  
КОМИССИЯ

UNITED NATIONS

ECONOMIC COMMISSION  
FOR EUROPE

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Palais des Nations, Room 429-2  
CH-1211 GENEVA 10

Ref: Pre-admissibility

18 November 2014

Vzw STRAATEGO  
Ballaarstraat, 6  
2018 Antwerpen

Nick Meynen  
Heidebergstraat 209  
3010 Leuven

Greet Bergmans  
Fortlaan 17  
2070 Zwijndrecht

Contact person: Nick Meynen

Dear Mr Meynen,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Belgium in connection with decision-making on the proposed “Oosterweelverbinding” highway**

At its forty-sixth meeting (Geneva, 22-25 September 2014), the Aarhus Convention Compliance Committee considered the preliminary admissibility of the communication submitted by you on 30 August 2014. The communication alleged non-compliance with articles 4, 6 and 9 of the Convention in connection with the decision-making on the proposed “Oosterweelverbinding” highway. The Committee agreed to defer its preliminary determination of admissibility to its forty-seventh meeting in order to seek further clarification from the communicants.

Please find attached a set of questions prepared by the Committee for the communicants' attention. We would be very grateful to receive your response to the attached questions by **Wednesday, 17 December 2014**, in order that they may be considered by the Committee at its forty-seventh meeting (Geneva, 16-19 December 2014).

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Fiona Marshall', written over a horizontal line.

Fiona Marshall  
Secretary to the Aarhus Convention Compliance Committee

Enc: Questions for the communicants

### **Questions for the communicants**

1. Please provide a clear and simple chronology of the decision-making procedure on the “Oosterweelverbinding” project to date, including the opportunities the public had to participate at each stage.
2. Please clarify for which stages (parts) of the “Oosterweelverbinding” project, the decision-making process has already been completed and for which stages, the relevant decisions are still to be taken.
3. With respect to your allegations under article 4 of the Convention, what if any further domestic remedies might be available to challenge the alleged failure to adequately respond to Peter Verhaeghe’s 30 March 2014 information request? Why have those domestic remedies not to date been used?
4. Please provide a brief overview of any pending domestic court or administrative proceedings brought by the communicants or their organizations concerning the “Oosterweelverbinding” project.
5. On the last page of your communication you ask the Committee to consider the case immediately notwithstanding “that legal options still exist within the country”. Please provide an overview of all remaining domestic remedies that are or will be available to the communicants to challenge the decision-making on the “Oosterweelverbinding” project, indicating the stages (parts) of decision-making process on which they can be applied. For each available remedy, please indicate whether it is the communicants’ intention to have recourse to that remedy, and if not, why not.
6. What is the current status of any complaints regarding Belgium made to the European Commission by the communicants or their organizations concerning any aspect of the “Oosterweelverbinding” project?