



Dirección:
C/ Guadalupe 17
06200 Almendralejo
(Badajoz) Tfno. 675 043 835
Identificación fiscal: **G06442412**
E-mail: almendralejosincontaminacion@yahoo.es
Web: <https://almendralejosincontaminacion.gueb.es>

4 December 2020

To Compliance Committee of the Aarhus Convention [ACCC-C-2009-36]

Comments of communication Spain's final progress report on decision VI/8j.

In response to the comments made by Spain regarding our comments.

Spain continues to deny the obvious: it still does not comply with the resolution of the Compliance Committee.

On this occasion it provides a sentence date November 4, 2019, in which it relies to affirm:

"In short, all of the examples cited above confirm the existence of recurrent and well-established case law on the matter of legal aid for the environmental NGOs referred to in article 23.1 of Act 27/2006 of 18 July.

Assuming the premise that the interpretation and application of the law is the sphere of competence of the judges and the courts, and in view of the multiple decisions handed down under prevailing legislation, without any need for legislative reform, determining that entities meeting the criteria stipulated in article 23.1 of Act 27/2006 of 18 July are entitled to legal aid, it would be logical to conclude that the legislative reform which the communicant seeks with such insistence is, at the very least, unnecessary."

Spain assumes something that is not true. It is not true that the courts unanimously grant free justice to NGOs that defend the environment in accordance with the provisions of the Aarhus Convention and law 27/2006.

Attached is a judgment dated November 11, 2020, of the SUPERIOR COURT JUSTICE 5th BARCELONA. We believe that this statement sets out clearly and concisely the problem that access to legal aid has in the Spanish legislation that regulates it.

In Almendralejo, 4 December 2020

Félix Lorenzo Donoso

Plataforma Contra la Contaminación de Almendralejo