

**R.M. Buxton**

MA (Cantab) MES (Yale)

**Susan Ring**

LLM Env (London)

**Paul Stookes**

PhD MSc LLB Solicitor - Advocate

*Associate:* **Andrew Kelton**

BA (Cantab) MA (UBC Canada)

19B Victoria Street  
Cambridge CB1 1JP

Tel: (01223) 328933

Fax: (01223) 301308

[www.richardbuxton.co.uk](http://www.richardbuxton.co.uk)

[law@richardbuxton.co.uk](mailto:law@richardbuxton.co.uk)

Secretary to the Aarhus Convention  
UNECE  
Environment & Human Settlement Division  
Room 332, Palais de Nations  
CH-1211 Geneva 10  
Switzerland

Attn: Jeremy Wates

Our ref: PS/MRG-1  
e-mail [pstookes@richardbuxton.co.uk](mailto:pstookes@richardbuxton.co.uk)

5 October 2009

Dear Sirs

### **Communication to Compliance Committee ACCC/C/2008/23**

Thank you for your recent correspondence regarding an alleged conflict. We have read the UK's letters of 22 July 2009 and 25 September 2009 and the draft statement of the Committee of 24 September 2009.

We are surprised by the UK's stance about a comment by an observer at the 24<sup>th</sup> meeting; Professor Bonine. He was not a representative of our client, was not instructed as an advocate by our client, nor was he invited to attend the meeting by our client. As far as we were aware, he had no similar association with the communicant for matter no. 0027.

We are of the view that the Compliance Committee's statement satisfactorily meets any concerns raised by the UK. In our view, the UK is seeking to divert attention from its own serious failings in implementing the Convention. It should recognise that its citizens do not file a complaint lightly and they would much rather be getting on with their own lives than to have to complain about its government's inadequate compliance with international law. But for the failure by the UK to protect its citizens and afford adequate environmental rights the UK would not be before the Committee. In our view, the UK should recognise its shortcomings and focus its efforts on trying to comply with its Convention obligations rather than cloud the issue.

Yours faithfully

Richard Buxton

cc Dr Asa Sjostrom, Head of EUIC Core Team, Defra