



NATIONS UNIES

COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ

ЕВРОПЕЙСКАЯ ЭКОНОМИЧЕСКАЯ
КОМИССИЯ

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 3294
Fax: +41-22-917 0634
E-mail: public.participation@unece.org
Website: www.unece.org/env/pp

1 July 2010

Ms. Lieselotte Feldmann
National Focal Point for the Aarhus Convention
Federal Ministry of Agriculture, Forests, Environment and Water Management
General Environmental Policy Dept./EU Affairs Environment
Stubenbastei 5
1010 Vienna, Austria
Fax: +43 1 51 522 73 01

Mr. Géza Simonfay
Andrássy út 36 II, em 5
H-1061 Budapest, Hungary

Mr. Ulrich Salburg
Neustiftgasse 3/6
1070 Vienna, Austria
Fax: +43 1 526 58 58

Dear Ms. Feldmann, Mr. Simonfay and Mr. Salburg,

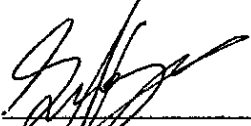
Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Austria with provisions of the Convention in connection with the construction of a waste incinerator in the province of Burgenland (ACCC/C/2009/39)

On behalf of the Aarhus Convention Compliance Committee, I would like to thank the participants in the discussion of the above referenced communication at the twenty-eighth meeting of the Compliance Committee (Geneva, 15-18 March 2010). The advance unedited copy of the report of the meeting, including information concerning the discussion on the communication at issue will be accessible at the following link <http://www.unece.org/env/pp/ccMeetings.htm>, in a couple of weeks.

Further to the oral submissions of the parties at the discussion in an open session, the Committee deliberated in closed session and held that the communication was not admissible as manifestly unreasonable, because the communicant, having been awarded the status of "neighbour" under Austrian legislation, had submitted all its comments. In the view of the Committee, the communicant failed to substantiate that it was not able to participate in the different stages of the environmental decision-making procedure; or to what extent its important objections to the activity were not considered during this procedure. The Committee's deliberations were communicated to the parties after the discussion.

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Smagadi', written over a horizontal line.

Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Austria to the United Nations Office and Specialized Institutions in Geneva