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Ref: ACCC/C/2014/123

28 June 2015

Robert Konrad
Head of Unit, DG Environment,
Unit F3, Communication
Brussels
Belgium

Angelika Wiedner
Aarhus Team Leader, DG Environment
Unit A2, Compliance promotion, governance and legal issues
Brussels
Belgium

Dear Mr. Konrad and Ms. Wiedner,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the European Union in connection with the transposition of the Convention's provisions on access to justice (ACCC/C/2014/123)

On 22 December 2014, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication addressed to the Compliance Committee of the Convention. The communication concerns compliance by the European Union with the provisions of the Convention in connection with its alleged failure to transpose article 9 of the Convention into European Union law on matters other than the internal procedures of the Union and in the draft directive on access to justice in environmental matters. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7.

The communication has been registered under the symbol ACCC/C/2014/123, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication is available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.html>.

The Compliance Committee, having considered the admissibility of the communication at its forty-eighth meeting (Geneva, 24-27 March 2015), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the

Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. by **28 November 2015**), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime.

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

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Delegation of the European Union to the United Nations Office and other international organizations in Geneva
NGO "Justice and environment"- communicant of communication ACCC/C/2014/123

Enc: Communication ACCC/C/2014/123
Preliminary determination on admissibility