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ECONOMIC COMMISSION
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Palais des Nations, Room 429-4
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Ref: ACCC/C/2017/150

5 January 2018

Mr. William Rundle
Friends of the Earth
United Kingdom

Dear Mr. Rundle,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom Kingdom regarding public participation in the context of the “Great Repeal Bill” (ACCC/C/2017/150)

On 31 October 2017, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received from you the above communication addressed to the Compliance Committee of the Convention. The communication concerns compliance by the United Kingdom with article 8 of the Convention regarding public participation in the context of the “Great Repeal Bill” and, more generally, in the preparation of generally applicable legally binding normative instruments. 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.

The communication has been registered under the symbol ACCC/C/2017/150, which you are invited to cite in future correspondence on the matter. All documentation relating to the communication is available on the Committee’s web site at: <http://www.unece.org/env/pp/cc/com.html>.

The Compliance Committee, having considered the admissibility of the communication at its fifty-ninth meeting (Geneva, 11—15 December 2017), has determined the communication to be partially admissible on a preliminary basis. Specifically, the Committee has determined the allegation concerning the preparation of subsequent legislation (i.e. the second issue listed on page 8 of the communication) to be inadmissible under paragraph 20 (d) of the annex to decision I/7 on compliance. However, the Committee has, on a preliminary basis, determined the communicant’s allegation concerning the preparation of the draft “Great Repeal Bill” and the alleged lack of a clear, transparent and consistent framework to implement article 8 (i.e. the first and third issues listed on pages 8 and 9 of the communication) 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 that the Committee has not reached any conclusions with respect to the substance of the issues referred to in the communication.

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 Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva
Mr. Ahmed Azam, Department of Environment, Food & Rural Affairs (Defra)

Enc: Preliminary determination on admissibility