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08 October 2018

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

Decision VI/8j (Spain) - Compliance Committee progress review of the implementation of decision VI/8j.

We should regret that nothing has changed. We attach to this communication two documents proving it:

The first document is a request for information to the Ministry of Justice. This request summarizes the case that is being followed in the Compliance Committee of the Aarhus Convention. On this occasion, the Ministry of Justice has not responded to the request for information (which has been usual).

The second document is the resolution of the Ombudsman to a claim filed by the Platform. In the second paragraph of point one, the Ombudsman decides:

*“However, the first Suggestion should be considered rejected, after the clarifications made by that Confederation in a previous writing, it should be understood referring to the resolution of the filing of the sanctioning procedure due to the statute of limitations of the dumping infringement and not to the decision of file of proceedings prior to the start of the sanctioning procedure. Since that basin organization has not supplied the complainant Platform with a copy of the resolution terminating the sanctioning procedure, nor has it justified the legal reasons that support its refusal, **it can be concluded that it has not facilitated access to environmental information, compliance with the provisions of Law 27/2006.**”*

It may not make sense to continue sending proof of the breach of the agreement by Spain; however, given that the Platform considers the spirit of the Aarhus Convention to be very important, we will continue to forward the documents that prove the repeated breach of the Aarhus Convention.

In Almendralejo, 08 October 2018

Félix Lorenzo Donoso

Plataforma Contra la Contaminación de Almendralejo