

Email

From Charles PIROTTE, Focal Point for the Aarhus Convention

To: UNECE Secretariat (Marianna Bolshakova)

18.03.2009 11:43

Dear Ms Bolshakova,

Thank you for your message and the accompanying document in which the communicant submits its comments on the draft findings prepared by the Compliance Committee in communication ACCC/C/2007/21 and petitions the Committee to reconsider the conclusion set out in paragraph 37 of the draft findings where, as regards the alleged non-compliance with article 6 of the Convention the Committee finds the European Community not to be in a state of non-compliance, for the reasons given in the paragraph 35 of the draft findings.

I understand that neither Decision I/7 nor the Modus Operandi (Guidance Document on Aarhus Convention Compliance Mechanism - version 11.2008) provides for a second round of written exchange.

On the basis of those documents, I understand further that the Committee will proceed to finalising its findings and would not expect the Committee to reverse its findings. It is on the basis of this understanding that the Community would refrain to submit at this stage additional comments on the communicant's comments (with which I take this opportunity to make it clear, for the record, that the Community disagrees).

In the event where the Committee would nevertheless wish to reconsider its findings, the Community would expect being given the opportunity to submit additional observations on the communicant's comments; the Community would also expect being given the opportunity to comment revised draft findings.

I would be grateful if the Secretary to the Convention could inform the Committee of this message.

Yours sincerely,

**Charles PIROTTE**

Focal Point for the Aarhus Convention