



NATIONS UNIES
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ОБЪЕДИНЕННЫЕ НАЦИИ
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ДЛЯ ЕВРОПЫ

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 2384
Fax: +41-22-917 0634
E-mail: jeremy.wates@unece.org
Website: www.unece.org/env/pp

12 May 2009

Mr. Eduardo ORTEU BARROCAL
Legal Advisor
Secretaria General Técnica

Ms. Susana DRAKE
Head, Information Unit

Ministry of Environment
Plaza de S. Juan de la Cruz
E-28071 MADRID
Spain
Fax: +34 91 597 63 82
Fax: +34 91 597 5981

Dear Mr. Orteu Barrocal, Ms. Drake,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain with the provisions of the Convention in connection with decision-making on a residential development project in the city of Murcia, Spain (Ref. ACCC/C/2008/24)

At its twenty-third meeting (31 March - 3 April 2009), the Aarhus Convention Compliance Committee entered into discussion in an open session on communication ACCC/C/2008/24 (Spain), submitted by the Spanish NGO Asociación para la Justicia Ambiental (AJA - Association for Environmental Justice).

The Committee confirmed that the communication was admissible. It agreed to continue its deliberations on the matter at its next meeting in closed session with a view to finalizing the draft findings and, if appropriate, recommendations at that meeting. The draft findings will then be sent for comment to the Party concerned and to the communicant, in accordance with paragraph 34 of the annex to decision I/7.

Representatives of the communicant participated in the discussion at the twenty-third meeting of the Committee. However, the Committee noted with regret that no representative of the Party concerned was present, despite your Government having been duly notified and invited. The Committee also noted with regret that no response was received from your Government with regard to the communication either before or after the five-month deadline for responding, which (as notified in the secretariat's letter of 7 August 2008) was 7 January 2009.

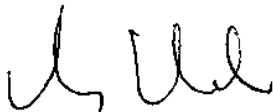
In response to various questions from the Committee, the communicant has provided a number of additional documents concerning the matters addressed by the communication that we are now forwarding to you.

Finally, we are enclosing (also for the benefit of the communicant who is copied on this letter) a corrected version of the admissibility determination as the previous version contained a small error concerning the date of entry into force.

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

We look forward to hearing from you.

Yours sincerely,



Jeremy Wates
Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Permanent Mission of Spain to the United Nations Office at Geneva and other International Organizations in Switzerland
Ms. Fe Sanchis Moreno, Mr. Salazar Ortuño, Association for Environmental Justice

Encs. Communicant's intervention at twenty-third meeting of the Committee
Introductory Comments to Intervention
Summary of applicable legal requirements for environmental impact assessment
Article 9, paragraph 1, and the Spanish Legal Framework
Letter from public authority requesting proof of representation mandate
Spanish legislation alleged to be in non-compliance with the Convention
Admissibility determination (corrected)