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27 April 2011

Mr. Jean-François Brakeland
Head of Unit
DG Environment, Unit A2
Compliance promotion, governance and legal issues
BU-9 00/201, Rue de la Loi 200, 1049 Brussels
Belgium

Ms. Anaïs Berthier
ClientEarth
36 Avenue de Tervueren (4eme Etage)
Bruxelles 1040, Belgium

Dear Mr. Brakeland, Dear Ms. Berthier,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the European Union with provisions of the Convention in connection with access by members of the public to review procedures (Ref. ACCC/C/2008/32)

At its thirty-second meeting (11-14 April 2011), the Aarhus Convention Compliance Committee concluded its findings in closed session with regard to the above communication, taking into account the comments received from the communicant and the Party concerned on 11 and 12 April 2011, respectively. This is "Part I" of the findings, because pending the case T-338/08 before the EU Courts, the Committee refrained from examining whether the Aarhus Regulation or any other relevant internal administrative review procedure of the EU meet the requirements on access to justice in the Convention

Please find enclosed an advance unedited English copy of the Committee's findings as adopted. This will in due course be produced as an official UN document, which will be available in the three official UNECE languages.

If you have any questions, please do not hesitate to contact the secretariat.

Yours sincerely,

Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

cc: Ms. Carol Day (Solicitor), WWF-UK
Permanent Delegation of the European Union to the United Nations Office and other international organizations in Geneva

Enc Findings on communication ACCC/C/2008/32