

Distinguished Sir,

With regard to your communication concerning the Compliance Committee Report, the General Directorate of Environmental Quality and Assessment, attached to the Industry, Energy and Environment Department of the Government of Extremadura, would like to make the following comments on the work undertaken by this body in the implementation of the Aarhus Convention and the Law 27/2006, to ensure that citizens have access to the relevant environmental information, are entitled to participate in environmental decision making processes and have access to justice when these rights are refused, informing of the remedies available.

Since the entry into force of Law 27/2006, this General Directorate has fully comply with its obligations of actively disseminate environmental information. For this purpose, telephone, personal presence, fax, or e-mail channels have been activated. Deadlines for responding have been strictly observed and whenever it's possible and depending of the technical resources available, information has been made available in the form requested and free of charge, taking into account that sometimes excessive workload or lack of technical and human resources can act as an obstacle. In this context, documentation relating an environmental information request process is attached.

In addition, an internal instruction has been elaborated to coordinate the work of the various heads of unit and experts with responsibilities in dealing with information requests. This instruction is an internal regulation to standardize and speed up the procedures relating information requests, and to monitor them more thoroughly in order to facilitate the statistic data used in the National Implementation Report.

Regarding passive dissemination of environmental information, the web page (www.extremambiente.es) is constantly publishing and making information available, updating the contents and ensuring a user-friendly access to the interested public. As an example, the following information can be found: Extremadura's Carbon Sinks Inventory; Extremadura's Climate Change Strategy; Extremadura's Sustainable Development Strategy; 2007, 2008 and 2009 Environment Reports. We are also sending a CD that contains some of the existing information on the website and other documents currently in press that will also be posted on the page soon.

Concerning public participation in decision-making processes, this right is guaranteed in the approval processes of all the provisions, plans, programs and licensing for certain activities, despite the Communication ACCC/C/2009/36 and its compliance report that concerns us, in which the Directorate General was involved as a result of the public consulting procedure relating Balboa Refinery project, and for which we reiterate our position that public participation and access to information were ensured at all stages. The process complied strictly with the law, all documents in the file were made available to the public in both paper and digital format, so it could be examined by interested parties during the legal term of 30 days. For this purpose an office was opened, equipped with two computers to see the whole file, including a non-technical study and the summary of the EIA.

It is important to note the recent passing of Law 5/2010 of June 23 on Prevention and Environmental Quality of the Autonomous Community of Extremadura, is establishing the necessary mechanisms to ensure the rights enshrined in the Convention and national

law in issues relating to information, education and public participation as provided in Title I, which is also attached.

In short, and broadly speaking, this is the work undertaken to give respond to the obligations under the Aarhus Convention, being always aware that all actions can be improved. We will continue to work for it, despite the great difficulties that often implies a lack of coordination with other administrations affected, whose performance can not be responsible because we can only respond within the scope of our competencies.

Based on the above, which highlights the valuable work that the team of the Directorate General is doing, we request that these comments are included in the Report, thanking you in advance and being available for any clarification.

Sincerely

THE GENERAL DIRECTOR OF ENVIRONMENTAL QUALITY AND ASSESSMENT

María Pérez Fernández