Annex 33

05-JNN-MJMM

El Adjunto Segundo del
Defensor del Pueblo

Nº expediente: **09003930**

Sr/a.
FELIX LORENZO DONOSO
PLATAFORMA CONTRA LA CONTAMINACION DE
ALMENDRALEJO
GUADALUPE 17
06200 ALMENDRALEJO
BADAJOZ

EL DEFENSOR DEL PUEBLO
REGISTRO
SALIDA
16/04/09 - 09038280

> Unofficial translation from the Spanish original

Dear Sir:

I have received your letter, which was recorded with the above number, which should be cited in the case of heading back to this institution for proper identification of your file.

The Ombudsman must begin by distinguishing the cases we presented, which do not coincide in nature or state of affairs. Due to their lengthy exposure in each case, we had to find you claim, besides the general, it clearer, that the Spanish State has to comply adequately with the basic principles of the Aarhus Convention. Above all, we feel that is more effective, as we infer from the complaint, to adhere to the requirements of Law 27/2006, yourselves as rightly, that law is not properly to transpose the Convention but European law, but this is not relevant now. We also make clear that the Ombudsman cannot get to hear generic issues but rather the thread of concrete irregularities that you are in the regular task of the Association..

ACCESS TO INFORMATION. - *Case 1: Industrial pollution in Almendralejo.-* We consider the problem refers to the delay in responding and opposition by the administration of reasons to give access to information. We do not consider it appropriate to proceed directly to the Ministry before the municipal response, or less directly to the then Minister, simply because of ineffective; we understand the reply should have gone directly to the City Council. It wants to say that with this way of proceeding is not following the right path to obtain not only information but to change the attitude of the municipal administration, therefore sought making a long detour. Not surprising since the response of the Minister,

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