



NATIONS UNIES
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ОБЪЕДИНЕННЫЕ НАЦИИ
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ДЛЯ ЕВРОПЫ

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7 May 2009

Mr. Eduardo ORTEU BARROCAL
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Dear Mr. Orteu Barrocal, Dear Ms. Drake,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain with provisions of the Convention in connection with access to information, public participation in decision-making and access to justice in the Extremaduran Community (Ref. ACCC/C/2009/36)

On 2 March 2009, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication submitted by Mr. Felix Lorenzo Donoso, President of the Spanish NGO Plataforma Contra la Contaminación de Almendralejo (Platform against the Contamination of Almendralejo), and addressed to the Compliance Committee of the Convention, alleging non-compliance by Spain with certain provisions of the Convention. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties. On 5 March 2009, the secretariat received supplementary information from the communicant clarifying which provisions of the Convention were believed to have been violated.

An earlier version of the communication in Spanish was submitted by the communicant on 18 February 2009. As Spanish is not an official language of the Convention, this could not be considered by the Committee. The Spanish version of the communication was accompanied by sixteen items of supporting documentation, also in Spanish.

Please find enclosed a copy of the communication and supporting documentation, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7. The communication has been registered under the symbol ACCC/C/2009/36, which you are invited to cite in future correspondence on the matter.

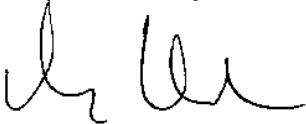
The Compliance Committee, having considered the admissibility of the communication at its twenty-third meeting (30 March - 3 April December 2009), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Please note that the Spanish language version of the communication will not form the basis of any considerations of the Committee in relation to the communication. The Committee will consider in due course which, if any, of the sixteen supporting documents need to be translated into English so that they may be taken into consideration in its deliberations.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter, any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the mean time.

Please do not hesitate to contact the secretariat if you have any questions.

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
Mr. Felix Lorenzo Donoso, President of the Platform against the Contamination of Almendralejo

Encs. Communication ACCC/C/2009/36 (including supplementary information detailing provisions of the Convention relevant to the communication, earlier Spanish version of the communication and 16 items of supporting documentation)
Preliminary determination on admissibility
Copy of letter to Mr. Felix Lorenzo Donoso, President of the Platform against the Contamination of Almendralejo
Datasheet on the communication