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Ms Fiona Marshall  
Secretary to the Aarhus Convention Compliance Committee  
UN Economic Commission for Europe  
Environment Division  
Palais des Nations  
CH-1211 Geneva 10  
Switzerland

5 October 2015

Dear Ms Marshall

**ACCC/C/2009/38: confirmation of the status of the communication**

1. I refer to the Committee's findings on communication ACCC/C/2009/38 (ECE/MP.PP/C.1/2011/2/Add.10, 24 August 2011), in particular paragraphs 88 and 89. The Committee decided that it would be premature at that stage to consider the communicant's allegations concerning article 9. This was because the communicant was due to bring a domestic appeal relating to the subject matter of the communication. The Committee indicated that it was "*awaiting further clarification from the communicant*".
2. I understand from the Scottish Government that the domestic litigation has now been settled. The legal representatives of the communicant and Mr William Walton – who was involved in the domestic litigation – have indicated that the settlement would bring the matter to an end in respect of the issue being put before the Committee. I attach correspondence between the communicant's legal representatives and the Scottish Government in this regard.
3. Given these developments, and that there appears to have been no correspondence on the communication since August 2011, I would be grateful for confirmation from the Committee that this communication can be considered closed.

Yours sincerely

Ahmed Azam  
United Kingdom National Focal Point  
to the UNECE Aarhus Convention



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