

Secretariat to the Aarhus Convention
United Nations Economic Commission for Europe
Environment Division
Room 332, Palais des Nations
CH-1211 Geneva 10
Switzerland

8 February 2012

ACCC/C/2011/57 - Compliance by Denmark with provisions of the Convention - fees for appeals to the Nature and Environment Appeal Board – Comments on draft findings of the Committee.

Dear Mr. Chairman,

On behalf of the communicant DOF BirdLife Denmark we want to thank the Committee for the draft findings. We have a few comments:

The second sentence under **point 14** shall be replaced by this: "In 2004 an upfront 500 DKK fee was introduced for most of the applicants at the former Nature Appeal Board".

Point 15 needs this addition: "Complaints on these local decisions to the former Environmental Appeal Board were free of charge until 1 January 2011."

As a result of this it is necessary under **point 21** to insert some words stressing that the fee for livestock cases were not only six-fold increased. Actually they were increased from 0 to 3000 DKK in January 2011.

Therefore it is also necessary to clarify the latest brackets in **point 25** through this addition: "except from e.g. livestock cases, which until 2011 were free of charge".

Point 52 is a disappointment to DOF. Particularly because this subject was emphasized during the hearing. As mentioned in our letter of 13 December 2011 "a reduced fee is expected to be raised immediately in case of a government change" and therefore it is important to make it undoubtedly clear that the new fee for complaints on livestock cases is against article 9, paragraph 5. It might be a help to avoid a new communication to the Compliance Committee.

Yours sincerely

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