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UNITED NATIONS

ECONOMIC COMMISSION
FOR EUROPE

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Palais des Nations, Room 429-2
CH-1211 GENEVA 10

Ref: Pre-admissibility

19 November 2014

Alain Lebrun
Avocat
Place de la Liberté
4030 Grivegnée
Belgium

Dear Mr. Lebrun,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Belgium in connection with costs for access to justice

Thank you very much for your re-submitted communication received on 8 September 2014.

At its forty-sixth meeting (Geneva, 22-25 September 2014), the Aarhus Convention Compliance Committee considered the preliminary admissibility of the re-submitted communication submitted by you on behalf of NGOs "Ardennes liégeoises" and "Terre wallonne". The Compliance Committee decided to defer its preliminary determination of admissibility for a second time in order to seek some further points of clarification from the communicants.

Please find attached a short set of further questions prepared by the Committee for your attention. We would be very grateful to receive your response to the attached questions by **Wednesday, 17 December 2014**, in order that they may be considered by the Committee at its forty-seventh meeting (Geneva, 16-19 December 2014).

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read "F Marshall".

Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Enc: Questions for the communicants

Questions to the communicants

1. Were there any further domestic remedies available through which the communicants could potentially have challenged the order of the Cour d'appel to pay the €3,700 costs awards? If any further remedies were indeed available, please explain why the communicants did not make use of them.
 2. Have the communicants already paid the €3,700 costs awards? If so, what consequences has this had for their further activities as environmental NGOs?
 3. Please provide the Committee with the text of the relevant provisions of the Belgian legislation regulating the costs of court proceedings that were applied in this case. If possible, please also provide the Committee with examples of recent case law illustrating how these provisions are applied in practice.
 4. What is the average personal annual income in Belgium?
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