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Ref: ACCC/C/2015/128

22 December 2015

Angelika Wiedner
Aarhus Team Leader, DG Environment
Unit A2, Compliance promotion, governance and legal issues
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Belgium

Robert Konrad
Head of Unit, DG Environment,
Unit F3, Communication
BU-24 00/43, Rue de la Loi 200, 1049 Brussels
Belgium

Dear Ms. Wiedner and Mr. Konrad,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the European Union with provisions of the Convention in relation to the approval of state aid for Hinkley Point C (ACCC/C/2015/128)

On 9 March 2015, 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 addressed to the Compliance Committee of the Convention. The communication concerns compliance by the European Union with article 9, paragraph 3 and 4 of the Convention in connection with its alleged failure to provide access to justice in relation to the approval of state aid for Hinkley Point C. 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.

The communication has been registered under the symbol ACCC/C/2015/128, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication is available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.html>.

The Compliance Committee, having considered the admissibility of the communication at its forty-ninth meeting (30 June-3 July 2015), 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.

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 (i.e. by **22 May 2016**), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime.

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Delegation of the European Union to the United Nations Office and other international organizations in Geneva
Ms. Leonore Gewessler, GLOBAL 2000 (Friends of the Earth Austria), Austria
Mr. Thomas Alge, OEKOBUERO - Alliance of the Austrian Environmental Movement, Austria

Enc: Preliminary determination on admissibility