

11 January 2019

John Damm Sørensen
Stenkrogen 6
DK-2800 Kongens Lyngby
Denmark

Dear Mr. Sørensen,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Denmark with provisions of the Convention in connection with the expansion of a rowing stadium

I refer to the communication submitted by you on 2 December 2016 and resubmitted on 14 March 2017. The communication alleged non-compliance with provisions of the Convention in connection with the expansion of a rowing stadium and associated legal challenges.

I write to inform you that the Chair and the Vice Chairs of the Compliance Committee have requested that the secretariat invite you to reply to a number of questions, which are enclosed for your attention. These questions relate to the admissibility of your communication, including the exhaustion of available domestic remedies and whether the public participation procedure on the proposed expansion of the rowing stadium comes within the scope of the provisions of the Convention. The questions also concern the relevant supporting evidence that is needed in order to substantiate your communication.

We would be grateful to receive your replies to the enclosed questions by **Monday, 4 February 2019**. If you consider that a longer timeframe will be necessary for you to reply to the questions, please let us know as soon as possible. Likewise, should you have any questions with regard to the above, please do not hesitate to contact the secretariat.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Enc: Questions to the communicant

Questions to the communicant:

1. You state in your communication that you made a number of comments to the municipality of Gladsaxe with regard to the possible environmental effects of a plan to expand a rowing stadium.
 - a. Did you make these comments in the context of a public participation procedure organized as part of an environmental impact assessment (EIA) procedure?
 - b. If yes, did Danish law require an EIA procedure to be carried out regarding the proposed expansion of the rowing stadium? If so, please provide the text of the relevant provisions of the Danish law on EIA which stipulate that the decision to expand the rowing stadium was required to undergo an EIA procedure, together with an English translation of those provisions.
 - c. When you state in your communication that your comments were “ignored” and “rejected”, are you alleging that your comments were (a) not acknowledged or responded to by the public authority; or (b) acknowledged but not reflected in the final decision by the public authority?
 - d. Please provide the text of the relevant parts of the decision to expand the rowing stadium where the comments received from the public are summarized and responded to.
2. With respect to the use of available domestic remedies:
 - a. At the time that you received the decision of the Danish Ombudsman dated 10 November 2016, would it still have been possible for you to bring court proceedings to challenge the decision of the Environmental Appeals Board?
 - b. Did you, either before or after receiving the decision of the Danish Ombudsman, attempt to challenge the decision of the Environmental Appeals Board through the Danish courts? If so, what was the final outcome of that challenge? If not, why did you not do so?