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Secretary to the Aarhus Convention Compliance Committee
UNECE
Bureau 348
Palais de Nations
CH-1211 Geneva 10
Switzerland

Attn: Fiona Marshall

Your ref: Decision V/9n
Our ref: PS/UK Progress report V/9n

By e-mail

18 December 2015

Dear Sirs

Decision V/9n – UK Progress Report of 13.11.15

We write further to your invitation to comment on the above

The UK's progress report takes a step further away from compliance with the Aarhus Convention rather than closer to it and addressing the findings of non-compliance. We enclose and refer to our detailed submissions to the UK costs consultation relied upon by Defra as addressing concerns raised by the UN and by the ECJ.

We note in our opening cover letter that we consider the proposals to address non-compliance are unlawful and likely to lead to challenge either generally or in specific instances which are likely to arise if the proposals are implemented and we explain this in detail in our responses. Overall the proposals do not reflect a bona fide attempt to implement the Aarhus Convention or the mandatory provisions of the EU directives to which the Convention rules are directly imported.

We trust that the above is acceptable. However, please do not hesitate to contact us if you have any queries.

Yours faithfully



Richard Buxton Environmental & Public Law

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