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UNITED NATIONS

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1 February 2012

Mr. Josef Unterweger
Buchfeldgasse 19a
A-1080 Vienna

Dear Mr. Unterweger,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Austria with provisions of the Convention in connection with access to justice in administrative penal and judicial criminal proceedings regarding the contraventions of provisions of national law relating to the environment (Ref. ACCC/C/2011/63)

On 1 December 2011, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received from you the above communication addressed to the Compliance Committee of the Convention. The communication concerns compliance by Austria with provisions of the Convention in connection with access to justice in administrative penal and judicial criminal proceedings regarding the contraventions of provisions of national law relating to the environment. 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 Compliance Committee, having considered the admissibility of the communication at its thirty-fifth meeting (13-16 December 2011) 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.

The communication has been registered under the symbol ACCC/C/2011/63, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.htm>.

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Fiona Marshall', written in a cursive style.

Fiona Marshall
Acting Secretary to the Aarhus Convention Compliance Committee

Cc: Ms. Lieselotte Feldmann, Federal Ministry of Agriculture, Forests, Environment and Water Management,
Austria
Permanent Mission of Austria to the United Nations Office and other International Organizations in Geneva

Enc. Preliminary determination on admissibility
Datasheet on the communication