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Palais des Nations, Room 348  
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Ref: ACCC/C/2011/63

4 October 2012

Lieselotte Feldmann  
Federal Ministry of Agriculture, Forests,  
Environment and Water Management  
General Environmental Policy Dept./EU affairs environment  
Stubenbastei 5  
1010 Vienna, Austria

Josef Unterweger  
"Vier Pfoten – Stiftung für Tierschutz gemeinnützige Privatstiftung"  
Buchfeldgasse 19a  
1080 Vienna, Austria

Dear Ms. Feldmann, 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 criminal proceedings regarding contravention of national environmental law (ACCC/C/2011/63)**

On behalf of the Aarhus Convention Compliance Committee, I would like to thank the participants in the discussion of the above referenced communication at the thirty-eighth meeting of the Compliance Committee (Geneva, 25-28 September 2012).

The report of the meeting, including information concerning the discussion on the communication at issue, will be shortly accessible at the following link <http://www.unece.org/env/pp/ccMeetings.htm>.

You may recall that during the discussion of the communication, the Committee requested the Party concerned to submit some additional information, as detailed in the questions annexed to the present letter. You are invited to reply to the questions as soon as you can, but no later than **29 October 2012**. In providing your responses, please address the questions of the Committee in a brief and explicit manner and provide the text of the relevant supporting documents in English. The communicant may react to the response of the Party concerned thereafter, but no later than **5 November 2012**.

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

Yours sincerely,

  
Aphrodite Smagadi  
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Austria to the United Nations Office and other International Organizations in Geneva

**Annex**  
**Questions with regard to communication ACCC/C/2011/63**

**To the Party concerned**

Please provide a timeline of the measures developed, including legislation, to address the shortcomings identified in the Committee's findings on communication ACCC/C/2010/48

Please elaborate on how the measures that are currently being developed in response to the recommendations on communication ACCC/C/2010/48 will ensure access to judicial proceedings in the situations raised by the present communication. If not, what possible additional measures should be taken to adequately address this situation (e.g. wider scope of application of the the liability directive, etc) so as to adequately meet the requirements of article 9, paragraph 3?