

2 August 2022

Ms. Justine Solomons-Moat
Department of Environment, Food & Rural Affairs
United Kingdom

Ms. Katie de Kauwe
Friends of the Earth
United Kingdom

Dear Ms. Solomons-Moat,
Dear Ms. de Kauwe,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom regarding public participation in the context of the “Great Repeal Bill” (ACCC/C/2017/150)

I write with respect to the request dated 26 July 2022 by the United Kingdom for a two-month extension to reply to the Committee’s questions of 1 July 2022 and its accompanying request for the Committee to postpone the hearing of the above communication scheduled for 14 September 2022 until the Committee’s seventy-seventh meeting in December 2022.

The Chair of the Compliance Committee has asked me to reply to you as follows.

At the Committee’s instructions, by my letter of 27 June 2022, I asked the Party concerned and the communicant to confirm by 18 July 2022 their availability to attend the hearing on the substance of the above communication to be held on 14 September 2022 at the Committee’s seventy-sixth meeting (Geneva, 13–16 September 2022). The Party concerned and the communicant confirmed their participation on 15 and 6 July 2022 respectively.

Following confirmation from both parties of their attendance, the Committee has proceeded with its preparations and arrangements for the hearing of communication ACCC/C/2017/150 on 14 September.

The reason why the Committee asked the Party concerned and communicant to confirm their participation more than eight weeks before the hearing was because, if either of the parties had at that point indicated it was not available on the date proposed, there was then still sufficient time for the Committee to invite another Party concerned and communicant to attend a hearing on a different communication at the seventy-sixth meeting instead. As of the last week of July, it is not feasible to ask another Party and communicant to attend a hearing of their case at the seventy-sixth meeting in the place of communication ACCC/C/2017/150.

Nor will it be possible to reschedule the hearing of communication ACCC/C/2017/150 to the Committee's seventy-seventh meeting in December 2022. As you may be aware, in accordance with its stated procedure for the follow-up on the twenty decisions and requests of the Meeting of the Parties concerning the non-compliance of individual Parties, the Committee will hold open sessions at its seventy-seventh meeting with those Parties concerned which require advice or assistance regarding their plans of actions. The Committee's seventy-seventh meeting is already tightly scheduled and it will not be possible to have the hearing of communication ACCC/C/2017/150 at that meeting as well.

Kindly note that the organization of a hearing requires substantial preparation by the Committee and the secretariat as well as the parties. In this regard, the agenda for the seventy-sixth meeting announcing the hearing of communication ACCC/C/2017/150 has already been finalized and published on the Committee's website at: <https://unece.org/environmental-policy/events/seventy-sixth-meeting-aarhus-convention-compliance-committee>

In the light of the above considerations, the Chair has instructed me to inform you that the hearing on communication ACCC/C/2017/150 will have to go ahead on **Wednesday, 14 September 2022**, at the seventy-sixth meeting as planned.

With respect to the timeframe for replying to the Committee's questions, please note that four weeks is the standard time for parties to reply in writing to questions from the Committee. With respect to the reason stated in the Party concerned's letter of 26 July 2022 for seeking a two-month extension, the Committee notes that only question 5 would appear to concern documentation that would have been held by the Department for Exiting the European Union (DExEU). All other questions concern the United Kingdom's administrative practice more generally.

The Committee however endeavours to accommodate parties' requests for extension whenever possible. The Chair has therefore asked me to inform you that the Party concerned may have an extension until **Wednesday, 31 August 2022**, to provide its written replies to the Committee's questions of 1 July 2022. In keeping with the Committee's established practice, the same extension will apply to the communicant also.

In accordance with the timeframe set out in my letter of 1 July 2022, the parties' comments on each other's replies will remain due four weeks thereafter, i.e. on **28 September 2022**.

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

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva