

From: ECE-Aarhus-Compliance <aarhus.compliance@un.org>

Sent: Monday, March 13, 2023 2:41 PM

To: Duin, Michelle

Cc: Bouman, N.W.M. (Nicolette) - DGMI; gev [MINBUZA]

; jan.haverkamp; Bondine Kloostra

; summer_kern@; Attracta;

summer_kern@

Subject: RE: NL documents - Decision VII/8m (Netherlands) - invitation to open session at Committee's 77th meeting (13-16 December 2022)

Dear Ms. Duin,

I refer to your letter of 7 March and the three documents attached thereto.

At its seventy-eighth meeting (Geneva, 21-24 March 2023), the Committee will consider the documentation submitted by the Party concerned on 7 March, together with any comments from communicants and observers thereon.

In advance of the meeting, the Chair of the Committee has asked me to invite you to briefly clarify the following:

- (a) Which section(s) of the Open Government Act addresses the content of the recommendation in paragraph 3 (b) of decision VII/8m.
- (b) Which paragraph(s) of the two judgments provided on 7 March 2023 specifically address the content of the recommendation in paragraph 3 (b) of decision VII/8m.

Please also provide the relevant excerpts of any of the judgments summarized in the Party concerned's letter of 2 August 2019 that specifically address the content of the recommendation in paragraph 3 (b) of decision VII/8m.

Kindly note that paragraph 3 (b) of decision VII/8m addresses the finding in paragraph 97 of the Committee's findings on communication ACCC/C/2014/124, and not the finding in paragraph 102. As explained in paragraphs 103 and 104 of the findings, in the light of the shared view of the Party concerned and communicant that the non-compliance found in paragraph 102 would not recur, the Committee refrained from making a recommendation on that issue.

Please do not hesitate to let me know if you have any questions regarding the above.

Kind regards,

Fiona



Fiona Marshall

Legal Officer – Secretary to the Compliance Committee and
Assistant to the Special Rapporteur on Environmental Defenders

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