

1 September 2023

Mr. Jaime L. Fraile Jiménez de Muñana
Ministry for Ecological Transition and the Demographic Challenge
Spain

Dear Mr. Fraile Jiménez de Muñana,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain with the provisions of the Convention on access to justice (ACCC/C/2022/195)

On 28 July 2022, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication from the non-governmental organization Verdegaia addressed to the Compliance Committee of the Aarhus Convention. The communication concerns compliance by Spain with articles 9 (3) and (4) of the Convention in connection with the San Finx mine. 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 communication has been registered under the symbol ACCC/C/2022/195, which you are invited to cite in future correspondence on the matter. All documentation relating to the communication is available on the Committee's website at: <https://unece.org/env/pp/cc/communications-from-the-public>.

The Compliance Committee, having considered the admissibility of the communication at its seventy-ninth meeting (Geneva, 13–16 June 2023), has determined it to be admissible on a preliminary basis with respect to the issue set out in paragraph 9, on page 4, of the communicant's letter of 30 May 2023 only.

The Committee has determined all other allegations in the communication to be inadmissible under paragraph 20 (d) of the annex to decision I/7 for being incompatible with the provisions of the Convention. A copy of the Committee's preliminary determination on admissibility is attached.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. by **1 February 2024**), any written explanations or statements clarifying the issue referred to paragraph 9, on page 4, of the communicant's letter of 30 May 2023 and describing any response that may have been made in the meantime.

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

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

- Cc: Permanent Mission of Spain to the United Nations Office and other international organizations in Geneva
Ms. Sabela Iglesias Garrido, representing the communicant of communication
ACCC/C/2022/195
Mr. Fred Logue, observer
- Enc: Preliminary determination on admissibility