

**From:** ECE-Aarhus-Compliance

**Sent:** Wednesday, May 29, 2024 5:10 AM

**To:** Magnús Óskarsson [REDACTED]

**Cc:** Fiona Marshall <[fiona.marshall@un.org](mailto:fiona.marshall@un.org)>

**Subject:** RE: ACCC/C/2019/168 (Iceland) - hearing at Committee's 83rd meeting (Geneva, 11-14 June 2024)

**Importance:** High

Dear Magnús,

I refer to our recent email exchange and our phone call on 24 May.

In your email of 22 May, you said that your clients had decided that it is too expensive to have a lawyer at the hearing so “there will be no one there representing my clients.”

As I explained during our phone call on 24 May, if the Compliance Committee holds a hearing to discuss the substance of a communication, it is expected that both the Party concerned and the communicants attend the hearing in person. There is no requirement that the communicants be represented at the hearing by a lawyer.

This is in accordance with paragraph 189 of the [Guide to the Aarhus Convention Compliance Committee](#) which states:

*If the Committee holds a hearing in a case, it is expected that both the Party concerned and the communicant or submitting Party will participate in the hearing in person. Each party should ensure that its representative(s) taking part in the hearing have the necessary competence to answer the Committee's questions within the scope of the case.*

In line with paragraph 189 of the Guide, while there is no requirement that either the Party concerned or the communicants be represented at the hearing by a lawyer, each party must ensure that its representative has the necessary knowledge and expertise to answer the Committee's questions at the hearing regarding the case.

The Committee accordingly looks forward to the communicants' confirmation by **5pm CET this Friday, 31 May** that they will indeed take part in the hearing on 12 June, together with the name of the communicants' designated representative(s) for the hearing.

Upon confirmation of the name of the communicants' designated representative, my colleague Katri Veldre, copied above, will contact the representative regarding their travel and financial support for the hearing.

In contrast, if by 5pm CET this Friday, 31 May, the communicants have not confirmed that they will take part in the hearing on 12 June and provided the name of their representative therefor, the Compliance Committee will cancel the hearing and notify the Party concerned forthwith.

The Chair of the Compliance Committee has requested that I inform you that, since it was the communicants themselves who specifically requested the hearing be held and given the availability of financial support for their representative to attend the hearing, should the communicants not confirm their participation in the hearing by 5pm CET this Friday, the Compliance Committee will report the communicants' conduct to the Meeting of the Parties to the Aarhus Convention.

The Committee looks forward to the communicants' confirmation of their participation in the hearing, together with the name of their designated representative.

Kind regards,  
Fiona



**Fiona Marshall**

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