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**FOR EUROPE**

Environment, Housing and Land Management Division  
Bureau 332  
Palais des Nations  
CH-1211 Geneva 10  
Switzerland

Phone: +41-22-917 2384  
Fax: +41-22-917 0634  
E-mail: [jeremy.wates@unece.org](mailto:jeremy.wates@unece.org)  
Website: [www.unece.org/env/pp](http://www.unece.org/env/pp)

7 May 2009

Mr. Felix Lorenzo Donoso  
President of the Platform against the Contamination of Almendralejo  
C/Guadalupe 17  
(Badajoz) Tino  
Spain

Dear Mr Donoso,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain with provisions of the Convention in connection with access to information, public participation in decision-making and access to justice in the Extremaduran Community (Ref. ACCC/C/2009/36)**

On 2 March 2009, 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 submitted by you on behalf of the Spanish NGO Plataforma Contra la Contaminación de Almendralejo (Platform against the Contamination of Almendralejo), and addressed to the Compliance Committee of the Convention, alleging non-compliance by Spain with certain provisions of the Convention. 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. On 5 March 2009, the secretariat received supplementary information from you clarifying which provisions of the Convention were believed to have been violated.

The communication has been registered under the symbol ACCC/C/2009/36, which you are invited to cite in future correspondence on the matter.

The Compliance Committee, having considered the admissibility of the communication at its twenty-third meeting (30 March - 3 April 2009), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

As you know, you submitted an earlier version of the communication in Spanish on 18 February 2009, accompanied by sixteen items of supporting documentation, also in Spanish. As Spanish is not an official language of the Convention, this version of the

communication could not be considered by the Committee. The Committee will consider in due course which, if any, of the sixteen supporting documents need to be translated into English so that they may be taken into consideration in its deliberations. In this regard, we would like to enquire whether, in order to expedite the process, you might have the possibility to provide English translations of any or all of the supporting documents. If not, the secretariat will explore other possibilities – and in that case, you are welcome to submit your views on which of supporting documentation would be of the highest priority to have translated, bearing in mind the need to concentrate on those documents most helpful to the Committee in its task of determining whether or not there is non-compliance.

The communication, together with the supplementary information (including the documents provided in Spanish) and the determination on admissibility, is being forwarded to the Party concerned in accordance with paragraph 22 of the annex to decision I/7. The Party concerned is being invited to provide a response to the communication as soon as possible and at the latest within five months, in accordance with paragraph 23 of the annex to decision I/7.

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

Yours sincerely,



Jeremy Wates  
Secretary

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Cc: Mr. Eduardo ORTEU BARRÓCAL, Legal Adviser, Secretaria General Técnica, Ministry of Environment, Spain  
Ms. Susana DRAKE, Head, Information Unit, Ministry of Environment, Spain

Encs. Preliminary determination on admissibility  
Copy of letter to Mr. Eduardo ORTEU BARROCAL, Legal Adviser, Secretaria General Técnica, Ministry of Environment, Spain, and to Ms. Susana DRAKE, Head, Information Unit, Ministry of Environment, Spain  
Datasheet on the communication