

From: Aarhus Punto Focal
To: Aarhus Compliance
Cc: Mission Spain, Sanchis Fe, Eduardo Salazar, almendrale josin contaminacion
Date: 05/12/2016 13:32
Subject: RE: Decision V/9k (Spain) - Compliance Committee's second progress review of the implementation of decision V/9k

Dear Fiona,

Regarding the conclusions and recommendations related to the Second progress review of the implementation of decision V/9k on compliance by Spain with its obligations under the Convention, we welcome the Committee finding regarding the fulfillment of paragraph 5 of the decision.

With regard to paragraph 6 in relation with article 9, paragraphs 4 and 5 of the Aarhus Convention, we still believe that Spain would need to carry out law reform, as it is said in the conclusion in MAGRAMA's 2013 "Study on Access to Justice".

However, despite the efforts made from this Ministry, the situation remains the same as at the time of our last communication during second review, given the Spanish courts have not adopted yet any legislative initiative regarding the right to free legal aid for environmental NGOs.

Therefore, from our position, we can do nothing more to the date, except regretting not to give you an affirmative answer in relation to an effective implementation of paragraph 6 of decision V/K9 of the Compliance Committee.

We trust that, during this new term that begins now, this legal reform will be taken into account.

Best regards,

Susana García Martínez
National Focal Point of the Aarhus Convention
Ministry of Agriculture, Food and Environment
Secretaría General Técnica
Plaza de San Juan de la Cruz s/n
28003 MADRID