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Nature and
Climate Adaptation
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Dear Mr. Romas Svedas

Thank you for your letter of 11 April 2019 concerning the Danish response to the questionnaire (2013-2015) point I.22. Our response will take existing Danish legislation as point of departure.

We would like to clarify that the obligation to ensure consultation of the public and the authorities in accordance with the Espoo-Convention article 3 (8) and article 4 (2), when DK is an Affected Party in a transboundary context, is an obligation, which also derives from EU-legislation, cf. the EU EIA-Directive 2011/92 article 7 (4).

The EIA-Directive was brought in line with the Espoo-Convention with the adoption of Council Directive 97/11/EC of 3 March 1997, recital 12 and 13. There are not – to our knowledge – any misconceptions in the transposition of the Espoo-Convention in the EIA-Directives.

Given the fact that Denmark is a Member of the EU Denmark is obliged to transpose the EIA-Directives the transposition is adopted in the Environmental Assessment Act (EAA no. 1225 of October 25 2018), which also transposes the SEA-Directive.

The EAA-Act, which initial entered into force May 16 2017, explicitly covers consultation of the public and authorities, when Denmark is an Affected Party in a transboundary (EU and Parties to the Convention) context, cf. § 2 para 1, no. 3.

Yours sincerely,



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