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Date: 18/12/2014 12:06
Subject: Decision V/9g (European Union)

This e-mail is sent on behalf of Mr Robert KONRAD, from European Commission, DG Environment, Head of Unit D.4.

Dear Fiona,

I refer to your message of 28 November 2014, asking for information on further progress in implementing the recommendations set out in Decision V/9g concerning compliance by the EU with its obligations under the Aarhus Convention.

Following the findings and recommendations of the Aarhus Convention Compliance Committee (ACCC) in Case ACCC/C/2010/54 on the Irish National Renewable Energy Action Plan (NREAP), the European Commission has reminded Member States of the provisions on public participation contained in the Aarhus Convention to which they are signatory states, in the event that they would be in the situation of having a RES (renewable energy sources) share under the indicative trajectory set by Annex I of the Renewable Energy Directive 2009/28/EC (OJ L 140 of 5.6.2009, p. 16) and thus they would have to prepare and submit an amended NREAP (according to Art 4(4) of the said Directive). The European Commission has also drawn the attention of the Member States to the findings and recommendations of the ACCC concerning compliance by the European Union with provisions of the Convention in connection to the Irish NREAP.

So far, the European Commission has not concluded that a Member State was in the situation of having a RES share in the immediately preceding two-year period below the indicative trajectory set in Annex I of the Renewable Energy Directive. Hence, no amended NREAPs had to be prepared and submitted to the European Commission, following the provisions of Art 4(4) of the Directive. Nevertheless, should such situation arise, the European Commission will remind Member States again of the provisions of the Aarhus Convention regarding public participation.

Best regards,

Robert KONRAD
Head of Unit



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