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Ms. Aphrodite Smagadi

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Communication ACCC/C/2008/31

Questions with regard to communication ACCC/C/2008/31

Berlin, 5.11.2012

Dear Ms. Smagadi,

Thank you for your letter of 4 October 2012 delivering additional questions to the discussion of Communication ACCC/C/2008/31.

Please find enclosed the response of the Federal Republic of Germany. Further translation of the judgments referred to in the Annex to the response or their full German version can be provided if necessary.

As regards the amendment of the Umwelt-Rechtsbehelfsgesetz (Environmental Appeals Act) according to the *Trianel* judgment of the Court of Justice of the European Union the Federal Government highly appreciates the Aarhus Convention Compliance Committee's decision to take into account legislative measures leading to amendments by the end of 2012. We will inform the Aarhus Convention Compliance Committee by the beginning of 2013 about the state and the outcome respectively of the legislative procedure.

Currently the draft bill is discussed in the Federal Parliament (*Deutscher Bundestag*). The adoption by the Federal Parliament is scheduled for 8 November 2012. Afterwards the Council of the German States (*Bundesrat*) will





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have to decide on 14 December 2012. If the draft bill passes the decision-making, the publication in the Federal Law Gazette shall take place as soon as possible – still in 2012 – and the amendment will enter into force at the end of the year.

Yours sincerely,

For the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety

Susanna Much

Enclosure(s)

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