

From: Robert.KONRAD  
To: Fiona Marshall, Aarhus Compliance,  
Cc: Pat Swords, Robert KONRAD, Angelika Wiedner, DELEGATION-GENEVA-UN  
Date: 20/04/2016 10:55  
Subject: Re: Statement to the 52nd meeting of the Compliance Committee regarding decision V/9g concerning European Union  
Sent by: Greta RINKEVICIUTE-MISCIKIENE

Dear Ms Marshall,

Thank you for your note of 7 April 2016, in which you invite us to send you any comments with regard to the audio-conference of 8 March 2016 in follow-up to Decision V/9g of the Meeting of the Parties (MOP).

We would like to thank the Aarhus Convention Compliance Committee (ACCC) for the discussion from which we retain the following key elements:  
Answering the question whether it had clearly instructed the Member States to properly implement Article 7 of the Convention with respect to the adoption of National Renewable Energy Action Plans (NREAPs), the Commission explained that this was done by letters of 14 October 2015 (as referred to in the 2015 report of the Commission to the ACCC in the case at hand). The Commission added that it will assess the progress reports and if applicable, the amended NREAPs, and will include this assessment in the 2016 report to the ACCC. The Commission further clarified that given that the Treaty on the Functioning of the European Union itself provided a legal basis for infringement proceedings, no additional instructions or provisions were necessary for Member States to be made aware of that risk in case they do not observe their obligations under the EU acquis.

We will detail further progress by the European Union in implementing the MOP decision in the third progress report to be submitted, according to paragraph 5 of Decision V/9g, by 31 October 2016 at the latest.

**ROBERT KONRAD**  
Head of Unit



**European Commission**  
Directorate-General for Environment  
Unit D.4 – Governance, Information & Reporting

BU-9 02/001  
B-1160 Brussels/Belgium  
+32 229-98633  
[Robert.KONRAD@ec.europa.eu](mailto:Robert.KONRAD@ec.europa.eu)