

18 March 2024

Mr. Jaime L. Fraile Jiménez de Muñana
Ministry for Ecological Transition and the Demographic Challenge
Spain

Ms. Carlota Ruiz-Bautista
Instituto Internacional de Derecho y Medio Ambiente

Mr. Sebastian Bechtel
ClientEarth

Dear Mr. Fraile Jiménez de Muñana,
Dear Ms. Ruiz-Bautista and Mr. Bechtel,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Spain with regard to public participation in the preparation of its transitional national plan under the Industrial Emissions Directive (ACCC/C/2017/159)

At its eighty-second meeting (Geneva, 20–23 February 2024), the Aarhus Convention Compliance Committee held a closed session to discuss how to proceed with the above communication taking into account the information received to date.

Having considered the information received, the Compliance Committee is of the view that it is in a position to commence its deliberations on the substance of the above communication without holding a hearing. Before doing so, however, the Compliance Committee has asked me to write to seek the view of each party on whether you consider there to be a particular reason why a hearing is needed prior to the Committee commencing its deliberations on its draft findings in this case.

I would be grateful to receive your views by **Tuesday, 2 April 2024** on whether you consider a hearing is needed in this case. If you consider a hearing would indeed be necessary, please provide a brief explanation (maximum one A4 page) of the reason for this in your reply.

If the Party concerned and the communicants are each of the view that a hearing is not needed, the Committee will commence its deliberations on the substance of the communication.

Alternatively, if by 2 April 2024 either party has informed the secretariat that it is of the view that a hearing is required in this case, the Committee will consider the explanation provided by that party of why a hearing is needed and if, after taking into account that explanation, the Committee determines that indeed a hearing should be held, the hearing will be scheduled for one of its upcoming meetings. The final decision on whether to hold a hearing rests with the Committee.

You are invited to consult paragraphs 182-187 of the Guide to the Compliance Committee, available at <https://www.unece.org/index.php?id=54512>, for further details.

Please do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Spain to the United Nations Office and other international organizations in Geneva