

# **Environment: public participation in plans and programmes**

2000/0331(COD) - 27/05/2002 - Commission communication on Council's position

The Commission notes that the Common Position does not alter the objectives of the proposal - indeed in many respects it clarifies and improves upon the original text. However, there are some aspects where the proposal has been weakened. This relates in particular to public participation on updates to existing installations as set out in the IPPC Directive. The Commission considers that, as a principle, permit updates are to be included in the new Directive, in line with the Aarhus Convention. According to the Commission the Common Position, as it stands, would significantly weaken public participation on relevant and important changes and/or updates to existing installations. In other words updates for reasons of operational safety, changes in best available techniques and changes to legislation would not be subject to public participation. The Commission can not agree to such a significant restriction. A statement to that effect has been included in the Council Minutes. The Commission is also concerned that the access to justice provisions should not be given too narrow an interpretation. Other than that the Commission can broadly support the Common Position, with the exception of the limitation of public participation in relation to permit updates under Council Directive 96/61/EC.