



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Directorate E - Implementation & Support to Member States  
**ENV.E.4 - Compliance & Better Regulation**  
**The Head of Unit**

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Ms. Fiona Marshall  
Secretary to the Aarhus Convention  
Compliance Committee United  
Nations Economic Commission for  
Europe Environmental Division  
Palais des Nations  
CH-1211 Geneva 10  
Switzerland

**Subject: Reply by the European Commission, on behalf of the European Union, to the draft findings and recommendations by the Aarhus Convention Compliance Committee with regard to case ACCC/C/2014/121 concerning compliance by the European Union with the Convention's provisions on public participation in the procedures for reconsidering or updating permits for industrial installations under the Industrial Emissions Directive (IED)**

Dear Ms. Marshall,

We would like to reassure the Compliance Committee that the European Commission services take compliance with the Aarhus Convention seriously. We will work closely and constructively with Union legislators and Member States in order to continuously improve the formulation and implementation of EU law.

In this context, we would like to inform you that as part of the European Green Deal, the Commission will review EU measures to address pollution from industrial installations, including Directive 2010/75/EU on industrial emissions (IED). The review will look at the sectoral scope of the legislation and at how to make it fully consistent with the European Green Deal commitments. The Commission will also carefully take into account concerns related to public participation, also with a view to make it easier, for concerned parties, to seek judicial review where appropriate.

At the same time, as explained in detail in our previous submissions, we continue to hold the position that – when correctly read and implemented at national level in the spirit of the Aarhus Convention – the provisions of the IED may be interpreted in a way so as to make it consistent with Article 6 of the Aarhus Convention.

For this reason, we are not in a position at this time to agree with the Committee making direct recommendations pursuant to paragraph 36(b) of the annex to decision I/7.

In the attached comments, we would like to highlight a few of our key arguments in this case.

If you need any further clarifications, please do not hesitate to contact us.

Yours sincerely,

(e-signed)

Robert KONRAD  
Aarhus Focal Point