The Commission notes that the bill in question has not yet been adopted and public consultation took place until 18 July 2022. The Habitats Directive\(^1\) does not establish exclusion areas where no project can be carried out. However, according to its Article 6(3), in case a Natura 2000 site is likely to be significantly impacted by a project, then an appropriate assessment of its impact must be carried out and the project can only be authorised if it has been ascertained that it will not significantly impact such a site. This applies to the projects listed by the Honourable Member. Any legislative change must not introduce provisions, which would contradict the above-mentioned provisions of the Habitats Directive.

Article 7 (last sentence) of the Aarhus Convention requires each Party, ‘to the extent appropriate’, to ‘endeavour to provide opportunities for public participation in the preparation of policies relating to the environment’. However, the more specific public participation requirements under Articles 6 and 7 (first three sentences) of the Aarhus Convention (including Article 6(3) requiring reasonable timeframes) apply only to projects, plans and programmes.

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