

Media release

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Greek state blocks right to challenge coal power plant permits

Brussels, Belgium – ClientEarth and WWF Greece have filed a complaint against the Greek state for violating an international agreement by effectively making it impossible to challenge unlawful permits for many of the country's coal-fired power plants.

The complaint, to the Aarhus Convention Compliance Committee, was accepted yesterday evening (Wednesday) and will now be examined.

For more than 15 years, Greek governments have used laws that directly granted, renewed and extended the permits of coal-fired power plants owned by the national power company, Public Power Corporation's (PPC), bypassing the respective administrative public authorities.

This has prevented any concerned member of the public from challenging permits that could be allowing PPC to pollute above legal limits and endanger public health.

If the complaint is upheld, it could pave the way for legal challenges against most of PPC's coal-fired plants.

ClientEarth lawyer Eleni Diamantopoulou said: "No one in Greece has had the right to challenge this process and PPC's permits can be waved through. The Greek state is blocking proper scrutiny of the process and must be held accountable for denying the public this right."

By filing permits through legislative procedures instead of administrative ones, the Greek government has violated Article 9 of the Aarhus Convention, concerning "Access to Justice", as it prevents interested parties and members of the public from challenging the decisions to permit operation of PPC's power plants.

WWF Greece Climate and Energy Policy Officer Nikos Mantzaris said: "Greek governments of the last 16 years have been applying preferential treatment regarding the permit process of Greek lignite plants.

"This in turn inhibited judicial review of the operation of lignite plants, thus indirectly allowing them to pollute beyond limits and damage public health. Hopefully, the admissibility of our complaint will send a message to the Greek government to render its permitting practices more transparent."

In 2001, the Greek parliament granted PPC a Single Provisional Operation Permit, covering all of its power plants. This operational permit is meant to ensure safe operation and efficient protection of employees and the environment but as it was granted through legislative procedures, it has never been scrutinised.

Under normal conditions, the Ministry for the Environment and Energy should have issued separate operation permits for each lignite plant. Instead, this Single Provisional Operation Permit has been extended several times by the Greek parliament, most recently in December 2015.

The Greek parliament also passed a law in 2011 that extended the outdated environmental permits of each of PPC's coal plants. Because these extensions were granted through a legislative act, PPC's environmental permits have not yet been updated to reflect [the EU's Industrial Emissions Directive](#) requirements that came into force on 1 January 2016.

The established administrative procedures that apply to other power producers should also apply to PPC instead of granting it legislative permits that nobody can challenge.

Diamantopoulou added: "As we are approaching the expiry date of the latest legislative permit extension, the Greek state must think twice and refrain from adopting a new law that will extend this permit. Instead, the normal administrative procedures should prevail, enabling public participation".

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Notes to Editors

The complaint was made to the ACCC for failure to comply with the Aarhus Convention. The Convention is an international agreement designed to empower individuals and certain groups by ensuring access to justice around environmental matters.

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