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Over European law also stand international treaties - and especially where the EU is party to those treaties, it is the European Commission that has to guard over their implementation. Nevertheless, also European law prescribes that Germans have the right on equivalent access to the public participation procedures in transboundary EIA procedures.

Here's the law:

Aarhus 3(9): Within the scope of the relevant provisions of this Convention, the public shall have access to information, have the possibility to participate in decision-making and have access to justice in environmental matters **without discrimination as to citizenship, nationality or domicile** and, in the case of a legal person, without discrimination as to where it has its registered seat or an effective centre of its activities.

Espoo 2(6): The Party of origin shall provide, in accordance with the provisions of this Convention, an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures regarding proposed activities **and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.**

EIA Directive 85/337/EC, art. 7(5). The detailed arrangements for implementing this Article may be determined by the Member States concerned and shall be such **as to enable the public concerned in the territory of the affected Member State to participate effectively in the environmental decision-making procedures** referred to in Article 2(2) for the project.

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