Question for written answer E-004897/2025/rev.1
to the Commission
Rule 144
Lena Schilling (Verts/ALE)

Subject: Natura 2000 – 'Gut Walterskirchen' European protected area

1. How, in the Commission's view, it is possible or allowed that Walterskirchen – which has been a nature reserve since 1952 and was declared a European protected area ('Gut Walterskirchen') by decree of the Government of the Province of Carinthia of 29 July 2025 – is in fact being massively downsized (according to the ground plan) through the designation of 'guaranteed areas'?

2. To what extent does removing the protection by means of Article 45 of the Carinthian Spatial Planning Act 2021 (K-ROG 2021) and the Carinthian Municipality Planning Law conflict with the 'principle of equality' (held to be unconstitutional in Austrian Constitutional Court rulings) if this is expected to lead to a deterioration in part of the protected area, and, given the primacy of EU law over national law, is removing the protection permissible at all?

3. Does the Commission think, given the 'ban on deterioration' (i.e. exceeding the permitted use), that the development or expansion of nature conservation areas by means of a new construction should have been permitted at all, and should the construction have been taken down instead?

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