Question for written answer E-000740/2026
to the Commission
Rule 144
Jean-Paul Garraud (PfE)

Subject: EU overstepping its authority in the area of national forest management

The Commission has sent a letter of formal notice to Poland for failing to comply with a judgment of the Court of Justice of the European Union concerning Directive 92/43/EEC (Habitats Directive), the Charter of Fundamental Rights and the Aarhus Convention[1].

This procedure relates to the absence of mechanisms enabling environmental organisations to challenge, before national courts, forest management plans that could affect Natura 2000 sites.

However, forest management, the organisation of national judicial remedies and the definition of an interest in taking legal action are national competences under the Treaties and are not harmonised at EU level.

The Commission thus seems to be using litigation to impose a uniform procedural model and a greater role for private stakeholders in challenging sovereign public decisions.

In view of this:

1. Can the Commission indicate the legal basis in the Treaties that, in its view, gives it the authority to impose procedural rules on Member States in forestry disputes?

2. How does this action comply with the principles of subsidiarity and proportionality laid down in Article 5 of the Treaty on European Union?

3. Does it consider that a broad interpretation of the Aarhus Convention can take precedence over the exclusive competences of states as regards their national judicial systems?

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[1] https://agenceurope.eu/en/bulletin/article/13798/18.