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E-001547/2024

Answer given by Executive Vice-President Šefčovič
on behalf of the European Commission
(11.10.2024)

1. The Commission initiated an infringement procedure¹ against the Netherlands for non-compliance with Articles 2, 3, and 4 of the Birds Directive². The case is supported by scientific reports, including the 2024 study 'Geactualiseerd landelijk overzicht van vogelsoorten met concentraties van (inter)nationaal belang'³ (updated national overview of bird species with concentrations of (inter) national interest).

2. The exchanges between the Commission and national authorities in the course of infringement procedures are not public. As confirmed by the case law of the Court of Justice of the European Union⁴, this is justified to ensure the effectiveness of the loyal cooperation between the Commission and the Member State concerned in order to achieve compliance with EU law as soon as possible.

3. The Commission attaches great importance to transparency on its enforcement actions. With each infringement cycle, the Commission publishes a press package setting out the cases by policy area, describing subject matter and main grievances of individual cases, as has been done in the infringement procedure referred to by the Honourable Member⁵. Moreover, all infringement decisions are published in a public database⁶, updated in real time. The Commission's annual report on monitoring the application of EU law sets out Member States' compliance with EU law in all main policy areas, describing trends, progress made and fields where additional efforts are necessary⁷.

¹ INFR(2024)4014.

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version), OJ L 20, 26.1.2010, p. 7-25.

³ <https://www.rijksoverheid.nl/documenten/rapporten/2024/04/10/bijlage-basisrapport-concentratiegebieden>

⁴ Judgement of 14 November 2013, in joint cases C-514/11 P and C-605/11 P, paragraph 63 and case law cited therein,

<https://curia.europa.eu/juris/document/document.jsf?jsessionid=90163329A7A95D015161DD03AC754C65?text=&docid=144492&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=4956475>

⁵ https://ec.europa.eu/commission/presscorner/detail/en/inf_24_3228

⁶ https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=en&langCode=EN

⁷ https://commission.europa.eu/law/application-eu-law/implementing-eu-law/infringement-procedure/2023-annual-report-monitoring-application-eu-law_en#more-information-on-infringement-cases-by-policy-area