

EN

E-002651/2024

Answer given by Ms Roswall
on behalf of the European Commission
(21.1.2025)

1. On 3 July 2024, Italy notified the Commission as ‘final’ its updated National Energy and Climate Plan (NECP)¹, based on Article 14(2) of the Governance Regulation². The accompanying letter explains that the Strategic Environmental Assessment (SEA) is still ongoing.

2. Article 10 of the Governance Regulation states that in so far as the SEA Directive³ is applicable, consultations undertaken on the draft NECP in accordance with that Directive shall be deemed to satisfy the obligations to consult the public under the Regulation.

According to Article 6(2) of the SEA Directive, the public shall be given an early and effective opportunity to express their opinion on the draft plans and the accompanying environmental reports before the adoption of the plans.

The Commission’s recommendations⁴ on the Italian draft NECP reflect the crucial importance of a wide regional consultation and an early and inclusive consultation on the plan, including effective public participation with sufficient information and time⁵. The Commission, in its ongoing assessment of the updated NECPs, will assess whether Italy has taken due account of the Commission’s recommendations in drafting the final updated NECP.

In any event, Member States are primarily responsible for the correct implementation of EU law. In accordance with the principle of effective judicial protection, it is for the national judge to ensure the compatibility of national measures with EU law.

¹ https://commission.europa.eu/energy-climate-change-environment/implementation-eu-countries/energy-and-climate-governance-and-reporting/national-energy-and-climate-plans_en

² Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, OJ L 328, 21.12.2018, p. 1–77.

³ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, (OJ L 197, 21.7.2001, p. 30).

⁴ Recommendations issued pursuant to Article 34 of the Governance Regulation,
https://commission.europa.eu/document/download/af5bd599-e8b5-49fd-a498-dc00d6b81a0f_en?filename=Recommendation_draft_updated_NECP_Italy_2023.pdf

⁵ In line with the Aarhus Convention, United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, adopted on 25 June 1998.