

EN

E-002864/2024

Answer given by Ms Roswall
on behalf of the European Commission
(8.5.2025)

The Commission is aware of the issue raised by the Honourable Member and has taken legal action against Spain to address the problems of water overexploitation and biodiversity loss in Doñana through the correct application of the Habitats Directive¹ and the Water Framework Directive². As a result, the Court of Justice of the EU found in a judgment of 24 June 2021³ that Spain had failed to fulfil obligations under the above-mentioned Directives.

It is for Spain to implement all the necessary measures to comply with the judgment of the Court under the supervision of the Commission.

The Commission sent to Spain a letter of formal notice⁴ under Article 260(2) of the Treaty on the Functioning of the European Union on 15 July 2022. Since then, the Commission has held several bilateral discussions with the Spanish authorities to discuss the measures they have taken and plan to take. Spain has put in place a holistic plan to comply with the judgment, including measures in relation to illegal abstraction. The Commission will continue to closely monitor the implementation of the ruling and take any necessary step to ensure that it is fully complied with.

EU funding is available to help Spain solve this issue, for instance, both Recovery and Resilience Facility⁵ and the European Regional Development Fund⁶ can provide support for such type of investments.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50.

² Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, p. 1–73.

³ Case C-559/19: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62019CJ0559>

⁴ https://ec.europa.eu/commission/presscorner/detail/en/inf_22_3768

⁵ https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility_en

⁶ https://ec.europa.eu/regional_policy/funding/erdf_en