

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(14.2.2025)

After having issued a reasoned opinion (in February 2023¹), the Commission has remained in close contact with the Greek authorities. In their efforts to assist the Greek authorities to solve the issue, the case was discussed in April 2024 and the Greek authorities informed the Commission on steps taken to address the breaches identified by the Commission. It should be stressed that the existing infringement procedure concerns the fact that the current Special Framework for Spatial Planning and Sustainable Development for Renewable Energy Resources does not comply with the requirements of Article 6(3) of the Habitats Directive². Where appropriate, the Commission will not hesitate to refer the case to the Court of Justice of the EU.

Member States have a primary responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for enforcement. In its role as guardian of the Treaties, the Commission monitors the situation and may decide to take appropriate action.

The Commission aims to swiftly follow up on systemic issues involving the application of EU law in EU countries. However, one-off instances of this are better dealt with at national level, as long as there are available remedies, including judicial ones. In these cases, it is up to the national courts to apply and enforce rights under EU law. Compliance of individual windfarm projects with the requirements of the Habitats Directive should be checked by the competent national authorities, including the judicial ones.

¹ [https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR\(2014\)4073&decision_date_from=&decision_date_to=&title=&submit=Search&lang_code=el&langCode=EN](https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR(2014)4073&decision_date_from=&decision_date_to=&title=&submit=Search&lang_code=el&langCode=EN)

² 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.