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Answer given by Ms Roswall
on behalf of the European Commission
(24.3.2025)

The Commission has not received any information related to the internal circular mentioned by the Honourable Member.

Renewable energy and biodiversity protection go hand in hand and EU law carefully considers this balance. If a windfarm project is likely to have significant effects on a Natura 2000 site, an appropriate assessment of its impacts should be carried out, and the project can be approved only when it has been ascertained that it will not adversely affect the integrity of the site[1]. The projects also undergo an environmental impact assessment (EIA), based on the Greek legislation transposing the EIA Directive[2]. Moreover, under the permitting rules in the Renewable Energy Directive[3], when setting the renewable acceleration areas, Member States are obliged to choose areas that are not expected to have significant environmental impact[4].

Without prejudice to the Commission's powers as guardian of the Treaties, national administrative and/or judicial bodies are primarily responsible to verify compliance of individual projects with the EU environmental legislation and provide the appropriate means to address the matter. Citizens are thus invited to use existing national means of redress if they want to oppose a specific project.

The Commission may intervene in cases raising issues of wider principle, where there is sufficient evidence of a general practice, of a problem of compliance of national legislation with EU law or of a systematic failure to comply with EU law[5]. The Commission identified a structural problem and opened an infringement case[6]. The case concerns the absence of a legal framework that complies with the Habitats Directive. A reasoned opinion was sent in February 2023. The Commission continues to monitor the situation.

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[1] Article 6(3) of the Habitats Directive - 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 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, p. 1–21, as amended by Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 124, 25.4.2014, p. 1–18.
[3] Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast), OJ L 328, 21.12.2018, p. 82–209.
[4] Article 15c.
[5] As set out in the Communication of 19 January 2017: EU law: Better results through better application - C/2016/8600, OJ C 18, 19.1.2017, p. 10–20 and in the Communication of 13 October 2022: COM(2022) 518 final - Enforcing EU law for a Europe that delivers.
[6] Case 2014/4073 opened in 2014 against Greece: https://ec.europa.eu/commission/presscorner/detail/en/inf_23_525, 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