

EN

E-000308/2025

Answer given by Ms Roswall
on behalf of the European Commission
(12.3.2025)

The Commission is aware of the issues raised in relation to the development of nature trails on the island of Ustica.

In this regard, according to Article 6.3 of the Habitats Directive¹, any project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. According to Article 6.4, if, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a project must nevertheless be carried out for imperative reasons of overriding public interest, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected.

Italy has transposed these provisions in its legislation² and has adopted national guidelines³ to improve their application across its regions. Sicily has also transposed such guidelines into its regional legal order⁴. It is for the Italian competent authorities to apply the above rules and procedures to this project and to ensure that, if damage to a protected sites has occurred, it is adequately restored. In its role as guardian of the Treaties, the Commission may decide to intervene if systemic issues with application of these provisions of EU law arise.

According to information available to the Commission, although originally selected by the regional authorities to be funded with the European Regional Development Fund⁵ under the Regional programme Sicilia 2014-2020, in the end the project was financed with national funds (Piano Sviluppo e Coesione 2014-2020). The project received no EU resources on which the Commission could exert any checks.

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.

² <https://www.mase.gov.it/pagina/la-valutazione-di-incidenza-vinca#:~:text=Si%20tratta%20del%20processo%20d,di%20significativit%C3%A0%20di%20tali%20incidenze>

³ <https://www.mase.gov.it/pagina/linee-guida-nazionali-la-valutazione-di-incidenza-vinca-direttiva-92-43-cee-habitat-articolo>

⁴ Decreto Assessoriale 36 del 14 febbraio 2022 ‘Adeguamento del quadro normativo regionale a quanto disposto dalle Linee guida Nazionali sulla Valutazione d’incidenza (VincA), approvate in conferenza Stato-Regioni in data 28 novembre 2019 e pubblicate sulla Gazzetta Ufficiale dello Stato Italiano del 28 dicembre 2019, n. 303.’ Decreto Assessoriale n. 237 del 29 giugno 2023. ‘Sostituzione degli allegati al decreto n. 36 del 14 febbraio 2022, concernente adeguamento del quadro normativo regionale a quanto disposto dalle Linee guida nazionali sulla valutazione di incidenza (VIncA)’.

⁵ https://ec.europa.eu/regional_policy/funding/erdf_en