

EN

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Answer given by Ms Roswall
on behalf of the European Commission
(8.9.2025)

The EU is not a party to the Council of Europe Landscape Convention¹ and, therefore, the Commission is not competent to ensure its implementation.

The Environmental Impact Assessment Directive² requires that, before consent is given, projects likely to have significant effects on the environment by virtue, *inter alia*, of their nature, size or location be subject to an assessment of their environmental effects, including on the landscape and the cultural heritage. For the categories listed in Annex II, such as photovoltaic plants³, the authorities must determine whether an assessment is necessary through a case-by-case study or through previously set thresholds or criteria. In doing that, the authorities must take into account the relevant selection criteria set forth in Annex III.

Member States' competent authorities are primarily responsible for the correct implementation of the above provisions. Moreover, the Directive provides for specific review procedures that allow the public concerned to challenge the substantive or procedural legality of decisions, acts or omissions subject to the Directive's provisions on public participation.

The Commission considers that the use of the means of redress available at national level is the most effective way to address individual cases of possible non-compliance and is fully consistent with the Commission's strategic approach on enforcement action, focused on cases of systemic non-compliance⁴.

The United Nations Educational, Scientific and Cultural Organization recently published a Guidance on Wind and Solar Energy Projects in a World Heritage Context⁵, which provides a tool to help ensure renewable energy growth does not come at the cost of cultural and natural heritage.

¹ <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treatynum=176>.

² Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 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 of 16 April 2014 - OJ L 124, 25.4.2014, p. 1–18 (EIA Directive).

³ Referred to in Annex II, 3 a) to the EIA Directive.

⁴ 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.

⁵ <https://whc.unesco.org/en/news/2794>.