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E-004635/2025

Answer given by Ms Roswall
on behalf of the European Commission
(7.1.2026)

The Strategic Environmental Assessment Directive¹ applies to plans and programmes, but not to specific projects, such as the ones referred to by the Honourable Member. However, under the Environmental Impact Assessment (EIA) Directive², before consent is given, projects likely to have significant effects on the environment must be subject to an assessment. For the categories listed in Annex II to the Directive, such as urban development projects³, the authorities must determine whether such assessment is necessary through a case-by-case study or through previously set thresholds or criteria.

When a project is likely to have significant effects on a Natura 2000 site, the Habitats Directive⁴ requires an appropriate assessment of its implications for the site, in view of the site's conservation objectives. Where the obligation to carry out assessments arises simultaneously from the EIA Directive and the Habitats Directive, the authorities must, where appropriate, provide for a coordinated procedure.

The Commission is not informed on the projects mentioned by the Honourable Member and based on the available information, is unable to assess compliance with the obligations arising from the relevant provisions of EU Law. Without prejudice to its role as guardian of the Treaties and in line with its strategic approach on enforcement action, focused on cases of systemic non-compliance⁵, the Commission considers that the use of the means of redress available at national level is the most effective way to address these individual cases of possible non-compliance. In this regard, the specific review procedure under the EIA Directive allows the public concerned to challenge the legality of decisions, acts or omissions subject to the Directive.

¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment. OJ L 197, 21.7.2001, pp. 30–37.

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.

³ Referred to in Annex II, 10 b) of the EIA Directive.

⁴ 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.

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.