

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(28.1.2026)

Ensuring compliance of plans and projects with EU environmental legislation is primarily the responsibility of the Member States. In case of the project in question, which is to be located within the Natura 2000 site PLH 220032 Zatoka Pucka i Półwysep Helski, several provisions of the EU environmental legislation may apply. According to the Environmental Impact Assessment Directive¹ projects such as hotel complexes outside urban areas must be subject to a screening to decide if a full environmental impact assessment is necessary. The Habitats Directive² Article 6(3) requires that a project likely to have a significant effect on a Natura 2000 site must undergo an appropriate assessment in view of the site's conservation objectives and can be authorised only if it is confirmed that it would not affect the integrity of the site.

According to information available to the Commission services³, two decisions issued for this project by the mayor of Hel, i.e. on the construction of the hotel complex and a permit to cut down over 400 trees are subject to a review procedure by the Local Government Appeal Board in Gdańsk⁴. The Board has also suspended the implementation of these decisions until its verdict is delivered. The project can therefore still be brought into compliance with applicable EU law, if any non-conformities are identified.

The Commission focuses its enforcement action where there is evidence of a systematic breach of the EU law, rather than on individual cases of incorrect application⁵. The Commission does not have any competence to review permits or stop individual projects approved by the Member States. In its role as guardian of the Treaties, the Commission will continue monitoring the situation and may decide to take appropriate action.

¹ 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 the European Parliament and of the Council of 16 April 2014, OJ L 124, 25.4.2014, p. 1–18.

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.

³ <https://oko.press/na-zywo/na-zywo-relacja/hel-na-razie-uratowany>.

⁴ second instance permit authority.

⁵ Communication from the Commission - EU law: Better results through better application, OJ C 18, 19.1.2017, p. 10–20, and Communication from the Commission - Enforcing EU law for a Europe that delivers, 13.10.2022, COM(2022) 518 final.