

(English version)

**Question for written answer E-000855/26
to the Commission
Dolors Montserrat (PPE), Elena Nevado del Campo (PPE)
(2 March 2026)**

Subject: Possible breach of EU environmental legislation and use of the ERDF in a solar power project in a Natura 2000 network area in Spain

The Public Prosecutor's Office for the Environment is looking into an administrative procedure under which authorisation was granted to build a high-capacity solar power plant at Alcántara (Cáceres), in an area that is protected under the Natura 2000 network. Authorisation was apparently granted on the basis of an environmental impact statement that was allegedly in breach of national and EU legislation on the conservation of habitats and protected species and included possible adverse effects on species protected under Directive 92/43/EEC (the Habitats Directive) and Directive 2009/147/EC (the Birds Directive) ⁽¹⁾.

Apparently, the project received ERDF funding, and the cross-border notification obligation required under EU legislation was not met, even though the area concerned is close to the border with Portugal.

In view of this:

1. Has the Commission carried out, or does it intend to carry out, any investigations or exchanges of information with Spain to determine whether there has been a breach of EU environmental legislation, in particular the Habitats and Birds directives?
2. Does the Commission take the view that all the legal conditions required for the granting of EU funding have been met?

Submitted: 2.3.2026

**Question for written answer E-000857/26
to the Commission
Dolors Montserrat (PPE), Elena Nevado del Campo (PPE)
(2 March 2026)**

Subject: Alleged favourable treatment of renewable energy projects in Spain during the term of office of current Commissioner Teresa Ribera

The Public Prosecutor's Office for the Environment in Spain is currently investigating the actions of senior officials of the Ministry for the Ecological Transition and the Demographic Challenge who are said to have authorised renewable energy projects by means of environmental impact statements which allegedly ran counter to national and European legislation, thereby arbitrarily favouring certain companies ⁽¹⁾. Those decisions are alleged to have been taken during the term of office of Teresa Ribera — now a member of the College of Commissioners — at the head of that ministry.

These facts, if confirmed, could affect the correct application of Union law, in particular as regards environmental protection, the use of European funds and the principles of good administration.

In light of the above:

1. Is the Commission aware of this information and does it consider that it could entail a breach of EU law, in particular of environmental legislation and of the rules applicable to the granting of EU funding?
2. Does the Commission intend to verify whether, during this period, the authorisations and possible financing of renewable energy projects in Spain were fully in line with EU law and, where appropriate, to take any corresponding action?

Submitted: 2.3.2026

**Joint answer given by Ms Roswall on behalf of the European Commission
(4 May 2026)**

The Commission is not investigating the matter in question. The Environmental Impact Assessment (EIA) Directive ⁽¹⁾ requires that projects likely to have significant environmental effects undergo an EIA prior to authorisation ⁽²⁾.

¹ <https://www.elmundo.es/espana/2026/02/20/6996ffc2e9cf4a4e698b4578.html>.

¹ <https://www.elmundo.es/espana/2026/02/20/6996ffc2e9cf4a4e698b4578.html>.

⁽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 16 April 2014, OJ L 124, 25.4.2014, p. 1-18.

⁽²⁾ Solar plant projects are referred to in Annex II, 1 1) of the EIA Directive (Industrial installations for the production of electricity, steam and hot water).

Under the Habitats Directive ⁽³⁾, projects that are likely to have significant effects on Natura 2000 require an appropriate assessment; authorisation is possible only if it is ascertained that the project will not adversely affect the integrity of the sites concerned ⁽⁴⁾.

Without prejudice to the Commission's role as guardian of the Treaties, Member States are primarily responsible for ensuring compliance with EU law.

The EIA Directive establishes review procedures enabling the public concerned to challenge the substantive or procedural legality of relevant decisions, acts or omissions.

The Commission regards national means of redress as the most effective means to address individual non-compliance cases, complementing its strategic enforcement focused on systemic issues ⁽⁵⁾.

According to the Spanish authorities, the project in question has not been supported by the European Regional Development Fund ⁽⁶⁾.

In any case, under the principle of shared management, the Commission entrusts tasks relating to the implementation of cohesion policy programmes, including project selection and day-to-day management, to the Member States.

As regards the Recovery and Resilience Facility ⁽⁷⁾, the Commission has not assessed any measure linked to the implementation of this project.

Projects are only assessed in the context of a payment request and against the requirements set out in the Council Implementing Decision approving the national plan.

All supported measures are required to comply with the principle of 'do no significant harm' ⁽⁸⁾.

⁽³⁾ Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, OJ L 206 of 22.7.1992, p. 7.

⁽⁴⁾ Commission guidance document : https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/EN_art_6_guide_jun_2019.pdf.

⁽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⁾ https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/european-regional-development-fund-erdf_en.

⁽⁷⁾ https://commission.europa.eu/funding-tenders/find-funding/eu-funding-programmes/recovery-and-resilience-facility_en.

⁽⁸⁾ Within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, pp. 13-43.