

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(6.7.2026)

Under Article 4(2) of the Environmental Impact Assessment (EIA) Directive¹, for projects listed in Annex II, Member States shall determine whether the project shall be made subject to an assessment. This determination must be made through a case-by-case examination or thresholds or criteria set by the Member States which may decide to apply both procedures.

‘Marinas’ and ‘any change or extension of projects listed in Annex I [or II], already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment...’ fall respectively within the scope of Annex II, point 12(b) and point 13(a) of the EIA Directive.

The Commission notes that local organisations have exercised their rights to access environmental information, protected under the Directive on public access to environmental information² and the Aarhus Convention³, to obtain information on the ongoing environmental decision-making progress. In this regard, the Commission recalls that concerned citizens and environmental organisations also enjoy the right to access to justice, protected under the EIA Directive⁴ and the Aarhus Convention.

It is for the Italian competent authorities to apply the above rules and procedures to this project and to ensure that, if damage to the environment has occurred, it is restored as appropriate. In its role as guardian of the Treaties, the Commission may decide to intervene if systemic problems arise in the application of the provisions of EU law⁵.

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 (codification), OJ L 26, 28.1.2012, p. 1–21; Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 124, 25.4.2014, p. 1–18.

² Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC OJ L 41, 14.2.2003, pp. 26–32.

³ United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

⁴ Article 11 of the EIA Directive.

⁵ 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.