

(English version)

**Question for written answer E-001168/26
to the Commission
Adrián Vázquez Lázara (PPE)
(19 March 2026)**

Subject: Implementation of the CJEU judgment in Case C-461/24 concerning environmental assessments for wind power projects

In August 2025, the Court of Justice of the European Union (CJEU) delivered its judgment in Case C-461/24, in response to a question for a preliminary ruling by the High Court of Justice of Galicia (TSXG), on the interpretation of Directive 2011/92/EU, as amended by Directive 2014/52/EU, on the assessment of the effects of certain projects on the environment.

The CJEU stated that the law does not require that all the sectoral reports by the authorities consulted be made available to the public before the public information procedure is opened, provided that prompt and effective access to material information on the project, in particular the environmental impact assessment, is guaranteed. What is more, the CJEU stressed that to require otherwise might be unduly burdensome for national administrations.

However, following this ruling, the TSXG has continued to suspend court proceedings concerning wind farm authorisations, thus maintaining legal uncertainty in the application of EU legislation.

In view of the principle of primacy of EU law and the binding nature of CJEU judgments:

1. Is the Commission monitoring compliance with the judgment in Case C-461/24?
2. What measures could it take to ensure that it is implemented properly?

Submitted: 19.3.2026

**Answer given by Ms Roswall on behalf of the European Commission
(11 May 2026)**

The Commission closely monitors the implementation of EU law in the Member States, including the application of the case-law of the Court of Justice of the European Union (CJEU).

The ruling of the CJEU mentioned by the Honourable Member is now reflected in the Commission proposal for a regulation on speeding-up environmental assessments ⁽¹⁾ whose Article 4(4) reads:

‘Competent authorities shall consult the public concerned by the environmental decision-making procedure relating to a plan, programme or project subject to an assessment in accordance with paragraph 1 at the same time as they consult the authorities likely to be concerned by that plan, programme or project (...)’.

It is worth noting that under Article 16 (6) of the Renewable Energy Directive ⁽²⁾ Member States are required to ensure that administrative and judicial appeals in the context of a renewable energy project and related infrastructure, including appeals related to environmental aspects, are subject to the most expeditious administrative and judicial procedure that is available at the relevant national, regional and local level.

⁽¹⁾ COM(2025) 984 final.

⁽²⁾ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82, as amended by Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023, OJ L, 2023/2413, 31.10.2023.