

EN

E-001235/2026

Answer given by Ms Roswall
on behalf of the European Commission
(10.7.2026)

The Water Framework Directive (WFD)¹ requires Member States to ensure that mining discharges do not cause deterioration of surface water status or prevent the achievement of good status. All point source discharges, such as mining waste, must receive prior authorisation with sufficiently stringent emission controls to prevent pollution and protect water-dependent Natura 2000 sites.

The Extractive Waste Directive² sets a high level of protection for the environment and human health. It includes specific provisions aimed at preventing the deterioration of water status in accordance with the WFD, while leaving competent authorities a margin of discretion when applying those rules.

Under the Habitats Directive³ Member States must avoid deterioration of natural habitats and species habitats, and significant disturbance of species for which Natura 2000 sites have been designated. Any project, including mining waste discharges into rivers, likely to have a significant effect on Natura 2000 must undergo an appropriate assessment of its implications for the site. The competent authority may only approve the project after ascertaining that it will not adversely affect its integrity.

In line with its enforcement strategy focusing on systemic non-compliance⁴, the Commission considers it is the primary responsibility of the Spanish authorities to adequately enforce the above provisions of EU law. The Commission is aware of the concerns raised by the Honourable Member and notes that, according to available information, the Spanish Environmental Prosecutor has opened an investigation⁵. In any event, the Commission intends to discuss bilaterally with Spain the implementation of the WFD during an upcoming structured dialogue.

¹ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, pp. 1–73.

² Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC - Statement by the European Parliament, the Council and the Commission, OJ L 102, 11.4.2006, p. 15–34.

³ 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, pp. 7–50.

⁴ 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.

⁵ E.g. <https://elpais.com/espana/2026-03-10/los-ayuntamientos-de-sanlucar-y-chipiona-denuncian-los-vertidos-mineros-en-el-guadalquivir-ante-la-fiscalia.html>.