

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(16.7.2026)

The provision on protected species in the proposed Regulation on speeding-up environmental assessments¹ (RSEA), aimed to provide legal clarity and speed up permits, complements the relevant provisions of the Birds² and Habitats³ Directives. Specifically, Article 8 provides that when the implementation of a plan or project results in the occasional killing or disturbance of protected species, such killing or disturbance will not be considered deliberate if the plan or project has adopted appropriate and proportionate mitigation measures. When assessing whether these measures are appropriate and proportionate, the Member States' authorities should consider if significant adverse impacts on the population of the species concerned are avoided, despite the possible negative impacts on individual specimens of these species. Discussions on the proposal in the European Parliament and the Council are ongoing.

The stress test aims to identify opportunities for achieving the Directives' objectives in a more cost-efficient way while maintaining their ambition and high standards of nature protection. The Commission will decide on the appropriate follow up of the stress test, also taking into account the state of play of the legislative process on the RSEA.

The Commission proposal sets out a proportionate approach including for strategic projects, aiming to better reconcile the need for species protection with the need to speed up permitting of plans and projects.

¹ Proposal for a Regulation of the European Parliament and of the Council on speeding-up environmental assessments, COM(2025) 984 final, 2025/0391 (COD).

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, p. 7.

³ 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.