

EN

E-002429/2026

Answer given by Ms Roswall
on behalf of the European Commission
(25.8.2026)

Priority Habitat 2270* is protected in 20 sites in Portugal, including near the Ovar region in the Special Area of Conservation (SAC) Ria de Aveiro (PTCON0061). Under Article 6(3) of the Habitats Directive¹, any plan or project likely to have a significant effect on a Natura 2000 site must undergo an appropriate assessment, whether located inside or outside the site. National authorities may authorise such plans or projects only after establishing that they will not adversely affect the integrity of the site, without prejudice to Article 6(4) of the same Directive. Member States are responsible for ensuring that these requirements are complied with.

Certain ‘forestry operation’ projects may fall under the scope of the Environmental Impact Assessment Directive²; however, there is no automatic obligation to carry out an environmental impact assessment. For such projects³, Member States must determine if an assessment is required, taking into account relevant selection criteria⁴. Forestry plans and programmes fall under the scope of the Strategic Environmental Assessment Directive⁵ and must be assessed, provided that certain conditions are fulfilled⁶.

As stated in its Communication ‘EU Law: Better Results through Better Application’⁷, the Commission prioritises enforcement action in cases indicating a systematic breach of EU law in a Member State and considers national means of redress the most effective way to address individual alleged cases of non-compliance.

¹ 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.

² Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2011, as amended by Directive 2014/52/EU, OJ L 124, 25.4.2014 (EIA Directive).

³ Listed in Annex II, point 1(b) or (d) of the EIA Directive.

⁴ Such as project location (e.g. proximity to sensitive areas) and cumulation with other existing and/or approved projects.

⁵ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001.

⁶ Plans and programmes prepared and/or adopted by a national, regional or local authority; required by legislative, regulatory or administrative provisions, and setting the framework for authorising projects listed in Annexes I and II to the EIA Directive or determined to require an appropriate assessment under the Birds (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. 7–25) or Habitats Directives.

⁷ 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.