

EN

P-000765/2025

Answer given by Ms Roswall  
on behalf of the European Commission  
(26.3.2025)

The implementation of the EU environmental legislation is primarily the responsibility of the national authorities, which should ensure that permits for projects are fully compliant with EU law. According to the available information, on 31 January 2025 the General-Director of Environmental Protection (GDEP) issued a decision<sup>1</sup> amending the decision<sup>2</sup> of the Regional Director of Environmental Protection (RDEP) in Szczecin setting the environmental conditions for development of the container terminal in the port of Świnoujście. The decision of the GDEP sets, among others, further environmental obligations for the project.

According to the Environmental Impact Assessment (EIA) report<sup>3</sup> and additional clarifications provided to the Commission by the Polish authorities before the Commission issued its opinion pursuant to Article 6(4) of the Habitats Directive<sup>4</sup>, possible impacts of the project were analysed also in relation to the marine Natura 2000 sites<sup>5</sup>. It was concluded, however, that the project would have significant negative effects only on the terrestrial habitat types within the site PLH320019 Wolin i Uznam. Based on provided evidence the Commission had no reasons to question the findings of the authorities.

According to information provided by the authorities the construction of the waterway is a separate project as it will serve not only the new container terminal but all ports in the Świnoujście area. According to the authorities<sup>6</sup>, the project will be subject to an EIA including on the Natura 2000 sites. The Commission has published guidance documents<sup>7</sup>, which may be used by the national authorities to ensure application of the Habitats<sup>8</sup> and EIA Directives<sup>9</sup> in conformity with the jurisprudence of the Court of Justice of the EU.

---

<sup>1</sup> D00Ś-WDŚIII.420.2.2023.AL.34.

<sup>2</sup> W0NS-0Ś.420.29.2020.KK.46.

<sup>3</sup> Developed pursuant to 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.

<sup>4</sup> 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, p. 7.

<sup>5</sup> PLH990002 and PLB990003.

<sup>6</sup> <https://www.gov.pl/web/infrastruktura/jest-umowa-na-studium-wykonalnosci-nowego-toru-podejscowego-do-portu-w-swinoujściu>

<sup>7</sup> [https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/permitting-procedure\\_en](https://environment.ec.europa.eu/topics/nature-and-biodiversity/natura-2000/permitting-procedure_en)  
[https://environment.ec.europa.eu/law-and-governance/environmental-assessments/environmental-impact-assessment\\_en#law](https://environment.ec.europa.eu/law-and-governance/environmental-assessments/environmental-impact-assessment_en#law)

<sup>8</sup> 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, p. 7–50.

<sup>9</sup> 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, as amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014, OJ L 124, 25.4.2014, p. 1–18.