

(English version)

**Priority question for written answer P-002047/25
to the Commission
Pär Holmgren (Verts/ALE), Marie Toussaint (Verts/ALE), Ville Niinistö (Verts/ALE)
(21 May 2025)**

Subject: Article 17 reporting in the Habitats Directive

In December 2024, the Swedish Government issued the Swedish Environmental Agency with instructions ⁽¹⁾ on identifying favourable reference areas in line with the requirements for reporting under Article 17 of the Habitats Directive ⁽²⁾, arbitrarily superseding the Agency's own recommendation on identifying favourable reference areas ⁽³⁾.

The identification of these favourable reference areas under the Habitats Directive have become increasingly important given their role in the implementation of the Nature Restoration Regulation ⁽⁴⁾.

1. Does the Commission find it to be sound scientific practice for a Member State to report the status of habitat types based solely on their status in the year in which that Member State joined the EU, thus diverging from previous reporting standards and science-based criteria?
2. Does the Commission consider it to be sound scientific practice for a Member State to report the status of habitat types as unknown, even when their status is known to the Member State?
3. What does the Commission intend to do to ensure that reporting under Article 17 of the Habitats Directive follows sound, science-based ecological criteria for all Member States?

Submitted: 21.5.2025

**Answer given by Ms Roswall on behalf of the European Commission
(1 July 2025)**

The Commission is aware of the instructions referred to in the question of the Honourable Members. However, the Commission notes that Sweden has not yet submitted its report at the time this answer is drafted.

The European Environment Agency (EEA) and the Commission have provided guidance on assessing conservation status of habitat types and species including the setting of Favourable Reference Values (FRVs) under the Habitats Directive ⁽¹⁾ (format ⁽²⁾ and guidance ⁽³⁾).

According to this guidance, FRVs should not, in principle, be lower than the values when the Habitats Directive came into force, as most habitats have been listed in the annexes because of their unfavourable status.

Furthermore, FRVs should be set on the basis of ecological/biological considerations and by using the best available knowledge and scientific expertise.

Reporting FRVs as 'unknown' when they are actually known or can be set would not be considered sound practice.

The EEA and the Commission will continue to provide guidance on how to establish FRVs, assess carefully Member States' reports, and provide feedback to Member States if necessary, also in the light of the implementation of the Nature Restoration Regulation ⁽⁴⁾.

The EEA will carry out a public consultation before finalising the draft EU-biogeographical assessment of the data reported by national authorities.

¹ <https://www.regeringen.se/pressmeddelanden/2024/12/regeringen-ger-rapporterings--och-analysuppdrag-om-gynnsam-referensareal-for-art--och-habitatdirektivets-naturtyper/>.

² 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, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

³ <https://www.naturvardsverket.se/om-oss/regeringsuppdrag/slutredovisade-regeringsuppdrag/oversyn-av-referensarealer-for-naturtyper/>.

⁴ Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869 (OJ L, 2024/1991, 29.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1991/oj>).

⁽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, p. 7-50.

⁽²⁾ https://cdr.eionet.europa.eu/help/habitats_art17/Reporting2025/Art.17%20report%20format%202019-2024.pdf/.

⁽³⁾ https://cdr.eionet.europa.eu/help/habitats_art17/Reporting2025/Final%20Guidelines%20Art.%202017_2019-2024.pdf/.

⁽⁴⁾ Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869, OJ L, 2024/1991, 29.7.2024.

If national reports are not submitted in time, contain significant errors, display inaccuracies, involve falsification, or are only partially completed with much of the required information marked as 'unknown,' the Commission may initiate an infringement procedure.
