

EN

E-000737/2021

Answer given by Mr Sinkevičius  
on behalf of the European Commission  
(7.4.2021)

Without prejudice to the Commission's powers as guardian of the Treaties, Member States are primarily responsible for the protection of Natura 2000 sites, including both Sites of Community Importance (SCIs) and Special Protection Areas (SPAs) that they have designated pursuant to the Habitats<sup>1</sup> and Birds<sup>2</sup> Directives.

The Commission focuses its enforcement action on issues of wider principle, general practices and systematic failures to comply with EU law<sup>3</sup>. This is the case of infringement procedure 2015/2163 referred to by the Honourable Member, as the procedure relates, inter alia, to the inadequate conservation objectives and measures put in place by the Italian authorities for a number of Special Areas of Conservation (SACs) on the national territory. In this context, the Commission will make sure that the conservation objectives and measures defined for all SACs in Italy are compliant with the Habitats Directive.

As regards site IT3250023 specifically, the information available to the Commission does not indicate the presence of a systematic failure to comply with EU law and possible challenges should be brought at national level.

Nevertheless, the action taken by the Commission targeting systemic flaws should improve the implementation of the Habitats Directive in Italy. In addition to the action referred above, the Commission would also like to mention its dialogue with the Italian authorities in the context of another investigation, which eventually led to the adoption by the Italian authorities of national guidelines on the application of Article 6(3) and 6(4) of the Habitats Directive<sup>4</sup>.

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<sup>1</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>2</sup> 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.

<sup>3</sup> C(2016)8600.

<sup>4</sup> “Linee guida nazionali per la Valutazione di Incidenza (VIncA) – Direttiva 92/43/CEE “Habitat” articolo 6, paragrafi 3 e 4” (G.U. n. 303 of 28.12.2019).