



Brussels,  
ENV. E2/DFG/la

Dear Petitioners,

Thank you for your petition asking Commissioner Sinkevičius to prevent the Region of Andalusia from pushing through a law that could destroy the Doñana wetland and to put in place all the mechanisms in the European Commission's power (including financial sanctions) to protect Doñana nature reserve and other endangered natural sites across Europe. Commissioner Sinkevičius has asked me to respond on his behalf.

The Commissioner shares your concerns over the conservation of Doñana for future generations. Doñana's National Park and the surrounding areas included in the Natura 2000 Network constitute a unique biodiversity hotspot that provides many ecosystem services to nature and people, and a home for many threatened species, a breeding ground for thousands of birds and a stopover for millions of migratory birds from across the EU. On that account, the Commission fully agrees that urgent action needs to be taken to protect such exceptional natural values, even more so in the current context of less reliable rainfall due to climate change.

While aware of the role that irrigation plays for the local economy in the Doñana Region, the Commission also considers it crucial that sustainable water management policies be implemented in the face of the ongoing water crisis. A healthy agricultural sector depends on a healthy environment. Therefore, matching the water demands with the available resources is paramount to ensure the viability of irrigation and other economic activities in the mid and long term. In this context, EU environmental legislation, if correctly implemented, will play a major role in ensuring the sustainability of agriculture in the Doñana Region.

The Commission has pursued infringement proceedings against Spain on the Doñana issue since 2014. As a result, the Court of Justice of the EU found in 2021 that Spain had failed to take appropriate steps to avoid the deterioration of the protected habitats in the Natura 2000 sites, and that it didn't take sufficient measures to avoid the deterioration of the groundwater bodies on which those habitats rely.

The Commission takes the timely implementation of the judgments of the Court of Justice very seriously and, for that reason, its services have been in regular contact with the Spanish authorities. As the measures taken by Spain to comply with the ruling of the Court of Justice of the EU of 24 June 2021 have not been considered sufficient, the Commission decided to send a letter of formal notice under Article 260(2) TFEU on 15 July 2022.

The Commission has also met several times with the Spanish authorities and asked for additional information on the draft legislation proposed by the Andalusian Parliament. Its services are now carefully assessing the replies submitted by Spain following these contacts, together with the recently adopted third cycle of the River Basin Management Plans for the Guadalquivir basin. Based on the outcome of this assessment, the Commission will decide on the most adequate way forward for this case. If necessary, the Commission will not hesitate to take further steps to ensure that Spain duly complies with the ruling of the Court of Justice.

I trust that this information is of assistance to you.

Yours sincerely,

Electronically signed

Paul Speight  
Acting Director