

**Question for written answer E-000922/2023
to the Commission**

Rule 138

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Subject: Violation of European law relating to the protection of protected habitat types in Germany

The estuary of the Warnow, which flows into the Baltic Sea, is the only true estuary in the southern Baltic Sea and meets all the criteria of habitat type 1130. The typical habitat types found there are mudflats and sandflats not covered by seawater at low tide (1140), annual vegetation of drift lines (1210), glasswort mudflats (1310), Atlantic salt meadows (1330) and hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (6430). The area also includes a coastal flood bog.

Most of this estuary is not classed as protected – part of it is located in a nature reserve (Peezer Bach nature reserve) and is significantly affected by the already existing Rostock seaport. The town of Rostock and the Land of Mecklenburg-Western Pomerania are currently planning to further expand the Rostock seaport by 660 ha into this area. The Peezer Bach's estuary is to be transformed into the port basin, the river redirected and the coastal flood bog dredged and covered with concrete pillars and slabs. The Warnow riverside shall be fully fortified with steep concrete banks. Experts commissioned by the town of Rostock established significant and irremediable impact to strictly protected amphibian and bird species and habitats in both expansion areas. Construction would only be possible with a derogation.

1. In principle, how is the protection of habitat types that are not (yet) protected at EU level guaranteed?
2. How will the European Commission guarantee protection in this particular case?

Submitted: 20.3.2023