

**Question for written answer P-006136/2018  
to the Commission**  
Rule 130  
**Michael Cramer (Verts/ALE)**

Subject: Periods when the EIA Act complied with EU law

The Commission confirmed in its answers to Written Questions P-006000/2016 and P-008563/2016 that no Environmental Impact Assessment (EIA) Directive exemptions were granted to the Czech Republic and there was therefore no need to inform the European Parliament and Member States.

In case C-378/09 *Commission v Czech Republic*<sup>1</sup> (infringement procedure launched in 2006), the CJEU ruled in 2010 that national legislation restricted public participation. This infringement procedure were closed in 2012 and a new infringement procedure was opened in 2013.

Act 39/2015 Coll. addressed some of the public participation aspects, but incorrectly dealt with cases in which the non-EU compliant Act 244/1992 (missing NATURA 2000 and public health assessments, incomplete air pollution assessment, etc.) had been applied. Act 256/2016 confirmed the need to perform EIAs fully compliant with EU law for 244/1992 cases, but introduced an exemption for specific TEN-T projects.

On what grounds was the 2006 infringement procedure closed in 2012?

For what part of the period from 2007 to 2013 did the national law governing EIA Statements used in the Czech Republic comply with EU law?

When was the 2013 infringement procedure related to EIA Directive against the Czech Republic closed, and since when has the national law governing EIA Statements issued in the Czech Republic complied with EU law accordingly?

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<sup>1</sup> Judgment of the Court of 10 June 2010, *European Commission v Czech Republic*, C-378/09, ECLI:EU:C:2010:337.