

# [Commission takes Spain to Court for failure to protect the Doñana Wetlands](#)

The European Commission is referring Spain to the Court of Justice of the EU over a failure to take adequate measures to protect the groundwater bodies that feed the Doñana Wetlands, as required by EU water legislation Water Framework Directive, ([Directive 2000/60/EC](#)). Spain is also failing to take adequate steps to prevent the deterioration of protected habitats in these wetlands, in breach of EU nature legislation.

The Doñana wetlands are among the largest in Europe with a great diversity of ecosystems. They host a considerable array of fauna and flora, including critically endangered species, such as the Imperial eagle, Iberian lynx, and the Spur-thighed tortoise. Owing to its strategic location, Doñana is also part of the migratory route of millions of birds each year. This unique biodiversity is protected under the Habitats Directive (Council Directive 92/43/EEC) and the Birds Directive (Directive 2009/147/EC), as the Doñana National Park and its surrounding area contain several areas with Natura 2000 designated sites.

The conservation of wetlands relies on the availability of sufficient quantities of good-quality water, as many of the habitats they host are filled or soaked with water at least part of the year. This is also a legal obligation under the Water Framework Directive, which requires groundwater bodies to achieve 'good quantitative status', i.e. that they have enough water to sustain the ecosystems they rely on.

Doñana, in particular, is fed by several surface water bodies (mainly the estuary of the Guadalquivir) and by a large aquifer (groundwater body). However, large amounts of water are being diverted for both agriculture and the needs of local tourists, and the water table is sinking as a result. The sharp decline in groundwater levels has made the water-dependent habitats in Natura 2000 sites extremely vulnerable to the area's periodic dry periods, and they continue to deteriorate.

Today's decision follows a reasoned opinion sent to the Spanish authorities in [April 2016](#). The Commission is concerned that the condition of the wetlands is likely to deteriorate further, as Spain is falling short of its obligations under both the Water Framework Directive and the Habitats Directive. The measures in place to ensure the sustainable management of water resources and the conservation of the Doñana habitats are insufficient and poorly implemented. The Commission has, therefore, decided to refer Spain to the Court of Justice of the EU.

## **Background**

[Natura 2000](#), the EU-wide network of protected natural areas, is the centrepiece of Europe's efforts to protect its nature. It is made up of Special Areas of Conservation (SACs), as required by the [Habitats Directive](#)

(Council Directive 92/43/EEC), and Special Protection Areas for birds (SPAs) as required by the [Birds Directive](#) (Directive 2009/147/EC). Each Member State identifies and proposes sites that are important for the conservation of species and habitats occurring naturally in their territory. The Commission subsequently approves them as Sites of Community Importance (SCI). Member States then have up to six years to designate them as Special Areas of Conservation, but also to introduce the necessary management measures to maintain or restore the species and habitats present to a good condition. These are key requirements to protect biodiversity across the EU.

The Water Framework Directive ([Directive 2000/60/EC](#)) recognises that Europe's waters are a heritage to be protected and defended, and it sets out a number of obligations to help Member States treat their waters accordingly. Vulnerable aquatic ecosystems like the Doñana Wetlands need careful protection as their equilibrium is strongly influenced by the quality of inland waters flowing into them. Their protection also provides economic benefits by contributing towards the protection of fish populations, including at sea.

#### **For More Information**

- On the key decisions in the January 2019 infringements package, see full [MEMO/19/462](#).
- On the general infringements procedure, see [MEMO/12/12](#).
- On the [EU infringements procedure](#).

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## **[Declaration by the High Representative on behalf of the European Union on latest developments in Venezuela](#)**

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On 23 January, the people of Venezuela have massively called for democracy and the possibility to freely determine their own destiny. These voices cannot be ignored.

The EU strongly calls for the start of an immediate political process leading to free and credible elections, in conformity with the Constitutional order.

The EU fully supports the national assembly as the democratically elected institution whose powers need to be restored and respected.

The civil rights, freedom and safety of all members of the National Assembly, including its President, Juan Guaidó, need to be observed and fully respected.

Violence and the excessive use of force by security forces are completely unacceptable, and will for sure not resolve the crisis. The Venezuelan people have the right to peacefully demonstrate, to freely chose its leaders and decide its future.

The European Union and its member states remain ready to support the restoration of democracy and rule of law in Venezuela through a credible peaceful political process in line with the Venezuelan constitution.

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ESMA's opinions agree proposed position limits regarding:

- [Low Sulphur gasoil](#);
- [Panamax Freight](#);
- [Dutch TTF ICE Endex](#);
- [Dutch TTF Powernext](#);
- [Dutch Power Base](#); and,
- [Dutch Power Peak](#).

ESMA found that the proposed position limits are consistent with the objectives established in MiFID II and with the methodology developed for setting those limits. ESMA will continue to assess the notifications received and issue opinions in order to ensure that the position limits are set in accordance with the MiFID II framework.

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