

# [Commission refers Portugal to Court over its failure to adequately protect natural habitats and species](#)

The European Commission is referring **Portugal** to the Court of Justice of the EU for not designating Special Areas of Conservation (SAC) for the protection of natural habitats and species included in the Natura 2000 network and for failing to establish the necessary conservation measures for these sites.

Portugal had to designate seven SACs in the Atlantic region by 7 December 2010 and 54 SACs in the Mediterranean region by 19 July 2012. Portugal has also failed to establish the necessary conservation measures to maintain or restore the protected habitats and species in these sites. The current measures adopted in the framework of the Portuguese Natura 2000 sectorial plan (PSRN2000) and the other sectorial and special plans (e. g. the rural development plans (PRODER) and the municipal plans) are not comprehensive and precise enough to allow for an adequate level of protection and SACs designation. As recognised by Portugal, the designation of the SACs requires a prior mapping of natural habitats and species as well as the adoption of management plans for each site.

The Commission has repeatedly urged Portugal to fulfil its obligations. A letter of formal notice was sent in February 2015 and a reasoned opinion in [May 2016](#). So far, Portugal has not been able to respect its own commitments for SACs designation, and establishment of conservation measures.

## **Background**

[The Habitats Directive](#) ([Council Directive 92/43/EEC](#)) requires the establishment of the Natura 2000 network, the EU-wide network of protected natural areas, made of Special Areas of Conservation (SACs), and Special Protection Areas for birds (SPAs) under the [Birds Directive](#). 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 adopts them as Sites of Community Importance (SCI). Member States then have up to six years to designate them as Special Areas of Conservation (SAC) but also to introduce the necessary management measures to maintain or restore the species and habitats present to a favourable condition. These are key requirements to protect biodiversity across the EU and consequently these cases rank high on the enforcement agenda of the Commission.

## **For More Information**

-On the key decisions in the January 2018 infringements package, see full [MEMO/18/349](#).

-On the general infringements procedure, see [MEMO/12/12](#) ([an info graph](#)).

-On the [EU infringements procedure](#).