

# [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](#).