



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B – Natural Capital
ENV.B.3 - Nature

Brussels, **11 NOV. 2014**
CK/fl Ares (2014) 3742034

Mr Klaus Armstrong-Braun
Email:
armstrongbraunklaus1@gmail.com

Dear Mr Armstrong-Braun,

Thank you for your message concerning the lack of tunnels for protected amphibians and reptiles in environmental planning in Romania.

Environmental planning in general is not covered by EU legislation. It is up to the Romanian authorities to establish a system best fitting national requirements and objectives.

However, several species of amphibians and reptiles are included in Annex II & IV of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. Therefore, as set in Art 6(3) of the Directive, any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In addition, the appropriate assessments of motorway and express roads likely affecting Natura 2000 must include assessments of effects on the protected amphibians and reptiles.

Article 12 of the Directive stipulates that for animal species listed in Annex IV(a) in their natural range, including the amphibians and reptiles, the Member States shall take the requisite measures to establish a system of strict protection prohibiting:

- (a) all forms of deliberate capture or killing of specimens of these species in the wild;
- (b) deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration;
- (c) deliberate destruction or taking of eggs from the wild
- (d) deterioration or destruction of breeding sites or resting places.

If you are concerned about bad application of environmental planning in Romania you should contact the Romanian authorities. Should you be convinced that there is a particular breach of EU law, I would ask you to describe individual cases, to supplement your allegations with relevant technical evidence and provide it to the Commission in a form of complaint.

The format of the complaint form is available on the Commission website:

http://ec.europa.eu/eu_law/your_rights/your_rights_forms_en.htm

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stefan Leiner', written in a cursive style.

Stefan Leiner
Head of Unit