



24.9.2024

NOTICE TO MEMBERS

Subject: Petition No 0093/2023 by I.H. (German) on the protection of trees in Germany

1. Summary of petition

The petitioner states, that despite the German "Act on Corporate Due Diligence Obligations in Supply Chains", which should ensure protection of environment, and the climate emergency declaration by the EU, some German towns and cities do not protect their trees. She gives an example of her town, where everyone can cut off the trees on their own land as they please. In view of the petitioner, the approval should be necessary to fell the trees, with justification why felling of the trees is absolutely necessary and, when appropriate, there should be measures to counteract the environmental effects.

2. Admissibility

Declared admissible on 26 April 2024. Information requested from Commission under Rule 233(5), former Rule 227(5).

3. Commission reply, received on 9 September 2024

The petition

The petitioner is concerned about the fact that, despite the German "Act on Corporate Due Diligence Obligations in Supply Chains", which should ensure protection of environment, and the climate emergency declaration by the EU, some German towns and cities do not protect their trees. She gives an example of her town, where everyone can cut off the trees on their own land as they please. In view of the petitioner, the approval should be necessary to fell the trees, with justification why felling of the trees is absolutely necessary and, when appropriate, there should be measures to counteract the environmental effects.

The Commission's observations

Forest policy is a shared competence between the EU and its Member States, meaning that Member States have to comply with relevant EU legislation in the cases where the EU has exercised its competences.

Conclusion

EU-law requirements may apply, such as those under the Habitats¹ and Birds² Directives³. Competent authorities decide on logging licences based on applicable EU and national legislation.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7–50

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Codified version), OJ L 20, 26.1.2010, p. 7–25

³ See Commission's guidance document: European Commission, Directorate-General for Environment, Natura 2000 and forests. Part I-II, Publications Office, 2015, <https://data.europa.eu/doi/10.2779/699873>