



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Compliance, Governance & Support to Member States  
Environmental Compliance – Implementation

Brussels  
ENV.E.2/MV/1a

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On behalf of Mobility for the Environment

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**Subject: Your letter to Commissioners Sinkevičius and Hoekstra on nitrogen in the Netherlands**

Dear Johann and Frans Vollenbroek,

On behalf of Commissioners Sinkevičius and Hoekstra, I would like to thank you for the letter of 1<sup>st</sup> of February 2024, sent on behalf of ‘Grootouders voor het Klimaat’ (Grandparents for Climate) and Mobility for the Environment (MOB).

In the letter you express your concerns over the state of the Dutch nature as a consequence of high levels of deposition of nitrogen. This is also recognised at political level, as is clear from the letter of Minister van der Wal of 31 August 2023 to the Dutch parliament<sup>1</sup>, in which she states that studies show that, on the one hand, total deposition of nitrogen is higher than previously calculated and that, on the other hand, the critical deposition value for 32 out of 81 habitat types is to be set at a lower level than currently, as the habitats may already deteriorate at lower level of nitrogen deposition. More recently, the Minister for Nitrogen underlined the need for action in another letter to the Dutch Parliament of 23 January 2024<sup>2</sup>.

The Dutch courts have been asked, among others by MOB, to ensure the correct application of EU nature legislation as regards the impact of nitrogen deposition on protected sites which are sensitive to nitrogen deposition. Relevant cases are still pending, including one started by Greenpeace in summer 2023<sup>3</sup>. National courts are indeed responsible for the correct application of EU law at national level and the competent Dutch courts are fulfilling their role in the above context.

The Commission will continue to monitor the evolution of the state of nature in the Netherlands and the application of, *inter alia*, EU nature and water legislation. In this regard,

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<sup>1</sup> [Kamerbrief nieuwe kritische depositiewaarden en actualisatie depositiecijfers | Kamerstuk | Rijksoverheid.nl](#)

<sup>2</sup> [Kamerbrief over voortgang aanpak piekbelasting | Kamerstuk | Rijksoverheid.nl](#)

<sup>3</sup> See: [Waarom Greenpeace een rechtszaak voor de natuur start \(en tegen het trage stikstofbeleid\) | Greenpeace Nederland - Greenpeace Nederland](#)

we will also continue to provide guidance and technical support to the Dutch authorities to ensure full compliance with EU law, without prejudice to any enforcement action that the Commission may consider in the future.

Yours sincerely,

Electronically signed

Nicola Notaro  
Head of Unit