European Commission

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Slovakia's Recovery and Resilience Plan: Implementation of Component 19 – Wind Energy "Go-to Areas" and Compliance with Directive (EU) 2023/2413 (RED III)

We ask the European Commission to take the evidence set out below into account when assessing whether the relevant milestones and targets under Slovakia's Recovery and Resilience Plan have been satisfactorily fulfilled and, where the applicable conditions are not met, to apply the relevant RRF payment provisions.

Our submission focuses on concerns regarding the substantive implementation of the reform, including the legal framework for wind energy acceleration areas, the methodology for their designation, and the establishment of the two pilot areas. It also raises concerns about the compatibility of the national legal framework and its implementation with Directive (EU) 2023/2413 (RED III).

We distinguish between formal delivery of the relevant commitments and whether the resulting legal framework is capable of achieving their intended purpose.

1. Legislation for "go-to areas"

CID requirement: Entry into force of legislation on 'go-to areas', introducing specific simplified permitting procedures for the development of installations within such areas, including streamline screening and mandatory assessment procedures under the EIA Act for projects in go-to areas.

Result formally delivered:
Evidence: amendments to the EIA Act and the IPPC Act

Delivery gap: Generally legislative changes are insufficient to meet the purpose – either due to interpretation vulnerability (as proven by the wind acceleration zones, when

mapping did not lead to designation of suitable locations) or some provisions actually lead to decrease of permitting efficiency. Overall this legislation goes against principles and purpose of RED III to simplify and accelerate.

In particular:

- **Municipal veto:** The legislation introduces a binding role for the affected municipality in the permitting of wind energy projects through a requirement for the municipality's consent. The legislation does not clearly define the criteria governing this consent or provide for a specific possibility to challenge a refusal. This raises concerns as to whether the national framework is consistent with the objectives and requirements of RED III, particularly the obligation to facilitate the accelerated deployment of renewable energy while ensuring a predictable and effective permitting process.
- **The 12-month permitting time limit does not apply to acceleration areas:** Slovak IPPC Act established a 12-month time limit for unified permitting. However unified permitting is not applicable for acceleration zones due to special provisions in the EIA Act. According to these provisions EIA is conducted at zone level by a designated zone manager, while the individual investor subsequently applies for the permits required for the specific project. RED III has not been transposed to the Slovak legislation properly in this regard and it is impossible to ensure a 12-month time limit.
- **Limited applicability of the unified permitting procedure.** The amended legal framework introduces a separate mechanism for project permitting in acceleration areas, involving a designated "zone manager" who is responsible for the EIA process and subsequently transfers the rights related to the EIA process to the individual investor of a project in an acceleration area. This prevents the application of the unified permitting procedure, as investors need to initiate permitting as a separate process. This undermines the main benefit of the reform, which should accelerate renewable energy development, particularly in designated areas, through unified permitting. As a result of an unprofessional and chaotic legislative reform, unified permitting can be applied only to projects outside acceleration area
- **Insufficient arrangements for environmental safeguards:** Specific type of SEA process is foreseen by RED III to avoid EIA for individual projects in acceleration areas. Slovak transposition however did not reflect this development, which raises concerns about the consistency with RED III. The legal framework does not adequately clarify:

- stronger and more detailed (sui generis) SEA process, which should contain measures to be implemented for each project in AZ
- integration of mitigation measures identified through the SEA and how they are to be translated into requirements for individual projects and applied during subsequent permitting procedures. Measures resulting from the SEA process are merely recommendatory and not binding for follow up stages of permitting process.

- **Lack of integration with spatial planning.** The relationship between the designated acceleration areas and spatial planning at municipal, regional and national levels remains unclear. The absence of a clear mechanism for integrating these areas into spatial planning risks undermining the practical implementation of the reform.

Evidence:

- Letter to the President of the Slovak Republic on the draft law on EIA
- Letter to the government representatives on the transposition of RED III
- Collective submission advocating for a high-quality permitting framework for renewable energy sources

2. Methodology for "go-to areas"

CID requirement: Adoption of the final version of the methodology for the establishment of 'go-to areas' suitable for the development of wind energy ('Wind Energy Methodology'), in the form of a Decree.

Result formally delivered: The final Wind Energy Methodology was published by the Ministry of Environment in December 2025, following consultations with stakeholders and the public. The document contains key elements relevant to the identification of areas suitable for wind energy development.

Delivery gap: We are concerned that the amended legislation and the Methodology are inconsistent. The Methodology presents an expected status quo that does not reflect reality and is therefore misleading. For example, it states that the primary instrument for accelerating permitting in acceleration areas is unified permitting. However, as explained in point 1. above, unified permitting is not applicable in acceleration areas.

The Methodology must operate within, and be consistent with, the applicable national legislation, including the EIA Act and the IPPC Act, which must themselves comply with the

relevant requirements of EU law. Where the legal framework does not ensure effective simplification of permitting or adequate implementation of environmental safeguards, the Methodology cannot by itself remedy these shortcomings.
Since these conditions are not met, the Methodology is not applicable and does not meet its purpose.

Evidence:
Final version of the Methodology – December 2025 (official deadline: Q4 2024)
Comments of the Climate Coalition to the final draft of Methodology, November 2025

3. Two pilot go-to areas with at least 300 MW potential

CID requirement: The pilot 'go-to areas' for wind energy shall be established in line with the adopted Wind Energy Methodology, with potential overall installed capacity of at least 300 MW. An EIA Act authorisation is to be carried out for the go-to areas with a view to simplifying permitting procedures for projects within the areas.

Result formally delivered:
Evidence:
EIA: Pilote zone for wind energy development - East - final decision from EIA process , 26.08. 2026
SEA: Acceleration zones for wind energy in Slovakia (only the Pilote zone "East" was accepted) - final decision from EIA process, 13.08. 2026

Delivery gap:
The two designated pilot areas are in fact one divided contiguous area within a single administrative district (*okres*), rather than two geographically distinct areas. It raises questions about whether the designation reflects the intended pilot approach and provides a meaningful basis for developing a wider system of acceleration areas.

The Wind Energy Methodology has not been reflected in the process — the requirement that the pilot areas "be established in line with the adopted Wind Energy Methodology" has not been met.

- **Timeline:** The pilot area "AZ East" was selected and assessed through the EIA process before the Wind Energy Methodology was adopted and its selection criteria established, and several months before the SEA process to designate acceleration zones in Slovakia was carried out.
- **Engagement of communities and the public:** The Methodology devotes an entire chapter to participation and communication with affected municipalities, citizens and the wider public (pp. 54–62). It places particular emphasis on an inclusive and

participatory process, and on close cooperation with municipalities and citizens in areas identified as acceleration zones. This includes participation in all relevant processes: SEA, EIA, IPPC and spatial planning. The Methodology also recognises the need for ad hoc facilitated processes and tailored communication, rather than relying solely on "one-way broadcasting" or "myth-busting".

- **Criteria and process for identification:** The Methodology establishes a systematic approach to identifying and designating acceleration zones, based on identifying low-risk areas suitable for wind energy development and designed to be consistent with RED III. It sets out the relevant criteria, documents and process for identifying such areas. Applying these criteria led to the identification of eight suitable areas, all of which were subsequently assessed through the SEA process. However, seven of these areas were ultimately excluded on grounds that, in our view, were insufficiently substantiated. Moreover, according to the expert assessment, the excluded locations had significantly greater wind potential. This suggests that the process lacked a professional approach and did not adhere to the established criteria. This raises serious questions about the purpose and effectiveness of the assessment: the systematic identification and assessment of suitable areas did not translate into their designation as acceleration zones. The outcome of the SEA process — the Final Statement retaining only one acceleration zone — is therefore not consistent with the approach set out in the Methodology.

The process created barriers rather than simplification

Requirement that this process (and EIA authorisation) is to "*be carried out … with a view to simplify permitting procedures for projects within the areas*" has not been met. On the contrary, permitting in the "Acceleration Zone East" may become more complicated and projects may be prevented from proceeding. Concerned municipalities can block projects in the area and it is quite likely that they will do so. This is on the one hand due to legislative changes, which introduced additional requirements, including consent of municipalities, mentioned above.

On the other hand, adversary attitude of municipalities results from the following steps of the government:

- **Delays in implementation.** Key elements of the reform were implemented with significant delays, contributing to time pressure and undermining the conditions for effective communication and public participation.

- **Inadequate public communication.** Official communication was limited and insufficiently targeted at affected communities. It did not adequately explain the potential benefits of wind energy development for local residents and municipalities, nor did it effectively address misleading claims and disinformation. At the same time, senior government representatives, including the Prime Minister

and Minister of Environment, repeatedly made public statements opposing the development of wind farms in Slovakia and promising protection to municipalities against such projects.[1,2,3]

- **Concerns about effective public participation.** The timing and organisation of consultations raise concerns about whether affected municipalities and members of the public had sufficient information and a meaningful opportunity to influence the designation process. In particular, public hearings for the SEA were held only in Bratislava rather than in the affected regions. This may have limited the ability of affected communities to participate effectively in a process with direct implications for their local environment.

These concerns should also be viewed in the context of Slovakia's limited experience with wind energy development. The country has only five installed wind turbines, located at two sites, and communities in areas identified as potentially suitable for wind energy development have limited direct experience of such projects. In this context, insufficient information and ineffective participation can make communities particularly vulnerable to misleading claims and polarisation.
The combined effect of the legal framework, delays, inadequate communication and concerns about public participation risks undermining public trust in wind energy development and may have consequences extending beyond the two pilot areas to the wider deployment of renewable energy in Slovakia.

Evidence: Position of the Klima Fokus organization regarding the Assessment Report on the Draft Strategic Document Wind Energy Acceleration Zones in the Slovak Republic

[1] Public statement by Prime Minister Fico, 3 July 2026: "Under the Recovery and Resilience Plan adopted by the previous government, the Slovak Republic has certain administrative obligations, I repeat, administrative obligations. But as Prime Minister, I officially announce that Slovakia does not need wind farms. […] We, I repeat, will not go down this path."
[2] Public statement by Minister of Environment Taraba, 3 August 2025: "We are bound by the previous government to throw the doors wide open in Slovakia to renewable energy sources; I want to say here that this is a path to hell."
[3] Public statement by Minister of Environment Taraba in the Ministry's press release called *Taraba's ministry protects Slovakia from the construction of wind farms*, 13 August 2026: "We have not succumbed to any pressure from lobbyists, and today—based on expert assessments as well as feedback from local governments and the public—we can conclude that Slovakia lacks suitable conditions for the development of wind energy."

Summary

Slovakia's wind energy context

- Slovakia's contribution to the EU renewable energy targets is 35%, while renewables account for approximately 22% of its energy mix. The figures and reference year should be specified.
- Slovakia has not commissioned any new wind power capacity since the mid-2000s, despite its target of 750 MW of installed onshore wind capacity by 2030 under its updated National Energy and Climate Plan (NECP).
- Approximately 40 wind energy projects are reportedly pending in the EIA process, some since 2020.

Impact of RES related Reform in the Slovak NRRP:

- One acceleration area, formally divided into two, which bear significant concerns whether any wind park will be established in this area due to public opposition
- The legal framework gives affected municipalities a binding veto that may prevent wind energy projects from proceeding
- The process of identifying potential acceleration areas has been accompanied by strong local opposition, anti-wind messaging, which turned into coordinated anti-wind campaign
- Public statements by senior government representatives, including Prime Minister Robert Fico and former Minister of Environment Tomáš Taraba, have openly opposed the development of wind energy in Slovakia.

These concerns raise questions about whether the reform has delivered a functional framework capable of simplifying and accelerating wind energy permitting, as intended by the relevant RRF commitments and RED III.

Requested follow-up

In light of the evidence presented, we ask the European Commission to:

1. assess whether the relevant RRF milestones and target, including but not limited to designation and implementation of the pilot wind energy acceleration areas, have been satisfactorily fulfilled in light of the substantive requirements and intended purpose of the reform;

2. examine whether the legal regime set in the national legislation for acceleration areas meets the applicable requirements of RED III; and

3. consider appropriate follow-up under the RRF framework and, where warranted, under the applicable EU legal procedures.

We remain available to provide further information and supporting documentation.

Yours sincerely,



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Ivana Figuli, legal expert, VIA IURIS

Engagement of the Climate Coalition Slovakia in the reform relevant processes:

- Letter to the government representatives on the transposition of RED III
- Letter to the President of the Slovak Republic on the draft law on EIA
- Comments on the Methodology for the Development of Wind Energy
- Request for a meeting to the government representatives on the RRF reform: "Creation of pilot areas suitable for the development of wind energy"
- Collective submission advocating for a high-quality permitting framework for renewable energy sources
- Position of the Klima Fokus organization regarding the Assessment Report on the Draft Strategic Document Wind Energy Acceleration Zones in the Slovak Republic

The Climate Coalition Slovakia is a platform of 18 environmental organisations working to promote environmentally and economically sustainable solutions and a just society. Through advocacy at both European and national levels, we support ambitious climate policies and seek to ensure that public funding contributes to effective climate action. We also foster targeted collaboration and strategic partnerships to advance these objectives. Klima Fokus serves as the Climate Coalition Slovakia's coordinating and administrative unit.

VIA IURIS is an expert legal organization that uses the law as an instrument of justice across three main program pillars. Under the Rule of Law pillar, it promotes systemic measures to strengthen the independence of courts, public prosecution, and the police to eliminate political influence. Its Civil Society pillar protects democratic rights to ensure citizens can freely associate, express themselves, and participate in public affairs. In environmental and climate protection, the organization helps citizens safeguard their surroundings by securing their rights in decision-making procedures. Across all these areas, VIA IURIS litigates strategic public-interest cases, prepares legal analyses, and advocates for legislative reform.