

**Question for written answer E-008943/2013
to the Commission**

Rule 117

Rebecca Harms (Verts/ALE)

Subject: Follow up to Written Questions E-003665/2013 and E-003664/2013

Under Royal Decree 547/2012, Spain ratified Royal Decree 1462/2001, which granted a number of hydrocarbon exploratory permits to a private undertaking. Such permits also contained a hydrocarbon 'investigation programme'¹ to be carried out in a sea area of 6 161 km², which is more than twice the size of Lanzarote and Fuerteventura put together, and comprises not less than two future deep-water drillings (3 500 m).

The Commission initially considered that 'such [an exploration] project does not require an environmental impact assessment (EIA) under Directive 2011/92/EU'², although an EIA would be required for the future exploitation project. However, the Commission recently stated that 'such permits are subject to compliance with the requirements of EIA legislation'³.

The Commission has also noted that the above-mentioned investigation programme was not subject to Directive 2001/42/EC because 'they do not set up a framework for future development consent of exploitation projects operating in a given sector'⁴, and yet the programme in question is already undergoing an EIA.

Can the Commission explain on what basis it has concluded that the above-mentioned investigation programme is not a framework for future authorisations when, as part of the execution of such a programme, an EIA of a number of deep drillings has already been initiated?

¹ Article 2 of Royal Decree 1462/2001 of 21 December 2001 (BOE of 23 January 2001) as amended by Royal Decree 547/2012 of 16 March 2012 (BOE of 21 March 2012).

² Reply by Mr Potočník to Written Question E-000429/2013.

³ Joint reply by Mr Potočník to Written Questions E-003665/2013, E-003664/2013.

⁴ Joint reply by Mr Potočník to Written Questions E-003665/2013, E-003664/2013.