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E-003614/2025

Answer given by Mr Jørgensen
on behalf of the European Commission
(7.11.2025)

EU's energy policy, also in support of Member States, is to ensure security of energy supply in the EU. According to article 194 of the Treaty on the Functioning of the European Union¹, Member States have the full right to determine the conditions for exploiting their energy resources, their choice between different energy sources and the general structure of their energy supply, while respecting EU law and adopting measures in view of the commitment for the EU to become climate-neutral by 2050².

Regarding the exploitation of hydrocarbons, the EU legal framework is based on Directive 94/22/EC³ (Hydrocarbons Directive)⁴ which lays down common rules for the prospection, exploration and production of hydrocarbons resources located on its territory. It applies to both onshore and offshore fields.

The Directive underlines the sovereign rights of the Member States over hydrocarbon resources within their territories, e.g. determine the geographical areas and authorise entities to exercise those rights.

The Commission can intervene only in cases where the EU legal framework is not correctly implemented.

¹ <https://eur-lex.europa.eu/EN/legal-content/glossary/eu-energy-policy.html>.

² As laid out in the European Climate Law.

³ <https://eur-lex.europa.eu/eli/dir/1994/22/oj/eng>.

⁴ On conditions for granting and using authorisations for prospection, exploration and production of hydrocarbons.