

EN

E-000761/2026

Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(7.4.2026)

As indicated in the reply to parliamentary question E-003057/2024¹, the Commission issued a reasoned opinion in this case INFR(2022)4121² given that the Spanish legislation, as adopted in 1988, 2013 and 2014, does not provide for the obligation to use an impartial and transparent selection procedure to award concessions to build permanent premises on the coastal public domain and carry out economic activities therein. Moreover, it does allow for the extension of certain concessions for up to 75 years. The Commission took the view that this legislation breaches both the obligations under the Services Directive³ and the principle of the freedom of establishment enshrined in Article 49 of the Treaty on the Functioning of the European Union.

The Commission remains in close contact with the competent Spanish authorities to pursue the constructive dialogue in relation to this case.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2024-003057-ASW_EN.html.

² [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR\(2022\)4121&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR(2022)4121&page=1&size=10&order=desc&sortColumns=decisionDate).

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006L0123>.