

Question for written answer E-003219/2025
to the Commission
Rule 144
Jean-Paul Garraud (PfE)

Subject: Compliance with the principle of the conferred competence and institutional drift

In accordance with Article 5 of the Treaty on European Union (TEU), the EU acts only within the limits of the powers conferred on it by the Treaties, in accordance with the principle of conferred competence. However, the Commission is increasingly intervening in areas of exclusive or shared competence of the Member States, such as public health, education, family policies and judicial governance.

These initiatives, often justified on the basis of extensive interpretations of the provisions of the Treaties or by misuse of horizontal clauses, raise questions about compliance with the principles of subsidiarity and proportionality, which ensure the constitutional balances between the Union and the Member States.

1. How does the Commission justify this de facto expansion of its action into areas where competences have not been expressly provided for in the Treaties?
2. What measures does it intend to take to strengthen compliance with the principle of subsidiarity in the development and implementation of European policies?
3. Does it intend, in the context of a possible revision of the Treaties, to clarify the division of competences in order to avoid any legal ambiguity and preserve the sovereignty of the Member States?

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