

Question for written answer E-003720/2025
to the Commission
Rule 144
Jean-Paul Garraud (PFE)

Subject: Compliance with the procedures laid down in Article 48 TEU and safeguarding national prerogatives

The closing event of the Conference on the Future of Europe in May 2022 reopened talks on a possible revision of the Treaties. Some countries and political groups suggest activating the simplified revision procedure provided for in Article 48(6) of the Treaty on European Union (TEU) with a view to extending the Union's competences in sensitive areas (taxation, public health and foreign policy).

This idea raises important legal questions. Indeed, Article 48(6) TEU expressly states that this procedure 'shall not increase the competences conferred on the Union in the Treaties'. Moreover, Protocol No 2 on the application of the principles of subsidiarity and proportionality gives national parliaments a right to notify (a 'yellow card'), which seems underused today.

In view of the above:

1. Where does the Commission draw the line between the simplified revision procedure (Article 48(6) TEU) and ordinary procedure (Article 48(2) to (5) TEU), in particular when it comes to transferring new competences to the Union?
2. What safeguards will it put in place to ensure that national parliaments can exercise effective scrutiny, including through a strengthened early warning mechanism, and are thus able to prevent any shift in competences that would be contrary to the principle of subsidiarity?

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