

Question for written answer E-003099/2026
to the Commission
Rule 144
Jean-Paul Garraud (PFE)

Subject: Are the national parliaments still able to defend their countries' competences?

Under the principle of subsidiarity enshrined in the EU's Treaties, national parliaments have the right to point out instances of a European project unnecessarily encroaching upon the Member States' competences. They only have eight weeks to react, however, and their objections rarely oblige the Commission to withdraw its text.

The early warning mechanism provided for in Protocol No 2 to the Treaty on European Union aims to ensure compliance with the principle of subsidiarity by directly involving national parliaments in the scrutiny of EU legislative proposals. In practice, despite the fact that this 'yellow card' mechanism has been used on a number of occasions, it has very rarely led to a Commission proposal being substantially amended or withdrawn. This raises questions as how effective the mechanism actually is.

1. Is the Commission in favour of giving national parliaments more time to scrutinise proposed EU legislation so that they can fully exercise the subsidiarity check provided for in the Treaties?
2. Will it agree to a mandatory review of a proposal when a significant number of national parliaments take the view that the EU is reaching beyond its remit, and to provide a detailed statement of the reasons behind any decision to maintain its proposal despite those objections?
3. Would it support a mechanism that allows the national parliaments to have a proposal for EU legislation withdrawn when a majority of the national parliaments object to it?

Submitted: 23.7.2026