

EN

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Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(14.2.2025)

Member States are bound by the duty of sincere cooperation to ensure fulfilment of the obligations arising from the Treaties¹. When blockades and disturbances occur, such as the protests in question, national authorities must take all necessary and proportionate measures to ensure the free movement of goods on their territory². This duty is reinforced by a series of obligations contained in Council Regulation (EC) No 2679/98³.

The Commission has acted promptly to ensure that EU rules are respected. Following press reports and a formal request from the Spanish authorities under the above-mentioned Regulation, the Commission, on 21 November 2024, requested information from the French authorities concerning the details of the incidents that had occurred, as well as the action they had taken and/or would take to prevent these recurring.

On the question of compensation for the losses caused by the destruction of goods, the Court of Justice of the EU has developed a general principle of state responsibility regarding compliance with EU law. The conditions for an individual to obtain reparation for damages caused by a breach of EU law attributable to the state are set out in this case-law⁴.

¹ Article 4(3) of the Treaty on EU.

² Judgment of 9 December 1997, *Commission of the European Communities v French Republic*, Case C-265/95, EU:C:1997:595.

³ Council Regulation (EC) No 2679/98 of 7 December 1998 on the functioning of the internal market in relation to the free movement of goods among the Member States, OJ L 337, 12.12.1998, p. 8-9.

⁴ Judgment of 19 November 1991, *Andrea Francovich and Danila Bonifaci and others v Italian Republic*, joined cases C-6/90 and C-9/90, EU:C:1991:428 and Judgment of 5 March 1996, *Brasserie du Pêcheur S v Bundesrepublik Deutschland and The Queen v Secretary of State for Transport, ex parte: Factortame Ltd and others*, joined Cases C-46/93 and C-48/93, EU:C:1996:79.