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Answer given by President von der Leyen
on behalf of the European Commission
(4.9.2025)

In accordance with Article 226(1) of the Treaty on the Functioning of the European Union, in the course of its duties, the European Parliament may, at the request of a quarter of its component Members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by the Treaties on other institutions or bodies, alleged contraventions or maladministration in the implementation of EU law, except where the alleged facts are being examined before a court and while the case is still subject to legal proceedings.

The exception contained in the last part of this provision requires committees of inquiry to cease investigations into facts that are subject to pending court procedures. This includes situations where such facts are subject to an appeal procedure before the Court of Justice against decisions of the General Court. Indeed, while, in accordance with Article 56 of the Statute of the Court of Justice of the European Union, appeals against rulings of the General Court are limited to points of law, it is within the jurisdiction of the Court of Justice in appeal procedures to assess facts where facts had been allegedly distorted by the General Court. In addition, in case, on appeal, the Court of Justice annuls a judgement of the General Court, it either decides the case itself or sends the case back to the General Court. In both cases, the judge might, as the case may be, have to reexamine the facts, taking into account the judgement of the Court of Justice on appeal.