

(English version)

**Question for written answer E-001720/26
to the Commission**

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(28 April 2026)

Subject: Compatibility of the principle of ‘national priority’ with EU law

In Spain, the People’s Party and Vox have recently struck deals in regional governments introducing the principle of ‘national priority’, understood as the possibility of granting preferential access to nationals over migrants and European citizens in areas such as housing, aid, benefits and public services. That proposal raises questions as to its compatibility with EU law, in particular with the principle of non-discrimination on grounds of nationality (Article 18 TFEU), the provisions on Union citizenship (Articles 20 and 21 TFEU) and the Charter of Fundamental Rights of the European Union, in particular Articles 20 (equality before the law), 21 (non-discrimination) and 34 (social security and social assistance).

In view of the above:

1. Does the Commission consider the application of that principle to access to public housing, aid, social benefits and public services to be compatible with EU law, in particular the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights?
2. If it is implemented, what action does the Commission intend to take to ensure full compliance with EU law?

Submitted: 28.4.2026

Answer given by Mr McGrath on behalf of the European Commission
(1 July 2026)

The Honourable Members refer to political agreements struck between two national parties in the context of the formation of regional governments. The Commission does not comment on such political agreements. The Commission is not aware that legislation has been adopted or proposed so far to implement the relevant parts of those agreements.

The Commission follows developments in all the Member States to ensure that EU law is upheld, including the principle of non-discrimination on grounds of nationality, relevant provisions on EU citizenship and free movement of persons, and the Charter of Fundamental Rights.
