

EN

E-003303/2026

Answer given by Mr Šefčovič
on behalf of the European Commission
(29.9.2026)

1. Article 122 of the Treaty on the Functioning of the European Union (TFEU) sets out the conditions under which this provision can be used as a legal basis. In her political guidelines for 2024-2029, the President of the Commission pledged to ensure that the Commission uses this tool only in exceptional circumstances. This commitment is reflected in point 52 of the revised Framework Agreement on relations between the European Parliament and the European Commission¹. It provides that, without prejudice to any other procedures provided for in the Treaties, recourse to Article 122 TFEU is only possible on an exceptional basis and under the strict conditions set out in that Article.

2. In line with the commitment in the political guidelines, point 52 of the Framework Agreement also states that the Commission commits to provide without delay comprehensive justification and information on the exceptional and emergency cases where the proposals by the Commission are based on Article 122 TFEU.

3. In addition, point 52 of the Framework Agreement provides that, at the earliest three months after the entry into force of the legal act based on Article 122 TFEU, and at appropriate intervals thereafter, the Member of the Commission responsible shall, at the request of the President of European Parliament, report on the implementation of the legal act concerned, including an assessment of the legal act.

¹ https://eur-lex.europa.eu/eli/agree_interinstit/2026/1050/oj/eng.