

(English version)

Priority question for written answer P-001943/26
to the Commission
Marion Walsmann (PPE)
(11 May 2026)

Subject: Third-party litigation funding

The Commission has identified a significant market for third-party litigation funding (TPLF) in the EU, with over 300 known funders, including at least 40 in Germany. The majority of these funders are based outside the EU. Therefore, the origin of their capital and the location of any profits ultimately remain hidden.

The involvement of foreign capital raises concerns about the potential use of litigation to exert pressure on European companies or to gain access to sensitive information in strategically important sectors, including defence, energy and advanced technology.

In its resolution on responsible private funding of litigation ⁽¹⁾, Parliament called on the Commission to introduce a legislative framework to ensure appropriate TPLF safeguards in all areas of law.

In the light of this:

1. What measures does the Commission envisage taking to prevent abuses, such as the strategic use of litigation funding by foreign adversaries?
2. Is the Commission considering disclosure requirements, particularly with regard to funding that originates from outside the EU?
3. In its study of March 2025, the Commission stated that TPLF does not currently reveal ‘systemic risks’. What specific, quantifiable thresholds must be met, or what regulatory triggers must there be, for the Commission to classify TPLF activities as a systemic risk requiring a harmonised EU regulatory framework?

Supporter ⁽²⁾

Submitted: 11.5.2026

Answer given by Mr McGrath on behalf of the European Commission
(30 June 2026)

In response to the European Parliament’s resolution on responsible funding of litigation ⁽¹⁾, the Commission published in 2025 a mapping study ⁽²⁾ which provided an overview on the regulation and practice concerning Third Party Litigation Funding (TPLF) in the EU. The study did not identify the existence of irregularities in the EU market which would require legislative action on TPLF.

In 2025, TPLF was discussed in the High-Level Forum on Justice for Growth, which provided an opportunity to consider potential new legislative and non-legislative initiatives in the field of civil and company law as well as digitalisation of justice.

The Forum broadly agreed that, at this stage, there is no demonstrated need for legislative action on TPLF at EU level ⁽³⁾. Instead, the Forum considered that the priority should be to gain experience by monitoring the application of the Representative Actions Directive ⁽⁴⁾ in the field of consumer collective redress, which contains legal provisions on the TPLF ⁽⁵⁾ and possibly reassessing the situation in the future.

The Commission considers that, at this stage, there is no reason to revisit this approach. However, it continues to closely monitor any new developments in this field.

¹ European Parliament resolution of 13 September 2022 with recommendations to the Commission on Responsible private funding of litigation (OJ C 125, 5.4.2023, p. 2).

² This question is supported by a Member other than the author: Axel Voss (PPE).

⁽¹⁾ Article 225 of the European Parliament resolution of 13 September 2022 with recommendations to the Commission on Responsible private funding of litigation, 2020/2130 (INL).

⁽²⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/civil-justice/civil-and-commercial-law/third-party-litigation-funding-tplf_en.

⁽³⁾ Only one stakeholder explicitly called for an EU legislative initiative.

⁽⁴⁾ https://commission.europa.eu/high-level-fora-justice-growth-and-future-eu-criminal-justice_en.

⁽⁵⁾ Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC OJ L 409, 4.12.2020, pp. 1-27.