

EN

P-003417/2026

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

As explained in the reply to written question E-002393/2025¹, the EU has the exclusive competence for the adoption of common commercial policy measures according to Articles 3(1)(e) and 207 of the Treaty on the Functioning of the European Union.

Moreover, as explained in the reply to written question E-002130/2026², Article 24 of the Import Regulation³ sets out the circumstances and conditions in which Member States may adopt certain measures affecting the importation of goods into the EU.

In accordance with the case law of the Court of Justice of the European Union, such circumstances must be interpreted narrowly and the Member State concerned is required to substantiate that the conditions for invoking the exception are met. In all cases, Member States have an obligation to notify the Commission if they intend to introduce measures affecting the importation of goods into the EU covered by the common commercial policy.

Measures adopted by Member States need to be compliant with the EU's international commitments and notably be proportionate, designed to meet the objective pursued and not more trade restrictive than necessary.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2025-002393-ASW_EN.html.

² https://www.europarl.europa.eu/doceo/document/E-10-2026-002130-ASW_EN.html.

³ Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports, OJ L 83, 27.3.2015, pp. 16-33; <https://eur-lex.europa.eu/eli/reg/2015/478/oj/eng>.