

**Priority question for written answer P-001800/2021
to the Commission**

Rule 138

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Subject: Blockage of the EU own resources decision by the German Constitutional Court

On 25 March 2021, the German Bundestag and the German Federal Council approved the EU own resources decision that opens the door for the launch of the EU Recovery Plan, provided that all national parliaments approve it as well. However, the German Constitutional Court (GCC) has temporarily stopped the ratification process, arguing that it must first evaluate a motion that questions the conformity of the Plan with the German constitution and the EU Treaties.

This development is generating considerable uncertainty regarding the implementation of the Plan, and may also open the way for the GCC to disregard Court of Justice of the European Union case law and the principle of the primacy of EU law, as it did previously in its ruling of 5 May 2020.

On 20 July 2020 we submitted the urgent Written Question P-004295/2020 on whether the Commission was planning to open an infringement procedure on this matter. The Commission only provided a non-committal reply on 18 November 2020¹.

1. Why has the Commission failed to this day to open an infringement procedure against Germany regarding the behaviour of the GCC?
2. Is it now ready to open such a procedure?

¹ https://www.europarl.europa.eu/doceo/document/P-9-2020-004295-ASW_EN.html.