

EN

P-002801/2020

Answer given by Executive Vice-President Dombrovskis
on behalf of the European Commission
(3.8.2020)

In her statement of 10 May 2020, the President of the Commission emphasised that “the Commission upholds three basic principles: that the Union’s monetary policy is a matter of exclusive competence; that EU law has primacy over national law and that rulings of the European Court of Justice are binding on all national courts”. The President of the Commission also recalled the Commission’s task of safeguarding “the proper functioning of the euro system and the Union’s legal system”.

It follows from the Treaties, in particular from Article 130 of the Treaty on the Functioning of the European Union, that national courts have to respect the independence of the European Central Bank (ECB) and National Central Banks (“NCBs”) in the performance of monetary policy tasks. As a consequence, national courts may not require national or Union public authorities to issue instructions to the ECB and NCBs, or seek to influence them, as such measures would be in contradiction with Union law.

It also follows from the Treaties that national courts have to respect the final authority of the Court of Justice of the European Union to rule on the interpretation of Union law and its exclusive power to declare an act of Union law invalid.

The Commission examines for the moment the content and the effects of the judgement of the German Constitutional Court in the light of those principles.

The judgment of the German Constitutional Court does not have any impact on the Union’s response to the Covid-19 crisis.