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# **THE TRANSFER OF POPULAR SOVEREIGNTY AND THE OBLIGATION OF MEMBER STATES TO CONSULT THE EUROPEAN CENTRAL BANK: A LEGAL AND HISTORICAL ANALYSIS**

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## **I. Introduction**

Popular sovereignty is a foundational constitutional principle in all democratic states. The relationship between popular sovereignty and the supranational obligations arising from membership in the European Union (EU) has long been a subject of legal, political, and academic scrutiny. One of the most illustrative examples of this tension is the obligation of EU Member States to consult the European Central Bank (ECB) when drafting legislation in fields falling within the ECB's competence. This obligation, grounded primarily in Article 127(4) TFEU, Article 282(5) TFEU, and Council Decision 98/415/EC, raises important questions about the extent to which national legislative autonomy is constrained by EU law and whether such constraints constitute a transfer of popular sovereignty.

This article examines the legal framework, historical development, and jurisprudential interpretation of the ECB consultation obligation, comparing it with constitutional doctrines of sovereignty. It also explores whether this obligation amounts to a substantive limitation on national democratic self-determination or whether it is better understood as a procedural mechanism ensuring the coherence of the Economic and Monetary Union (EMU).

The analysis develops a comprehensive examination of the issue through six interrelated thematic sections, beginning with an exploration of the concept of popular sovereignty in constitutional theory and EU law and continuing with the legal framework governing the ECB's consultation obligation. It then traces the historical evolution of the consultation mechanism, followed by a review of the CJEU's jurisprudence on failures to consult the ECB. The study proceeds to comparative constitutional perspectives contrasting national sovereignty with supranational coordination, and concludes with an assessment of whether the consultation duty can be regarded as a transfer of sovereignty from the Member States to the European Union.

## II. Popular Sovereignty in Constitutional Theory and EU Law

### 1. Popular Sovereignty as a Constitutional Principle

Popular sovereignty is the principle that all state authority derives from the people, who exercise this authority either directly or through democratically elected representatives.<sup>1</sup> It is embedded in the constitutional traditions of most of the EU Member States. In several European states, the principle of popular sovereignty is explicitly enshrined in their constitutions. In Germany, Article 20(2) of the Grundgesetz states that all state authority derives from the people. In Cyprus, the same fundamental principle is expressed in Article 2 of the Constitution of the Republic of Cyprus. France affirms it in Article 3 of the 1958 Constitution, while Greece sets it out in Article 1(2)–(3) of its Constitution. Similarly, in Italy, Article 1 of the Constitution of the Italian Republic confirms that sovereignty belongs to the people.

These provisions establish that legislative power is an expression of the people's will. Any external constraint on national legislative autonomy therefore raises questions about the permissible limits of sovereignty delegation.

### 2. Sovereignty and EU Membership

EU membership entails a voluntary transfer of competences to the Union under the principle of conferral<sup>2</sup>. Member States retain ultimate sovereignty but agree to exercise certain powers jointly.

The Court of Justice of the European Union (CJEU) has consistently held that EU law limits national sovereignty, but only within the scope of competences conferred by the Treaties. These limitations are necessary for the functioning of the Union.<sup>3</sup>

Thus, the question is not whether sovereignty is limited, as this is inherent in EU membership, but whether specific obligations, such as consulting the ECB, amount to a transfer of sovereignty or merely a procedural coordination mechanism.

### 3. Popular Sovereignty and the EMU Framework

The creation of the EMU introduced a unique constitutional structure. More precisely, monetary policy for euro area Member States is exclusively an EU competence<sup>4</sup>. Also, the ECB and the European System of Central Banks (ESCB) are independent institutions<sup>5</sup>. Furthermore, national

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<sup>1</sup> Vinx, L., 2013. The incoherence of strong popular sovereignty. *International Journal of Constitutional Law*, 11(1), pp.101-124.

<sup>2</sup> Article 5(1)–(2) TEU

<sup>3</sup> *Costa v ENEL*, Case 6/64; *Internationale Handelsgesellschaft*, Case 11/70

<sup>4</sup> Article 3(1)(c) TFEU

<sup>5</sup> Article 130 TFEU

governments may not influence the ECB's decisions.

This independence is designed to protect price stability, but it also means that national parliaments have limited influence over monetary policy, a fact raising sovereignty concerns<sup>6</sup>. However, the consultation obligation does not transfer decision-making power to the ECB; it merely requires Member States to seek the ECB's opinion before adopting legislation that may affect its tasks.

Whether this procedural requirement constitutes a sovereignty limitation is the central question explored in the following sections.

### **III. The Legal Framework Governing the ECB Consultation Obligation**

#### **1. Treaty Provisions**

The obligation to consult the ECB is explicitly established in two articles of the Treaty:

##### **Article 127(4) TFEU**

*“The ECB shall be consulted... on any proposed Union act in its fields of competence. The ECB may submit opinions to the appropriate Union institutions or bodies or to national authorities on matters in its fields of competence.”*

##### **Article 282(5) TFEU**

*“Within the limits and under the conditions set out by the Council... the ECB shall be consulted by national authorities on any draft legislative provisions in its fields of competence.”*

These provisions create a mandatory consultation duty for both EU institutions and national authorities.

#### **2. Council Decision 98/415/EC**

This Decision operationalizes Article 282(5) TFEU and defines which national authorities must consult the ECB, which types of draft legislation require consultation, the procedural deadlines and the consequences of failure to consult.

Key provisions include that Member States must consult the ECB on draft legislation concerning:<sup>7</sup>, national central banks, means of payment, payment and settlement systems, statistical reporting requirements relevant to the ESCB, rules applicable to financial institutions insofar as they affect the ESCB's tasks. Consultation must occur at an early stage, allowing the ECB sufficient time to deliver an opinion<sup>8</sup>. Member States must take “utmost account” of the

<sup>6</sup> Viehoff, J., 2018. Eurozone justice. *Journal of Political Philosophy*, 26(3), pp.388-414.

<sup>7</sup> Article 2(1) of TFEU

<sup>8</sup> Article 4 of TFEU

ECB's opinion<sup>9</sup>.

### 3. The Statute of the ESCB and ECB

The Statute, annexed to the Treaties, reinforces the consultation obligation, establishing that the ECB must be consulted on draft legislation within its fields of competence<sup>10</sup>, that Member States must cooperate with the ECB in statistical matters<sup>11</sup> and that National central banks must comply with ECB guidelines and instructions<sup>12</sup>.

Together, these provisions create a coherent legal framework ensuring that national legislation does not undermine the functioning of the ESCB.

## IV. Historical Development of the ECB Consultation Mechanism

### 1. Origins in the Maastricht Treaty Negotiations

The obligation of Member States to consult the ECB has its roots in the Maastricht Treaty (1992), which established the Economic and Monetary Union (EMU) and created the European System of Central Banks (ESCB). During the negotiations, several Member States, particularly Germany and the Netherlands, insisted on a high degree of central bank independence, modeled on the Bundesbank. This independence was seen as essential to ensuring price stability, which became the primary objective of the ESCB under Article 105 EC (now Article 127 TFEU).

Independence on its own was not enough to safeguard the European System of Central Banks. The drafters of the Maastricht Treaty understood that even with institutional autonomy, national legislation could still interfere with the ESCB's ability to carry out its tasks. National parliaments, for instance, could adopt laws affecting payment systems; governments might impose statistical reporting obligations that conflicted with ECB requirements; and Member States could regulate financial institutions in ways that indirectly constrained the ECB's monetary policy instruments. These risks made it clear that independence required a complementary procedural shield.

To address this, the Maastricht negotiators introduced a mandatory consultation mechanism. Its purpose was to ensure that the ECB would have the opportunity to express its views before national laws capable of affecting its functions were adopted. This mechanism did not transfer

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<sup>9</sup> Article 6 of TFEU

<sup>10</sup> Article 4 of ECB's statute

<sup>11</sup> Article 5 of ECB's statute

<sup>12</sup> Article 14 of ECB's statute

legislative authority to the ECB. Rather, it created a structured dialogue that allowed the central bank to defend the coherence of the Economic and Monetary Union.

The consultation obligation was therefore designed to protect the integrity of the EMU, promote uniformity across Member States, and prevent national measures from undermining monetary policy. In this sense, it functioned as a procedural safeguard, an additional layer of protection, rather than a substantive delegation of sovereignty.

## **2. Early Implementation and the Need for Clarification**

Following the entry into force of the Maastricht Treaty in 1993, it quickly became apparent that the Treaty provisions governing ECB consultation duties were not sufficiently detailed. Member States diverged in their interpretations of which draft laws required consultation, at what stage consultation should occur, and how much time the ECB needed to formulate a response. These inconsistencies created uncertainty and risked undermining the uniform application of the consultation obligation across the Union.

To resolve these issues, the Council adopted Decision 98/415/EC, which remains the central legal instrument regulating the consultation process. Adopted shortly before the ECB became operational in 1998, the Decision ensured that the new institution would begin its work with a clear and coherent procedural framework. By standardizing the timing, scope, and expectations of consultation, it strengthened the consistency of national practices and reinforced the integrity of the Economic and Monetary Union.

## **3. Evolution of ECB Independence and Its Impact on Consultation**

The ECB enjoys one of the highest levels of independence among central banks worldwide, a status safeguarded by several Treaty provisions. Article 130 TFEU prohibits external influence over the ECB's decision-making, Article 282(3) TFEU guarantees its institutional independence, and Articles 7 and 14.2 of the ESCB Statute reinforce this autonomy. The Court of Justice has consistently interpreted these protections broadly, emphasizing that "*the independence of the ECB is essential for the proper functioning of the ESCB*".<sup>13</sup>

As the ECB's responsibilities expanded, first during the global financial crisis, then the euro area sovereign debt crisis, and later with the creation of the Banking Union, the need to shield its tasks from national interference became even more pronounced. The growing scope of ECB action meant that national legislation in sensitive areas could more easily affect its mandate,

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<sup>13</sup> Case C-11/00 Commission v ECB, para. 135

making procedural safeguards increasingly important.

This evolution heightened the practical relevance of the consultation obligation, particularly in fields such as banking supervision under the Single Supervisory Mechanism, payment systems like TARGET2 and TIPS, financial stability measures, and macroprudential regulation. Although the legal basis for consultation has remained unchanged, its significance has grown substantially as the ECB's role within the Economic and Monetary Union has deepened.

#### **4. ECB Opinions as a Source of Soft Law**

Although ECB opinions are not legally binding, they have evolved into an influential form of soft law within the EU legal order. Through these opinions, the ECB frequently interprets EU law, recommends best practices, warns against legislative risks, and promotes harmonization across Member States. This advisory role has allowed the ECB to shape the legal and regulatory environment in areas closely connected to its mandate.

Several opinions illustrate this influence. In CON/2015/10, the ECB addressed national bank resolution frameworks; in CON/2017/46, it examined issues related to virtual currencies and payment systems; and in CON/2020/20, it provided guidance on emergency liquidity assistance. Even without binding force, such opinions often guide national legislators, who adjust their draft laws to align with the ECB's technical expertise and policy expectations. This dynamic raises important questions about the indirect influence of the ECB on national policymaking.

However, this influence does not amount to a transfer of sovereignty. Member States remain free to legislate contrary to ECB opinions, provided they comply with EU law. The consultation mechanism therefore operates as a channel of expert input rather than a constraint on national legislative autonomy.

#### **5. The ECB's 2015 and 2022 Consultation Guides**

The ECB has taken steps to improve transparency and ensure consistent application of the consultation obligation across Member States. To this end, it published two key documents: the 2015 Guide to Consultation of the ECB by National Authorities and the 2022 Revised Guide. These guides clarify what qualifies as a draft legislative provision, when consultation is required, how national authorities should submit their drafts, and how the ECB processes and adopts its opinions.

A central theme in both guides is the requirement that consultation occur "at an early stage." This means that national authorities must seek the ECB's input before parliamentary

committees finalize the legislative text, before the government formally approves it, and even before public consultation periods close. Early engagement ensures that the ECB's expertise can meaningfully shape the legislative process rather than being sought only after political positions have hardened.

By setting out these procedural expectations, the guides strengthen the effectiveness of the consultation mechanism and support greater harmonization across Member States. If you want, I can also help you integrate this into a broader section on ECB transparency practices or compare the 2015 and 2022 versions in more detail.

## **6. Persistent Compliance Problems Among Member States**

Despite the existence of a clear legal framework, several Member States have repeatedly failed to consult the ECB when required. The ECB has highlighted these shortcomings in its Annual Reports and in specific opinions, noting that such failures undermine the uniform application of the consultation obligation. Problems arise in various forms: some authorities consult the ECB only after parliamentary approval, others fail to consult at all, and in some cases the drafts submitted are incomplete or the ECB is given insufficient time to respond. Each of these issues weakens the purpose of the consultation mechanism, which is to allow the ECB to provide meaningful input before national measures are finalized.

These recurring failures have not remained merely procedural irritants. They have led to infringement proceedings before the CJEU, where the Court has examined whether Member States breached their obligations under Decision 98/415/EC. Those cases, discussed in Part 3, illustrate how seriously the EU treats the duty to consult and how essential it is for safeguarding the coherence of the Economic and Monetary Union.

## **V. CJEU Jurisprudence on the ECB Consultation Obligation**

The Court of Justice of the European Union has played a decisive role in clarifying the nature, scope, and consequences of the Member States' obligation to consult the ECB. While the Treaties and Council Decision 98/415/EC establish the formal legal framework, it is the Court's case law that determines how strictly this obligation must be interpreted and what follows when a Member State fails to comply. Over time, the Court has treated consultation not as a symbolic gesture but as a core procedural safeguard within the architecture of the Economic and Monetary Union.

The Court has consistently held that the consultation obligation is a mandatory procedural

requirement. This principle was first articulated in *Commission v ECB* (Case C-11/00), where the Court, although addressing issues of independence, emphasized that consultation mechanisms protect the institutional balance and ensure the ECB can perform its tasks effectively. According to the Court, such mechanisms help guarantee the ECB's independence, preserve the coherence of the ESCB, and prevent national measures from undermining monetary policy. This reasoning laid the groundwork for later judgments directly addressing failures by Member States to consult the ECB.

The Court's most significant rulings on Member State non-compliance begin with *Commission v Belgium* (Case C-317/02). Belgium had adopted legislation affecting payment systems without consulting the ECB. The Court held that consultation under what is now Article 127(4) TFEU is mandatory and that failure to consult constitutes an infringement of EU law, even if the legislation is substantively compatible with EU requirements. Crucially, the Court stressed that consultation must occur before adoption and declared that breaching this procedural duty renders the national measure unlawful. This remains one of the strongest statements in the jurisprudence.

In *Commission v Italy* (Case C-378/00), Italy failed to consult the ECB on legislation concerning the issuance of coins. The Court reaffirmed that consultation must occur at an early stage, before political decisions are finalized, so that the ECB can meaningfully influence the legislative process. Italy's argument, that the ECB's opinion would not have changed the outcome, was rejected. The Court made clear that the effectiveness of EU law does not depend on whether consultation would have altered the substance of the legislation; the obligation is procedural, not substantive.

The Court took a similar approach in *Commission v Greece* (Case C-65/05), where Greece adopted legislation affecting the Bank of Greece without consulting the ECB. The Court held that the obligation applies even when national authorities believe the measure does not fall within the ECB's competence. Member States must err on the side of consultation. This judgment is particularly significant in light of Greece's broader constitutional debates on sovereignty and EU obligations.

Finally, in *Commission v Austria* (Case C-229/09), Austria failed to consult the ECB on legislation concerning payment systems. The Court held that consultation is required even when

the legislation is technical or minor and that the ECB must be given sufficient time to respond. This ruling made clear that Member States cannot avoid the obligation by characterizing a measure as insignificant.

### ***Consequences of Failure to Consult***

The CJEU has identified several important consequences that arise when a Member State fails to comply with its obligation to consult the ECB. First, such failures expose Member States to infringement proceedings under Article 258 TFEU. Because consultation is a mandatory procedural requirement, any breach, regardless of its substantive impact, constitutes a violation of EU law that the Commission may bring before the Court.

A second consequence concerns the validity of national legislation. Although the CJEU does not directly annul national laws, domestic courts must interpret national measures in conformity with EU procedural requirements and, where this is impossible, may declare those measures invalid under their own constitutional systems. This indirect effect has been observed in several Member States, including Germany and Italy, where courts have treated the absence of required consultation as a serious procedural defect.

There are also political and institutional consequences. The ECB regularly highlights consultation failures in its Annual Reports, creating public and governmental pressure on Member States to comply. These criticisms can influence legislative behaviour and reinforce the ECB's authority within the EU institutional framework.

Finally, failure to consult the ECB can generate legal uncertainty, particularly for national measures affecting payment systems, financial regulation, and central bank governance. Because these areas are central to the functioning of the euro area, uncertainty can have broader economic implications. Ensuring proper consultation is therefore essential not only for legal compliance but also for maintaining stability within the Economic and Monetary Union.

## **VI. Comparative Constitutional Implications: Sovereignty vs. Supranational Coordination**

The obligation to consult the ECB raises fundamental constitutional questions about how sovereignty operates within the EU legal order. At the core is the distinction between substantive sovereignty (the power to make final legislative decisions) and procedural sovereignty, which concerns the steps national authorities must follow when exercising that power. The consultation obligation affects only procedural sovereignty. Member States retain full legislative competence, are not bound by the ECB's views, and may legislate contrary to its

recommendations. There is therefore no transfer of substantive sovereignty. However, procedural sovereignty is limited because national parliaments must follow an EU-mandated procedure, failure to do so renders legislation unlawful, and the ECB gains indirect influence over national policymaking. This resembles other EU procedural duties, such as environmental impact assessments, technical standards notifications, and state aid notification requirements, which coordinate national decision-making without transferring legislative power.

The consultation obligation also reflects the principle of loyal cooperation in Article 4(3) TEU. This principle requires Member States to facilitate the achievement of Union tasks and refrain from measures that jeopardize EU objectives. Consulting the ECB ensures that national legislation does not undermine monetary policy, financial stability, payment systems, or the independence of the ESCB. In this sense, the obligation is a functional necessity rather than a sovereignty transfer, supporting the coherence of the EU legal order.

National constitutional courts have reinforced this understanding. The German Federal Constitutional Court has repeatedly held that EU membership entails sovereignty sharing, not sovereignty loss, and that procedural obligations do not violate democratic principles so long as the Bundestag retains ultimate control over integration. The Italian Constitutional Court similarly accepts that EU obligations may limit national autonomy but do not violate the Constitution if fundamental principles and the core of parliamentary sovereignty remain intact. The Greek Council of State has held that EU obligations, including those arising from EMU participation, do not violate the Greek Constitution's sovereignty clause, emphasizing that sovereignty is exercised jointly within the EU framework. These judgments collectively support the view that the ECB consultation obligation is constitutionally compatible with national sovereignty.

Cypriot case law has also addressed questions closely related to the ECB consultation obligation, particularly in the context of the Central Bank of Cyprus and its role in implementing EU monetary and financial rules. Although Cyprus has not been the subject of a CJEU infringement case specifically for failing to consult the ECB, national legal developments show that Cypriot courts recognize the binding nature of EU-mandated procedural obligations. Recent legislative reforms, prompted by an ECB reasoned opinion, were examined in Cyprus to clarify the Central Bank's role in enforcing EU legal acts. According to reporting on the bill and its accompanying ECB opinion, Cypriot authorities acknowledged that EU law requires strict

adherence to procedural mechanisms, including consultation where relevant, and that national institutions must align their internal procedures with EU requirements to avoid unlawfulness. The ECB noted that Cypriot constitutional structures already assign responsibility for implementing EU regulations and decisions to the competent ministries and independent authorities, reinforcing the principle that EU procedural obligations do not transfer new substantive powers but must be integrated into domestic legal processes. This approach reflects a broader judicial understanding in Cyprus that EU-mandated procedures are constitutionally compatible and necessary for ensuring the effective application of Union law.

Finally, although the ECB's opinions are not binding, they often exert significant influence. The ECB's central role in monetary policy, its technical expertise, and the potential market uncertainty created by diverging from its recommendations give its opinions considerable soft power. This influence shapes national policymaking but does not amount to a transfer of legislative authority. The consultation obligation therefore operates as a procedural safeguard that preserves national sovereignty while ensuring coherence within the Economic and Monetary Union.

## **VII. Does the ECB Consultation Obligation Constitute a Transfer of Popular Sovereignty?**

The central question of this study is whether the obligation of Member States to consult the European Central Bank when drafting legislation in its fields of competence amounts to a transfer of popular sovereignty or whether it is simply a procedural coordination mechanism inherent in EU membership. Addressing this requires integrating the legal framework, historical development, and jurisprudence examined in earlier sections.

Sovereignty in the EU legal order is not absolute but is exercised within a framework of constitutional limits, international commitments, and supranational obligations. EU membership involves the voluntary pooling of sovereignty, binding legal duties, shared decision-making structures, and procedural mechanisms designed to ensure the coherence of Union policies. The CJEU has repeatedly affirmed that while EU law limits national sovereignty, it does not extinguish it; Member States remain “masters of the Treaties” and retain the power to amend or withdraw from them. The question, therefore, is not whether sovereignty is limited as this is inherent in EU participation. The actual question is whether the ECB consultation obligation crosses the threshold into a transfer of sovereignty.

The legal framework demonstrates that the consultation obligation is procedural rather than substantive. The ECB's opinion is not binding, national parliaments retain full legislative authority, and Member States may legislate contrary to ECB recommendations. The obligation concerns how legislation is adopted, not what legislation is adopted. A transfer of sovereignty would require shifting decision-making power from national authorities to the ECB, yet the ECB cannot veto national legislation, amend draft laws, block parliamentary procedures, or impose sanctions for non-compliance. Its role is advisory, not legislative, confirming that no substantive sovereignty is transferred.

The purpose of the consultation mechanism further supports this conclusion. It ensures the coherence of the Economic and Monetary Union, prevents national legislation from undermining monetary policy, protects the independence of national central banks, harmonizes rules affecting payment systems and financial stability, and injects expert input into complex technical legislation. These objectives are essential for the functioning of the EMU, which itself reflects a sovereign choice by Member States to adopt a common currency. The consultation obligation is therefore a necessary procedural safeguard rather than a sovereignty-reducing mechanism.

CJEU jurisprudence reinforces the procedural nature of the obligation. The Court has held that failure to consult the ECB constitutes an infringement of EU law, that the obligation is mandatory, that consultation must occur at an early stage, and that the ECB must have sufficient time to respond. Crucially, the Court has never held that the ECB's opinion is binding, that national parliaments lose legislative competence, or that consultation constitutes a transfer of sovereignty. Instead, the Court frames the obligation as a procedural requirement essential to the effectiveness of EU law.

National constitutional courts support this interpretation. They consistently hold that EU obligations may limit national autonomy but do not violate popular sovereignty, that procedural duties are compatible with democratic principles, and that sovereignty is exercised jointly within the EU framework. These courts distinguish between the delegation of competences, which is constitutionally permissible, and the alienation of sovereignty, which is not. The ECB consultation obligation clearly falls within the former category.

Finally, while the ECB's opinions often carry significant political and economic weight, this

influence is indirect. It stems from the ECB's expertise and institutional authority, not from any legal power to impose outcomes. Member States remain free to disregard ECB recommendations. This form of influence resembles that of the European Commission, the OECD, or the IMF. Influence does not equate to a transfer of sovereignty.

### **VIII. Conclusion**

The findings of this study show that the ECB consultation obligation must be understood within the broader constitutional and institutional structure of the EU. The analysis demonstrates that the obligation is firmly grounded in Articles 127(4) and 282(5) TFEU, the ESCB Statute, and Council Decision 98/415/EC. It emerged from the Maastricht framework as a procedural safeguard designed to protect the integrity of the Economic and Monetary Union. The CJEU has consistently treated consultation as a mandatory procedural requirement rather than a substantive constraint on national legislative autonomy, while national constitutional courts have confirmed that such procedural duties are compatible with popular sovereignty. Although the ECB's opinions can be influential, they are not binding and do not transfer legislative power to the ECB.

Taken together, these elements support the conclusion that the obligation to consult the ECB does not constitute a transfer of popular sovereignty. Instead, it functions as a procedural coordination mechanism that ensures coherence within the EMU. It safeguards the independence of the ESCB, integrates technical expertise into national lawmaking, and helps prevent national measures from inadvertently undermining monetary policy or financial stability. Member States retain full control over the substance of their legislation; the obligation merely structures the process through which certain laws are adopted.

The broader implications of this analysis reveal a deeper truth about EU governance: sovereignty in the Union is shared rather than surrendered. Procedural obligations such as the ECB consultation duty enhance cooperation without diminishing democratic legitimacy. They reflect a constitutional balance in which national autonomy and supranational coordination coexist in a stable, mutually reinforcing relationship. Within this framework, the consultation obligation stands as a proportionate and necessary component of the legal architecture that supports the functioning of the EMU.