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Answer given by Mr Hahn
on behalf of the European Commission
(4.5.2021)

The Commission is currently working on guidelines concerning certain aspects of the application of Regulation (EU, Euratom) 2020/2092 on a general regime of conditionality for the protection of the Union budget (the “Regulation”).

The Commission is gathering the information necessary to enforce the Regulation, which applies as from 1 January 2021. In this regard, the Commission takes into account relevant information from available sources and recognised institutions. According to the Regulation, these include judgments of the Court of Justice of the European Union, reports of the Court of Auditors, the Commission’s annual Rule of Law Report and EU Justice Scoreboard, reports of the European Anti-Fraud Office (OLAF) and the European Public Prosecutor’s Office (EPPO) as relevant, and conclusions and recommendations of relevant international organisations and networks, including Council of Europe bodies such as the Council of Europe Group of States against Corruption (GRECO) and the Venice Commission, in particular its rule-of-law checklist, and the European networks of supreme courts and councils for the judiciary.

The Commission may propose measures only if the conditions set in the Regulation are fulfilled, following the procedure set out in it, according to which the Member States concerned should be heard. Measures will be proposed after the adoption of the guidelines mentioned above, if all the conditions for the application of the Regulation are fulfilled. The Commission will apply the procedure foreseen in the Regulation in full compliance with the principles of objectivity, non-discrimination and equal treatment of the Member States.