

**Question for written answer E-002367/2021  
to the Commission**

Rule 138

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Subject: Ensuring the availability of EU funding for final recipients – Regulation No 2020/2092 on a general regime of conditionality for the protection of the Union budget

The Rule of Law Conditionality Regulation<sup>1</sup> entered into force on 1 January 2021.

Recital 19 of the Regulation states that: 'It is essential that the legitimate interests of final recipients and beneficiaries are properly safeguarded when measures are adopted in the event of breaches of the principles of the rule of law ... Taking into consideration that in shared management payments from the Commission to Member States are legally independent from payments by national authorities to beneficiaries, appropriate measures under this Regulation should not be considered to affect the availability of funding for payments towards beneficiaries ...' Further, pursuant to Article 5(5) of the Regulation: 'on the basis of the information provided by the final recipients or beneficiaries ... the Commission shall do its utmost to ensure that any amount due from government entities or Member States ... is effectively paid to final recipients or beneficiaries ...'

What measures does the Commission plan to take to ensure the availability of EU funding to final recipients in the event that the Regulation is applied?

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<sup>1</sup> Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget, OJ L 433I, 22.12.2020, p. 1.