

**Question for written answer E-003401/2022  
to the Commission**

Rule 138

**Christian Ehler (PPE)**

**Subject:** Legal base for application of 'do no significant harm' (DNSH) principle under the European Innovation Council (EIC)

In the written answer to question E-002718/2022, the Commission refers to Horizon legislation that requires Horizon to contribute to strategic priorities, in particular to the European Green Deal. Can the Commission specify in which recital or article of the Horizon legislation the European Green Deal is mentioned?

In the same answer, the Commission states that it 'may lay down additional eligibility criteria for a call for proposals' in accordance with Article 22(6) of the Horizon Regulation and Article 197(3) of the Financial Regulation.

Article 22 of the Horizon Regulation concerns which entities are eligible to receive Horizon funding. Under the EIC, the DNSH principle is applied to activities, not to participating entities. Why does the Commission believe Article 22 is a suitable legal basis for an additional eligibility criterion for projects?

Article 197(3) of the Financial Regulation permits additional eligibility criteria at call level and requires that they be established with due regard for the objectives of the action. For the EIC, the DNSH principle is applied to the whole work programme instead of specific calls and without regard to the objectives of the specific actions. For each published EIC call, can the Commission explain why the principle is relevant for the objectives of the call?