



**2025/0240(COD)**

15.4.2026

## **DRAFT OPINION**

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgets, the Committee on Regional Development and  
the Committee on Agriculture and Rural Development

on the proposal for a regulation of the European Parliament and of the Council  
establishing the European Fund for economic, social and territorial cohesion,  
agriculture and rural, fisheries and maritime, prosperity and security for the  
period 2028-2034 and amending Regulation (EU) 2023/955 and Regulation  
(EU, Euratom) 2024/2509  
(COM(2025)0565 – C10-0179/2025 – 2025/0240(COD))

Rapporteur for opinion: António Tânger Corrêa

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## SHORT JUSTIFICATION

This opinion seeks to ensure that the proposed Regulation remains firmly grounded in the Treaties, in particular in the principles of conferral, subsidiarity and proportionality, and in full respect of the constitutional identity and primary responsibilities of the Member States.

Its central concern is the introduction of a dual horizontal conditionality framework, combining compliance with the Charter and with the rule of law, which risks creating duplication, legal uncertainty and excessive discretion in the assessment of Member States. The opinion therefore questions the appropriateness of maintaining such conditionality mechanisms. Any measure affecting access to Union funding should, at a minimum, be strictly limited to cases where objective, verifiable and duly substantiated elements demonstrate a sufficiently direct link with the protection of the Union budget. Such conditionality cannot evolve into a broader assessment of national constitutional or policy choices beyond the competences conferred on the Union. Non-binding instruments, reports or recommendations cannot in themselves justify adverse financial consequences.

The amendments also express serious reservations regarding the scope and centralising logic of the EU Facility and reaffirm that partnership and multi-level governance must fully respect the institutional and constitutional organisation of the Member States.

Overall, the amendments aim to restore legal certainty and ensure that the Regulation remains focused on its proper purpose: the sound and Treaty-compliant management of Union funds.

## AMENDMENT

The Committee on Civil Liberties, Justice and Home Affairs submits the following to the Committee on Budgets, the Committee on Regional Development and the Committee on Agriculture and Rural Development, as the committees responsible:

### Amendment 1

#### Proposal for a regulation Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2a) In accordance with Article 5(2) TEU, the Union acts only within the limits of the competences conferred upon it by the Member States in the Treaties. The implementation of this Regulation fully respects the national identities of Member States, inherent in their fundamental structures, political and constitutional, as set out in Article 4(2) TEU.***

Or. en

## Amendment 2

### Proposal for a regulation Recital 2 b (new)

*Text proposed by the Commission*

*Amendment*

***(2b) This Regulation is not to be interpreted as conferring upon the Union a general competence to assess or regulate the constitutional order, the democratic processes or the media systems of the Member States.***

Or. en

## Amendment 3

### Proposal for a regulation Recital 2 c (new)

*Text proposed by the Commission*

*Amendment*

***(2c) The concept of the rule of law, while referred to in Article 2 TEU, does not have a single, uniformly defined content and is subject to differing interpretations across national legal systems. This lack of a precise and universally agreed definition raises concerns regarding legal certainty, equal treatment and the risk of discretionary application. Therefore, it is important that any mechanism linking Union funding to such a concept is avoided or, at a minimum, strictly limited to objective and clearly defined situations directly affecting the Union budget.***

Or. en

## Amendment 4

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

(13) With the aim of ensuring a more efficient use of Union funding, the Fund should address the outlined challenges in a holistic, coordinated and consistent manner, reflecting the different national and regional needs of each Member State while ensuring support for all relevant Union priorities and value for money. Furthermore, the Fund should contribute to a streamlined and well-coordinated framework while relying on a strong multi-level governance and partnership. It should provide a basis to ensure a more efficient and flexible allocation of funding across different policy areas while ***allowing*** Member States ***to address new policy priorities and reallocate resources to respond to unforeseen challenges and crises.***

*Amendment*

(13) With the aim of ensuring a more efficient use of Union funding, the Fund should address the outlined challenges in a holistic, coordinated and consistent manner, reflecting the different national and regional needs of each Member State while ensuring support for all relevant Union priorities and value for money. Furthermore, the Fund should contribute to a streamlined and well-coordinated framework while relying on a strong multi-level governance and partnership. It should provide a basis to ensure a more efficient and flexible allocation of funding across different policy areas while ***relying on effective and transparent governance structures. Any multi-level governance arrangements should respect the institutional and constitutional frameworks of the Member States and ensure clear accountability of public authorities.***

Or. en

**Amendment 5**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) The support to Member States, regions and local communities in delivering on Union policy priorities and maximising efficiency maximisation of Union funding should be achieved, through the support for measures of high Union relevance linked to the most pressing challenges affecting Europe. Those challenges should be addressed by pursuing five high level objectives:

*Amendment*

(14) The support to Member States, regions and local communities in delivering on Union policy priorities and maximising efficiency maximisation of Union funding should be achieved, through the support for measures of high Union relevance linked to the most pressing challenges affecting Europe. Those challenges should be addressed by pursuing five high level objectives:

Europe's sustainable prosperity across all regions; Europe's defence capabilities and security; supporting people, strengthening Europe's societies and Europe's social model; sustaining Europe's quality of life; protecting and strengthening democracy, rule of law and upholding Union values.

Europe's sustainable prosperity across all regions; Europe's defence capabilities and security; supporting people, strengthening Europe's societies and Europe's social model; sustaining Europe's quality of life; protecting and strengthening democracy, rule of law and upholding Union values, ***within the limits of the competences conferred upon the Union by the Treaties and in full respect of the national identities of the Member States as set out in Article 4(2) TEU.***

Or. en

## Amendment 6

### Proposal for a regulation Recital 20

#### *Text proposed by the Commission*

(20) In order to protect, strengthen democracy, rule of law and ***uphold*** Union values, support should be dedicated to sustaining and further developing open, rights-based, democratic, equal and inclusive societies as well as to strengthening justice systems, anti-corruption frameworks, ***media pluralism*** and effective checks and balances. The measures should also aim to contribute to better governance by enhancing the efficiency of public administration, including judicial authorities, and the institutional capacity of public authorities and stakeholders in Member States, regions and local communities. This should enhance the efficiency and effectiveness of supported measures. To ensure that the social dimension of Europe as set out in the European Pillar of Social Rights is duly put forward and that ***a sufficient amount of*** resources ***is targeting*** those most in need, Member States should allocate resources to fostering social inclusion. Due to the particular need to support children in

#### *Amendment*

(20) In order to protect ***and*** strengthen democracy, ***the*** rule of law and Union values, support should be dedicated to sustaining and further developing open, rights-based, democratic, equal and inclusive societies, as well as to strengthening justice systems, anti-corruption frameworks and effective checks and balances. ***References to Union values in this Regulation are to be interpreted in full respect of the national identities of the Member States, inherent in their fundamental political and constitutional structures, as referred to in Article 4(2) TEU, and are not to be construed as conferring upon the Union a general competence to assess constitutional choices reserved to the Member States.*** The measures should also aim to contribute to better governance by enhancing the efficiency of public administration, including judicial authorities, and the institutional capacity of public authorities and stakeholders in Member States, regions and local

poverty Member States should also programme resources to address *the* measures under the Child Guarantee. In light of persistently high levels of youth unemployment and inactivity in a number of Member States and regions, in particular affecting young people who are neither in employment, nor in education or training, it is necessary that those Member States continue to invest sufficient resources towards measures to promote youth employment, including through the implementation of the Youth Guarantee. Member States should therefore allocate an appropriate amount of resources to this challenge. Member States seriously affected by youth unemployment should allocate resources *of the ESF* to support youth employability.

communities. This should enhance the efficiency and effectiveness of supported measures. To ensure that the social dimension of Europe as set out in the European Pillar of Social Rights is duly put forward and that sufficient resources *target* those most in need, Member States should allocate resources to fostering social inclusion. Due to the particular need to support children in poverty, Member States should also programme resources to address measures under the Child Guarantee. In light of persistently high levels of youth unemployment and inactivity in a number of Member States and regions, in particular affecting young people who are neither in employment, nor in education or training, it is necessary that those Member States continue to invest sufficient resources towards measures to promote youth employment, including through the implementation of the Youth Guarantee. Member States should therefore allocate an appropriate amount of resources to this challenge. Member States seriously affected by youth unemployment should allocate *ESF* resources to support youth employability.

Or. en

## Amendment 7

### Proposal for a regulation Recital 27

#### *Text proposed by the Commission*

(27) This Regulation should include strong safeguards to ensure that the Fund is implemented in a way that ensures respect with the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union and of the principles of the rule of law as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092 of the European Parliament and

#### *Amendment*

(27) This Regulation should include strong safeguards to ensure that the Fund is implemented in a way that ensures respect with the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union and of the principles of the rule of law as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092 of the European Parliament and

of the Council<sup>2</sup>. Therefore, as part of the validation process of their NRP Plans, Member States should provide assurance on the fulfilment of these two horizontal conditions, with an identification of potential deficiencies and remedial actions based, *in particular*, on the *country-specific challenges identified in the context of the Rule of Law Report and European Semester, as well as infringement proceedings and judgments of the Court of Justice of the European Union*. All Member States should be required to review their NRP Plans halfway through implementation, as part of the mid-term review, to address any new deficiencies identified, in particular, in the context of the latest Rule of Law Report. At any time during the implementation and following exchanges with the Member State concerned, there should be a possibility to block part or all of the payments made to a Member State if one or more of the Rule of Law and Charter horizontal conditions is not fulfilled. With due regard to the principle of proportionality, the determination of the non-fulfilment and identification of the specific measures concerned should take into account the actual or potential impact of the non-fulfilment on the sound financial management of the Union budget or on the financial interests of the Unions as well as the nature, duration, gravity and scope of the breach.

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<sup>2</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,

of the Council<sup>2</sup>. Therefore, as part of the validation process of their NRP Plans, Member States should provide assurance on the fulfilment of these two horizontal conditions, with an identification of potential deficiencies and remedial actions based *exclusively on objective, verifiable and duly substantiated elements demonstrating a direct and sufficiently serious impact on the sound financial management of the Union budget, in accordance with Regulation (EU, Euratom) 2020/2092, and is not to give rise to a generalised assessment of Member States' constitutional systems*. All Member States should be required to review their NRP Plans halfway through implementation, as part of the mid-term review, to address any new deficiencies identified, in particular, in the context of the latest Rule of Law Report. At any time during the implementation and following exchanges with the Member State concerned, there should be a possibility to block part or all of the payments made to a Member State if one or more of the Rule of Law and Charter horizontal conditions is not fulfilled. With due regard to the principle of proportionality, the determination of the non-fulfilment and identification of the specific measures concerned should take into account the actual or potential impact of the non-fulfilment on the sound financial management of the Union budget or on the financial interests of the Unions as well as the nature, duration, gravity and scope of the breach. *Non-binding instruments, including reports and recommendations, should not in themselves constitute sufficient grounds for determining non-fulfilment.*

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<sup>2</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,

## Amendment 8

### Proposal for a regulation Recital 38

#### *Text proposed by the Commission*

(38) Each Member State should carry out a mid-term review of its NRP Plan. That review should provide a fully-fledged proposed amendment of the NRP Plan based on the progress in implementing measures, the main results of relevant evaluations and a review of the estimated total costs of the measures covered by the NRP Plan, while also providing the opportunity to take into account new challenges as well as the occurrence of any crisis. For the purposes of the mid-term review, the socioeconomic situation of the Member State or region concerned, including any major negative financial, economic or social development should be also taken into account. The amended NRP Plan submitted by the Member State following the mid-term review should include a proposal for the programming of the flexibility amount with revised or new measures together with their estimated costs and corresponding milestones and targets.

#### *Amendment*

(38) Each Member State should carry out a mid-term review of its NRP Plan. That review should provide a fully-fledged proposed amendment of the NRP Plan based on the progress in implementing measures, the main results of relevant evaluations and a review of the estimated total costs of the measures covered by the NRP Plan, while also providing the opportunity to take into account new challenges as well as the occurrence of any crisis. For the purposes of the mid-term review, the socioeconomic situation of the Member State or region concerned, including any major negative financial, economic or social development should be also taken into account. The amended NRP Plan submitted by the Member State following the mid-term review should include a proposal for the programming of the flexibility amount with revised or new measures together with their estimated costs and corresponding milestones and targets. ***It is essential that the mid-term review respects the primary responsibility of Member States for the design and implementation of their NRP Plans and does not result in a disproportionate administrative burden or undue interference in national policy choices.***

## Amendment 9

### Proposal for a regulation Recital 39

*Text proposed by the Commission*

(39) An EU Facility should **be set-up to complement *implementation at* national and regional *level***. The EU Facility should support projects of a transnational dimension, with a high Union added value, which require additional coordination efforts at Union level, as well as evidence-based policy support and which contribute to the objectives set out in this Regulation. It should also help Member States in swiftly addressing urgent and specific needs as a response to a crisis situation, such as a major national or regional natural disaster, and foster repair and recovery in view of increasing resilience following a crisis. It should also cater for uncertainty by providing the Union with additional room for manoeuvre to adjust to emerging priorities at Union level, which require a coordinated response. It should finally provide technical support to Member States to effectively implement the policies covered by this Regulation. In the context of future enlargements, it is essential to ensure that the Union's legislative and budgetary framework can also effectively accommodate support for the accession of new Member States. In doing so, the Facility should have the possibility to resort to shared, direct or indirect management depending on the type of measure and the most effective course of action.

*Amendment*

(39) An EU Facility should complement, ***and not substitute***, national and regional ***programming priorities and existing national and regional structures***. The EU Facility should support projects of a transnational dimension, with a high Union added value, which require additional coordination efforts at Union level, as well as evidence-based policy support and which contribute to the objectives set out in this Regulation. It should also help Member States in swiftly addressing urgent and specific needs as a response to a crisis situation, such as a major national or regional natural disaster, and foster repair and recovery in view of increasing resilience following a crisis. It should also cater for uncertainty by providing the Union with additional room for manoeuvre to adjust to emerging priorities at Union level, which require a coordinated response. It should finally provide technical support to Member States to effectively implement the policies covered by this Regulation. In the context of future enlargements, it is essential to ensure that the Union's legislative and budgetary framework can also effectively accommodate support for the accession of new Member States. In doing so, the Facility should have the possibility to resort to shared, direct or indirect management depending on the type of measure and the most effective course of action. ***The allocation and use of resources under the Facility should comply with the principles of subsidiarity and proportionality and be limited to what is strictly necessary to achieve its objectives, without extending the competences of the Union or substituting the responsibilities of Member States.***

## Amendment 10

### Proposal for a regulation

#### Article 1 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the financial rules for Union support to be implemented by means of the National and Regional Partnership Plans (the ‘NRP Plans’), the Interreg Plan as set out in the Regulation XX [Regional development, Chapter II on the Interreg Plan] (the ‘Interreg Plan’) and the EU Facility (the ‘Facility’);

*Amendment*

(b) the financial rules for Union support to be implemented by means of the National and Regional Partnership Plans (the ‘NRP Plans’), the Interreg Plan as set out in the Regulation XX [Regional development, Chapter II on the Interreg Plan] (the ‘Interreg Plan’) and the EU Facility (the ‘Facility’), ***which shall be strictly limited to actions that cannot be sufficiently achieved by Member States acting alone.***

## Amendment 11

### Proposal for a regulation

#### Article 3 – paragraph 1 – point e – introductory part

*Text proposed by the Commission*

(e) to protect and strengthen fundamental rights, democracy, equality, the rule of law ***and to uphold Union values*** by:

*Amendment*

(e) ***Within the limits of the competences conferred upon the Union and without prejudice to the constitutional responsibilities of the Member States,*** to protect and strengthen fundamental rights, democracy, equality ***and*** the rule of law, ***strictly insofar as these objectives are directly linked to the protection of the Union budget,*** by:

## Amendment 12

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point e – point ii**

*Text proposed by the Commission*

(ii) promoting and upholding the rule of law through strengthening justice systems, anti-corruption frameworks, ***media pluralism, information integrity, media literacy, and effective checks and balances***;

*Amendment*

(ii) promoting and upholding the rule of law through strengthening justice systems ***and*** anti-corruption frameworks, ***in so far as they are directly linked to the protection of the Union budget***;

Or. en

**Amendment 13**

**Proposal for a regulation**  
**Article 6 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) relevant bodies representing civil society, such as environmental partners, non-governmental organisations, youth organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination, national human rights institutions and organisations;

*Amendment*

(c) relevant bodies representing civil society, such as environmental partners, non-governmental organisations, youth organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination, national human rights institutions and organisations; ***their involvement shall be of a consultative nature and shall not affect the decision-making powers and institutional responsibilities of the Member States.***

Or. en

**Amendment 14**

**Proposal for a regulation**  
**Article 6 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. The organisation of partnership***

*and multi-level governance shall fully respect the constitutional allocation of powers within the Member States and shall not affect their institutional autonomy.*

Or. en

## **Amendment 15**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*The application of the principles referred to in this Article shall fully respect the principles of conferral, subsidiarity and proportionality, and shall not affect the constitutional responsibilities of the Member States.*

Or. en

## **Amendment 16**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2a. The application of the Charter of Fundamental Rights of the European Union under this Regulation shall be in accordance with Article 51 of the Charter.*

Or. en

## **Amendment 17**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Member States shall ***put in place and maintain effective mechanisms to ensure compliance of the measures supported by their Plans and their implementation with the relevant provisions of the Charter of Fundamental Rights of the European Union throughout the implementation of the Fund ('Charter horizontal condition')***.

Member States shall ensure ***that*** measures supported ***under this Regulation comply with applicable Union law. The assessment of such compliance shall be strictly limited to situations where a direct and demonstrable impact on the Union budget is established and shall not extend to areas falling within the constitutional and institutional autonomy of the Member States.***

Or. en

## **Amendment 18**

### **Proposal for a regulation Article 8 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Where the Commission ***considers*** that a ***Member State does not fulfil or no longer fulfils*** the Charter ***horizontal condition, as provided for in paragraph 1***, it shall notify the Member State concerned of its assessment, ***based on information provided by the Member State concerned in its NRP Plan, in response to Commission observations, and taking into account relevant information, including the Rule of Law and European Semester country-specific reports.***

2. Where the Commission, ***on the basis of objective and verifiable evidence, establishes*** that a ***breach of*** the Charter ***has a direct and sufficiently serious impact on the sound financial management of the Union budget or on the protection of the Union's financial interests***, it shall notify the Member State concerned of its assessment.

Or. en

## **Amendment 19**

### **Proposal for a regulation Article 8 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Decisions affecting Union***

*financial support under this Regulation shall be adopted only where a sufficiently direct and demonstrable link is established between the identified deficiency and a risk to the sound financial management of the Union budget or to the protection of its financial interests.*

Or. en

## **Amendment 20**

### **Proposal for a regulation Article 8 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a.** *Any such measure shall be proportionate and limited to what is strictly necessary to address the identified risk.*

Or. en

## **Amendment 21**

### **Proposal for a regulation Article 8 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

**8.** *If the breach identified by the Commission could also constitute a breach of the rule of law horizontal condition, the procedure of Article 9 shall be activated by priority.*

**8.** *The application of this Article shall not lead to duplication of procedures or cumulative measures with Article 9.*

Or. en

## **Amendment 22**

### **Proposal for a regulation**

## Article 9 – paragraph 2

*Text proposed by the Commission*

2. Where the Commission considers that a Member State does not fulfil or no longer fulfils the rule of law horizontal condition, it shall **notify the Member State concerned of its assessment, taking into account relevant information**, including **information provided by the Member State concerned in its NRP Plan, in response to Commission observations, and the Rule of Law and European Semester country-reports**.

*Amendment*

2. Where the Commission considers that a Member State does not fulfil or no longer fulfils the rule of law horizontal condition, it shall **base its assessment exclusively on objective, verifiable and duly substantiated evidence, strictly limited to situations demonstrating a direct and sufficiently serious impact on the sound financial management of the Union budget, in accordance with Regulation (EU, Euratom) 2020/2092 and the case-law of the Court of Justice of the European Union. The assessment shall not extend to broader evaluations of national constitutional or institutional arrangements. Non-binding instruments, including reports and recommendations, shall not in themselves constitute sufficient grounds for determining non-fulfilment.**

Or. en

## Amendment 23

**Proposal for a regulation  
Article 9 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Decisions shall only be adopted where a direct causal link between the breach of the rule of law and the impact on the Union budget is established.**

Or. en

## Amendment 24

**Proposal for a regulation  
Article 22 – paragraph 2 – point b – paragraph 2 – point p**

*Text proposed by the Commission*

(p) specify the way in which the Plan and its envisaged implementation ensure the respect of the Rule of Law horizontal condition referred to in Article 9 [RoL horizontal condition], ***including the follow-up given to the country-specific recommendations issued in the framework of the latest Rule of Law Report and European Semester, together with measures to address those identified country-specific challenges.***

*Amendment*

(p) specify the way in which the Plan and its envisaged implementation ensure the respect of the Rule of Law horizontal condition referred to in Article 9 [RoL horizontal condition], ***based on objective, verifiable and sufficiently specific elements demonstrating a direct link with the sound financial management of the Union budget or the protection of the financial interests of the Union.***

Or. en

**Amendment 25**

**Proposal for a regulation  
Article 22 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) References to the European Semester, including country-specific recommendations, and to other non-binding instruments shall support policy coordination only and shall not in themselves constitute a basis for measures affecting Union financial support.***

Or. en

*Justification*

*The proposal expressly integrates Semester-related and other Commission-adopted documents into the design and assessment of the Plans, which is why this clarification is needed.*

**Amendment 26**

**Proposal for a regulation  
Article 24 – paragraph 8**

*Text proposed by the Commission*

8. The specific measures identified in the implementing decision referred to in Article 9(4) or subject to a decision imposing measures for the protection of the budget under Regulation (EU, Euratom) 2020/2092 shall not ***be amended until the decision has been repealed, unless the amendment is intended to support measures that contribute to the fulfilment of the Rule of Law horizontal condition or to addressing the situation that led to the adoption of the aforementioned decisions.***

*Amendment*

8. The specific measures identified in the implementing decision referred to in Article 9(4) or subject to a decision imposing measures for the protection of the budget under Regulation (EU, Euratom) 2020/2092 ***may only be restricted to the extent strictly necessary to address the identified deficiencies and shall not prevent amendments unrelated to those deficiencies.***

Or. en

**Amendment 27**

**Proposal for a regulation  
Article 24 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***8a. Any measure adopted under this Regulation affecting the allocation, suspension or reduction of Union funds shall comply with the principle of proportionality and shall be limited to what is strictly necessary to protect the Union budget.***

Or. en

**Amendment 28**

**Proposal for a regulation  
Article 26 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Facility shall be implemented only where it provides clear added value. It shall complement, and not duplicate or substitute, existing national and regional***

*structures or programming frameworks, and shall not override the priorities set out in the N RP Plans.*

Or. en

## Amendment 29

### Proposal for a regulation Article 26 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. The Facility shall not be used to expand the scope of Union action beyond the competences conferred by the Treaties.***

Or. en

## Amendment 30

### Proposal for a regulation Article 29 – paragraph 1

*Text proposed by the Commission*

*Amendment*

Union support may be provided for actions in or in relation to third countries, provided that those actions contribute to the objectives set out in Article 3 [Specific objectives]. Such actions shall serve the interests of internal Union policies and be consistent with activities undertaken within the Union.

Union support may be provided for actions in or in relation to third countries, provided that those actions contribute to the objectives set out in Article 3 [Specific objectives]. Such actions shall serve the interests of internal Union policies and be consistent with activities undertaken within the Union, ***provided that those actions demonstrably and directly contribute to the objectives set out in Article 3 and are strictly necessary to support internal Union policies. Such actions shall be duly justified and shall respect the competences of the Member States in the field of external relations. Actions under this Article shall not be used to pursue autonomous external policy objectives beyond those explicitly provided for in the***

*Treaties.*

Or. en