

# ECA Will Probe Effectiveness of Rule-of-Law Conditionality Mechanism



## News

Thomas Wahl

On 23 January 2023, the [European Court of Auditors \(ECA\)](#) announced that it has started working on an audit that will assess the effective application of the EU's conditionality mechanism to protect the EU's budget against rule-of-law breaches by Member States. The "general regime of conditionality for the protection of the Union budget" was introduced by Regulation (EU, Euratom) 2020/2092 of 16 December 2020 (→ [eucrim 3/2020, 174-176](#)). Under certain conditions these rules require countries' access to EU funding to be suspended, reduced or restricted when there have been serious breaches of the rule of law. So far, the EU has only applied protective measures under the Regulation against Hungary (in December 2022 → [eucrim news of 28 December 2022](#)).

The ECA will examine whether the Commission has effectively applied the tools at its disposal to protect the EU's financial interests. The audit will focus on cohesion policy and the COVID-19 recovery funding and it will include six sample countries (Bulgaria, Greece, Italy, Hungary, Poland, and Romania).

ECA's audit preview does not include yet specific observations, conclusions or recommendations. The audit report is expected in about a year's time.

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