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'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

No. Cion doc.: 13257/25
No. prev. doc.: 14274/25

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/1755 as regards the amounts allocated to the Member States under the Brexit Adjustment Reserve
- *Confirmation of the final compromise text with a view to agreement*

I. INTRODUCTION

1. On 24 September 2025, the Commission submitted to the Council and the European Parliament a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/1755 as regards the amounts allocated to the Member States under the Brexit Adjustment Reserve (BAR)¹, which aims to reflect the reallocation of unused BAR funds to increase the Union's resilience and leadership in the most urgent priorities and needs, as agreed within the MFF mid-term review².

¹ 13257/25.

² Council Regulation (EU, Euratom) 2024/765 of 29 February 2024 amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L, 2024/765, 29.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/765/oj>).

2. The draft Regulation is based on Article 175 of the Treaty on the Functioning of the European Union (TFEU).
3. The Committee of the Regions has been consulted by the Council to deliver its opinion.
4. The European Economic and Social Committee delivered its opinion³ on 23 October 2025.
5. At its meeting on 29 October 2025, the Permanent Representatives Committee agreed on the text of the Commission's proposal without amendments and granted the Danish Presidency a mandate to enter into negotiations with the European Parliament on this basis, as set out in document 14274/25.
6. On 11 November 2025, the European Parliament's Committee on Regional Development (REGI) agreed to apply the simplified procedure for the adoption of the proposal and to adopt the Commission's proposal without amendments.

II. CONCLUSIONS

7. The Permanent Representatives Committee is therefore invited to:
 - (a) confirm agreement on the text as set out in the annex to this note with a view to reaching an agreement at first reading with the European Parliament;
 - (b) authorise the Chair of the Permanent Representatives Committee to send a letter to inform the Chair of the European Parliament's REGI Committee that, should the European Parliament adopt its position at first reading on the text of the proposal in the exact form as set out in the annex to this note, and subject to revision of that text by the lawyer-linguists of both institutions, the Council will approve the European Parliament's position and the act will be adopted in the wording which corresponds to the European Parliament's position.

³ 14774/25.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Regulation (EU) 2021/1755 as regards the amounts allocated to the Member States
under the Brexit Adjustment Reserve**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 175 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁴,

Having regard to the opinion of the Committee of the Regions⁵,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Since the adoption of Regulation (EU) 2021/1755 of the European Parliament and of the Council⁶, unprecedented geopolitical events have occurred, triggered by Russia's war of aggression against Ukraine, the ensuing energy crisis and the related spike in inflation and interest rates. Those geopolitical and economic developments have brought new emergencies which should be addressed to deliver on the Union's shared priorities and needs. Taking into account the near exhaustion of the limited budgetary flexibilities and the limits reached by

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ Regulation (EU) 2021/1755 of the European Parliament and of the Council of 6 October 2021 establishing the Brexit Adjustment Reserve (OJ L 357, 8.10.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1755/oj>).

redeployment possibilities, the multiannual financial framework established by Council Regulation (EU, Euratom) 2020/2093⁷ had to be reinforced for the years 2024 to 2027 to provide for the funding that is the most essentially needed to respond to urgent and common challenges.

- (2) Against that background, the Council adopted Regulation (EU, Euratom) 2024/765⁸, which amended Regulation (EU, Euratom) 2020/2093 by reducing the maximum resources laid down in that Regulation for the Brexit Adjustment Reserve, making it possible to redeploy them for other purposes.
- (3) The maximum resources of the Brexit Adjustment Reserve as provided for in Regulation (EU) 2021/1755 should therefore be reduced. To ensure effective use of the resources already paid to the Member States under the Brexit Adjustment Reserve and to avoid jeopardising the implementation in Member States of the Recovery and Resilience Facility established by Regulation (EU) 2021/241 of the European Parliament and of the Council⁹, the reduction should not affect the resources already paid to Member States as pre-financing nor the resources which Member States requested to be transferred to their Recovery and Resilience Facility.
- (4) The amount of EUR 584 264 090 that would be due to be paid in accordance with Article 12(3) of that Regulation in 2025, should therefore not be paid and should be deducted from the overall envelope of the reserve.
- (5) Regulation (EU) 2021/1755 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EU) 2021/1755, paragraph 3 is amended as follows:

⁷ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 433I, 22.12.2020, p. 11, ELI: <http://data.europa.eu/eli/reg/2020/2093/oj>).

⁸ Council Regulation (EU, Euratom) 2024/765 of 29 February 2024 amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L, 2024/765, 29.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/765/oj>).

⁹ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17, ELI: <http://data.europa.eu/eli/reg/2021/241/oj>).

1. in the first subparagraph, point (b) is replaced by the following:

‘(b) any remaining provisionally allocated amount shall be made available in 2025 in accordance with Article 12.’;

2. the following subparagraph is added:

‘By way of derogation from the first subparagraph, the amounts not transferred to the Recovery and Resilience Facility in accordance with Article 4a that would be due to be paid by the Commission in accordance with Article 12(3), shall not be paid and shall be deducted from the amount referred to in paragraph 2 of this Article.’.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament

For the Council

The President

The President