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COMMISSION DELEGATED REGULATION (EU) 2026/2565

of 8 September 2026

amending the Annex to Regulation (EU) 2019/452 of the European Parliament and of the Council establishing a framework for the screening of foreign direct investments into the Union

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union ([1]), and in particular Article 8(4) thereof,

Whereas:

(1) Pursuant to Article 8 of Regulation (EU) 2019/452, where the Commission considers that a foreign direct investment is likely to affect projects or programmes of Union interest on grounds of security or public order, the Commission may issue an opinion to the Member State where the foreign direct investment is planned or has been completed. Projects or programmes of Union interest are to include those projects and programmes which involve a substantial amount or a significant share of Union funding, or which are covered by Union law regarding critical infrastructure, critical technologies or critical inputs which are essential for security or public order.

(2) The list of projects or programmes of Union interest for the purposes of Regulation (EU) 2019/452 is set out in the Annex to that Regulation.

(3) The Commission has identified several other Regulations establishing projects and programmes which should be added to that list since they have a direct relevance for the security and public order the Union.

(4) The Strategic Technologies for Europe Platform established by Regulation (EU) 2024/795 of the European Parliament and of the Council ([2]) aims to support the European industry and boost investment in critical technologies in Europe.

(5) The EU Secure Connectivity Program (IRIS – 2) established by Regulation (EU) 2023/588 of the European Parliament and of the Council ([3]) is an initiative aimed at developing a resilient and secure satellite communication system for the European Union.

(6) Regulation (EU) 2023/1525of the European Parliament and of the Council ([4]) (ASAP) is a Union initiative aimed at boosting the production of ammunition and missiles to address supply shortages, particularly in response to the war in Ukraine. The continuation or modification of actions initiated pusuant to this regulations are not affected by the expiration of the Regulation on 30 June 2025 as laid down in Article 24.

([1]) OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj.

([2]) Regulation (EU) 2024/795 of the European Parliament and of the Council of 29 February 2024 establishing the Strategic Technologies for Europe Platform (STEP), and amending Directive 2003/87/EC and Regulations (EU) 2021/1058, (EU) 2021/1056, (EU) 2021/1057, (EU) No 1303/2013, (EU) No 223/2014, (EU) 2021/1060, (EU) 2021/523, (EU) 2021/695, (EU) 2021/697 and (EU) 2021/241 (OJ L, 2024/795, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/795/oj).

([3]) Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).

([4]) Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p. 7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).

(7) Regulation (EU) 2023/2418 of the European Parliament and of the Council ([5]) (EDIRPA) is designed to strengthen the European defence industry by promoting joint procurement of military equipment among Member States.

(8) Through the Reinforcement of the European Defence Industry Instrument, the Security Action for Europe (SAFE) established by Council Regulation (EU) 2025/1106 ([6]) will support Member States wishing to invest in defence industrial production through common procurement, focusing on priority capabilities.

(9) Regarding strategic investments set out in the Regulation (EU) 2021/523 of the European Parliament and of the Council ([7]) (InvestEU Fund), as defined under Section 2.10 of the Commission Delegated Regulation (EU) 2021/1078 ([8]) setting out the relevant investment guidelines, excluding Section 2.10, paragraph b referring to Section 6.4.1.1 (social investment and skills), strategic investments under InvestEU, which finance critical sectors such as innovation, infrastructure, SMEs, and dual-use technologies, should be included in the Annex, as they are noted in the recent Joint Communication on Strengthening EU Economic Security and help protect public order and secure strategic value chains.

(10) Regulation (EU) 2024/1252 of the European Parliament and of the Council ([9]) lists the critical raw materials that are indispensable for the Union economy and a wide set of necessary technologies for strategic sectors, including aerospace and defence. The strategic projects in the Union approved by the Commission under Regulation (EU) 2024/1252 should be included in the list because they often involve critical raw materials essential for strategic sectors, such as energy, defence, and transport, and therefore pose potential risks to public order and security if their supply is disrupted or controlled by foreign entities.

(11) Regulation (EU) 2024/1735 of the European Parliament and of the Council ([10]) (Net Zero Industry Act – 'NZIA'), which sets a framework to strengthen the EU's manufacturing ecosystem for net-zero technologies. In line with the Joint Communication on Strengthening EU Economic Security, which calls for better use of existing Union instruments and identifies the prevention and mitigation of disruptions to EU critical infrastructure as a high-risk area, strategic projects under the NZIA directly contribute to enhancing the resilience of the Union's energy system, diversifying supply sources, and supporting secure clean-tech manufacturing. These strategic projects under the NZIA should be included in the Annex, to align with the Communication's emphasis on protecting core assets essential for economic security.

(12) Important Projects of Common European Interest ('IPCEIs'), referred to in Article 107(3)(b) TFEU are designed to bring together the public and private sectors to undertake large-scale projects of significant benefit to the Union and its citizens. They support large-scale, cross-border investments of strategic importance to the Union. Including IPCEIs in the Annex is justified, as they directly contribute to EU economic security by strengthening industrial resilience, fostering innovation, and reducing strategic dependencies, in line with the Joint Communication on Strengthening EU Economic Security.

([5]) Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L, 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).

([6]) Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument (OJ L, 2025/1106, 28.5.2025, ELI: http://data.europa.eu/eli/reg/2025/1106/oj).

([7]) Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30, ELI: http://data.europa.eu/eli/reg/2021/523/oj).

([8]) Commission Delegated Regulation (EU) 2021/1078 of 14 April 2021 supplementing Regulation (EU) 2021/523 of the European Parliament and of the Council by setting out the investment guidelines for the InvestEU Fund (OJ L 234, 2.7.2021, p. 18, http://data.europa.eu/eli/reg_del/2021/1078/oj).

([9]) Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1252/oj).

([10]) Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 (OJ L, 2024/1735, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1735/oj).

(13) The Innovation Fund established by Article 10a(8) of Directive 2003/87/EC of the European Parliament and of the Council ([11]) funds projects focusing on innovative low-carbon technologies and processes in energy-intensive industries, innovative renewable energy generation, energy storage, and will support even more in the future innovative projects in the critical raw materials value chain. Risks in these sectors related to cybersecurity and supply chain dependencies also have implications for EU security and public order.

(14) Regulation (EU) 2021/1077 of the European Parliament and of the Council ([12]) helps to equip Member States with state-of-the-art customs control equipment where risks linked to cybersecurity, access to sensitive data, both exacerbated by dependencies on an oligopoly of suppliers, have been identified.

(15) In addition, the European Global Navigation Satellie System programmes (Galileo & EGNOS), Copernicus, and the Action on Preparing the new EU GOVSATCOM programme should be removed from the list because the Regulations establishing them have been repealed by Regulation (EU) 2021/696 of the European Parliament and of the Council ([13]).

(16) The references to certain other programmes in the list should be updated.

(17) Regulation (EU) 2019/452 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) 2019/452 is replaced by the text in the Annex to this Regulation.

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, 8 September 2026.

For the Commission
The President
Ursula VON DER LEYEN

([11]) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32, ELI: http://data.europa.eu/eli/dir/2003/87/oj).

([12]) Regulation (EU) 2021/1077 of the European Parliament and of the Council of 24 June 2021 establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment (OJ L 234, 2.7.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/1077/oj).

([13]) Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).

ANNEX

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List of projects or programmes of Union interest referred to in Article 8(3):

1. **EU Space Programme**

   Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU (OJ L 170, 12.5.2021, p. 69, ELI: http://data.europa.eu/eli/reg/2021/696/oj).

2. **Horizon 2020 including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU**

   Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104, ELI: http://data.europa.eu/eli/reg/2013/1291/oj), including actions therein relating to Key Enabling Technologies such as artificial intelligence, robotics, semiconductors and cybersecurity.

3. **Horizon Europe, including research and development programmes pursuant to Article 185 TFEU, and joint undertakings or any other structure set up pursuant to Article 187 TFEU**

   Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/695/oj).

4. **Euratom Research and Training Programme 2026-2027**

   Council Regulation (Euratom) 2025/1304 of 23 June 2025 establishing the Research and Training Programme of the European Atomic Energy Community for the period 2026-2027 complementing Horizon Europe – the Framework Programme for Research and Innovation and repealing Regulation (Euratom) 2021/765 (OJ L, 2025/1304, 3.7.2025, ELI: http://data.europa.eu/eli/reg/2025/1304/oj).

5. **Trans-European Networks for Transport (TEN-T)**

   Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj).

6. **Trans-European Networks for Energy (TEN-E)**

   Regulation (EU) 2022/869 of the European Parliament and of the Council of 30 May 2022 on guidelines for trans-European energy infrastructure, amending Regulations (EC) No 715/2009, (EU) 2019/942 and (EU) 2019/943 and Directives 2009/73/EC and (EU) 2019/944, and repealing Regulation (EU) No 347/2013 (OJ L 152, 3.6.2022, p. 45, ELI: http://data.europa.eu/eli/reg/2022/869/oj).

7. **Connecting Europe Facility**

   Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: http://data.europa.eu/eli/reg/2021/1153/oj).

8. **Digital Europe Programme**

   Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/694/oj).

9. **European Defence Industrial Development Programme**

Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (OJ L 200, 7.8.2018, p. 30, ELI: http://data.europa.eu/eli/reg/2018/1092/oj).

10. **European Defence Fund**

Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149, ELI: http://data.europa.eu/eli/reg/2021/697/oj).

11. **Permanent structured cooperation (PESCO)**

Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO (OJ L 65, 8.3.2018, p. 24, ELI: http://data.europa.eu/eli/dec/2018/340/oj).

Council Decision (CFSP) 2018/1797 of 19 November 2018 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L 294, 21.11.2018, p. 18, ELI: http://data.europa.eu/eli/dec/2018/1797/oj).

Council Decision (CFSP) 2019/1909 of 12 November 2019 amending and updating Decision (CFSP) 2018/340 establishing the list of projects to be developed under PESCO (OJ L 293, 14.11.2019, p. 113, ELI: http://data.europa.eu/eli/dec/2019/1909/oj).

12. **European Joint Undertaking for ITER**

Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58, ELI: http://data.europa.eu/eli/dec/2007/198/oj).

13. **EU4Health Programme**

Regulation (EU) 2021/522 of the European Parliament and of the Council of 24 March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-2027, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/522/oj).

14. **The Strategic Technologies for Europe Platform (STEP Regulation)**

Regulation (EU) 2024/795 of the European Parliament and of the Council of 29 February 2024 establishing the Strategic Technologies for Europe Platform (STEP), and amending Directive 2003/87/EC and Regulations (EU) 2021/1058, (EU) 2021/1056, (EU) 2021/1057, (EU) No 1303/2013, (EU) No 223/2014, (EU) 2021/1060, (EU) 2021/523, (EU) 2021/695, (EU) 2021/697 and (EU) 2021/241 (OJ L, 2024/795, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/795/oj).

15. **EU Secure Connectivity Program (IRIS – 2)**

Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027 (OJ L 79, 17.3.2023, p. 1, ELI: http://data.europa.eu/eli/reg/2023/588/oj).

16. **The Act in Support of Ammunition Production (ASAP)**

Regulation (EU) 2023/1525 of the European Parliament and of the Council of 20 July 2023 on supporting ammunition production (ASAP) (OJ L 185, 24.7.2023, p. 7, ELI: http://data.europa.eu/eli/reg/2023/1525/oj).

17. **The European Defence Industry Reinforcement through Common Procurement Act (EDIRPA)**

Regulation (EU) 2023/2418 of the European Parliament and of the Council of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement (EDIRPA) (OJ L, 2023/2418, 26.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2418/oj).

18. **The Security Action for Europe (SAFE)**

Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument (OJ L, 2025/1106, 28.5.2025, ELI: http://data.europa.eu/eli/reg/2025/1106/oj).

19. **InvestEU, excluding investments in 'social investments and skills'**

Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30, ELI: http://data.europa.eu/eli/reg/2021/523/oj), as regards strategic investments in the field of defence set out in the investment guidelines for the InvestEU Fund.

Commission Delegated Regulation (EU) 2021/1078 of 14 April 2021 supplementing Regulation (EU) 2021/523 of the European Parliament and of the Council by setting out the investment guidelines for the InvestEU Fund (OJ L 234, 2.7.2021, p. 18, ELI: http://data.europa.eu/eli/reg_del/2021/1078/oj), excluding Section 2.10, paragraph b referring to Section 6.4.1.1 (social investment and skills).

20. **The Critical Raw Materials Act (CRM Act)**

Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) No 2018/858, (EU) 2018/1724 and (EU) 2019/1020 (OJ L, 2024/1252, 3.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1252/oj).

21. **The Net Zero Industry Act (NZIA)**

Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 (OJ L, 2024/1735, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1735/oj).

22. **The Innovation Fund**

Article 10a(8) of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32, ELI: http://data.europa.eu/eli/dir/2003/87/oj).

23. **Customs Control Equipment Instrument (part of the Integrated Border Management Fund)**

Regulation (EU) 2021/1077 of the European Parliament and of the Council of 24 June 2021 establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment (OJ L 234, 2.7.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/1077/oj).

24. **Important Projects of Common European Interest (IPCEIs)**

Projects that the Commission has considered, in a decision adopted pursuant to Article 108 TFEU, to constitute an important project of common European interest within the meaning of Article 107(3), point (b), TFEU'.