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*Plenary sitting*

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**A8-0043/2019**

29.1.2019

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Committee on Regional Development

Rapporteur: Andrey Novakov, Constanze Krehl

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument (COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0375),
  - having regard to Article 294(2) and Articles 177, 322(1)(a) and 349 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0230/2018),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of ... <sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of ... <sup>2</sup>,
  - having regard to the opinion of the Court of Auditors of 25 October 2018<sup>3</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Regional Development and also the opinion of the Committee on Budgets, the position in the form of amendments of the Committee on Budgetary Control, the opinion of the Committee on Economic and Monetary Affairs, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism, the Committee on Agriculture and Rural Development, the Committee on Civil Liberties, Justice and Home Affairs and the position in the form of amendments of the Committee on Women's Rights and Gender Equality (A8-0043/2019),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> OJ C ... / Not yet published in the Official Journal.

<sup>2</sup> OJ C ... / Not yet published in the Official Journal.

<sup>3</sup> OJ C 17, 14.1.2019, p. 1.

## Amendment 1

### Proposal for a regulation

#### Title

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, and the European Maritime and  
Fisheries Fund and financial rules for those  
and for the Asylum and Migration Fund,  
the Internal Security Fund and the Border  
Management and Visa Instrument

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, ***the European Agricultural Fund  
for Rural Development***, and the European  
Maritime and Fisheries Fund and financial  
rules for those and for the Asylum and  
Migration Fund, the Internal Security Fund  
and the Border Management and Visa  
Instrument

## Amendment 2

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) Article 174 of the Treaty on the  
Functioning of the European Union  
('TFEU') provides that, in order to  
strengthen its economic, social and  
territorial cohesion, the Union is to aim at  
reducing disparities between the levels of  
development of the various regions and the  
backwardness of the least favoured regions  
or islands, and that particular attention is to  
be paid to rural areas, areas affected by  
industrial transition, and regions which  
suffer from severe and permanent natural  
or demographic handicaps. Article 175 of  
the TFEU requires that the Union is to  
support the achievement of these objectives  
by the action it takes through the European  
Agricultural Guidance and Guarantee  
Fund, Guidance Section, the European  
Social Fund, the European Regional

*Amendment*

(1) Article 174 of the Treaty on the  
Functioning of the European Union  
('TFEU') provides that, in order to  
strengthen its economic, social and  
territorial cohesion, the Union is to aim at  
reducing disparities between the levels of  
development of the various regions and the  
backwardness of the least favoured regions  
or islands, and that particular attention is to  
be paid to rural areas, areas affected by  
industrial transition, and regions which  
suffer from severe and permanent natural  
or demographic handicaps. ***These regions  
particularly benefit from cohesion policy.***  
Article 175 of the TFEU requires that the  
Union is to support the achievement of  
these objectives by the action it takes  
through the European Agricultural  
Guidance and Guarantee Fund, Guidance

Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.

Section, the European Social Fund, the European Regional Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.

### Amendment 3

#### Proposal for a regulation Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1 a) It is important for the future of the European Union and its citizens that cohesion policy remains the main investment policy of the Union, keeping its funding in the 2021-2027 period at least at the level of the 2014-2020 programming period. New funding for other areas of activity or programmes of the Union should not be to the detriment of the European Regional Development Fund, the European Social Fund Plus or the Cohesion Fund.***

### Amendment 4

#### Proposal for a regulation Recital 2

*Text proposed by the Commission*

*Amendment*

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, measures financed under shared management in the European Maritime and

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, ***the European Agricultural Fund for Rural Development ('EAFRD')***,

Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund, *the EAFRD* and the EMFF.

## Amendment 5

### Proposal for a regulation

#### Recital 4

*Text proposed by the Commission*

(4) The outermost regions and the northern sparsely populated regions should benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession.

*Amendment*

(4) The outermost regions and the northern sparsely populated regions should benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession *in order to address their specific disadvantages related to their geographic location.*

## Amendment 6

### Proposal for a regulation

#### Recital 5

*Text proposed by the Commission*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights

*Amendment*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights



of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of *the Child and of the UN Convention on the Rights of* Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. ***In that context, the Funds should be implemented in a way which promotes deinstitutionalisation and community-based care.*** Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation ***or exclusion, or support infrastructure which is inaccessible to persons with a disability.*** The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle ***and taking into account the commitments agreed under the Paris Agreement.*** In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU. ***Poverty is one of the greatest challenges of the EU. The Funds should therefore contribute to the elimination of poverty. They should also contribute to fulfilling the commitment of the Union and its Member States to achieving the United Nations' Sustainable Development Goals.***

## Amendment 7

### Proposal for a regulation

## Recital 9

*Text proposed by the Commission*

(9) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to **mainstream** climate actions and to the achievement of an overall target of **25 %** of the EU budget expenditure supporting climate objectives.

*Amendment*

(9) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to **mainstreaming** climate actions and to the achievement of an overall target of **30 %** of the EU budget expenditure supporting climate objectives. ***Climate proofing mechanisms should be an integral part of programming and implementation.***

## Amendment 8

### Proposal for a regulation Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(9a) Given the impact of migration flows from third countries, cohesion policy should contribute to integration processes, in particular by providing infrastructure support to towns and cities and local and regional authorities on the front line, which are more involved in implementing integration policies.***

## Amendment 9

### Proposal for a regulation Recital 10

*Text proposed by the Commission*

*Amendment*

(10) Part of the budget of the Union allocated to the Funds should be implemented by the Commission under shared management with Member States within the meaning of Regulation (EU, Euratom) [number of the new Financial Regulation] of the European Parliament

(10) Part of the budget of the Union allocated to the Funds should be implemented by the Commission under shared management with Member States within the meaning of Regulation (EU, Euratom) [number of the new Financial Regulation] of the European Parliament

and of the Council<sup>12</sup> (the 'Financial Regulation'). Therefore, when implementing the Funds under shared management, the Commission and the Member States should respect the principles referred to in the Financial Regulation, such as sound financial management, transparency and non-discrimination.

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<sup>12</sup> OJ L [...], [...], p. [...].

## Amendment 10

### Proposal for a regulation

#### Recital 11

##### *Text proposed by the Commission*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014<sup>13</sup> ***should continue to apply.***

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74,

and of the Council<sup>12</sup> (the 'Financial Regulation'). Therefore, when implementing the Funds under shared management, the Commission and the Member States should respect the principles referred to in the Financial Regulation, such as sound financial management, transparency and non-discrimination. ***Member States should be responsible for preparing and implementing programmes. This should take place at the appropriate territorial level, in accordance with their institutional, legal and financial framework, and by the bodies designated by them for that purpose. Member States should refrain from adding rules that complicate the use of the funds for beneficiaries.***

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<sup>12</sup> OJ L [...], [...], p. [...].

##### *Amendment*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of ***regional, local, and other public authorities***, civil society and social partners. In order to provide continuity in the organisation of partnership, ***the Commission should be empowered to amend and adapt*** Commission Delegated Regulation (EU) No 240/2014<sup>13</sup>.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74,

## Amendment 11

### Proposal for a regulation Recital 12

*Text proposed by the Commission*

*Amendment*

***(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.***

*deleted*

## Amendment 12

### Proposal for a regulation Recital 13

*Text proposed by the Commission*

*Amendment*

**(13) Member States should *determine how* relevant country-specific recommendations adopted in accordance with Article 121(2) of the TFEU and relevant Council recommendations adopted in accordance with Article 148(4) of the TFEU ('CSR's) *are taken into account* in the preparation of programming documents. During the 2021–2027 programming period ('programming period'), Member States should regularly present to the monitoring committee and to**

**(13) Member States should *take into account* relevant country-specific recommendations adopted in accordance with Article 121(2) of the TFEU and relevant Council recommendations adopted in accordance with Article 148(4) of the TFEU ('CSR's) in the preparation of programming documents, *where they are consistent with the programme's objectives*. During the 2021–2027 programming period ('programming period'), Member States should regularly**

the Commission the progress in implementing the programmes in support of the CSRs. During a mid-term review, Member States should, among other elements, consider the need for programme modifications to accommodate relevant CSRs adopted or modified since the start of the programming period.

present to the monitoring committee and to the Commission the progress in implementing the programmes in support of the CSRs, ***as well as of the European Pillar of Social Rights***. During a mid-term review, Member States should, among other elements, consider the need for programme modifications to accommodate relevant CSRs adopted or modified since the start of the programming period.

## Amendment 13

### Proposal for a regulation

#### Recital 14

##### *Text proposed by the Commission*

(14) Member States should take account of the contents of their draft National Energy and Climate Plan, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the outcome of the process resulting in Union recommendations regarding these plans, for their programmes, as well as for the financial needs allocated for low-carbon investments.

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD)].

##### *Amendment*

(14) Member States should take account of the contents of their draft National Energy and Climate Plan, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the outcome of the process resulting in Union recommendations regarding these plans, for their programmes, ***including during the mid-term review***, as well as for the financial needs allocated for low-carbon investments.

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD)].

## Amendment 14

### Proposal for a regulation

#### Recital 15

*Text proposed by the Commission*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, Partnership Agreements *can* be included as part of a programme.

*Amendment*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, *it should be possible for* Partnership Agreements *to* be included as part of a programme.

## Amendment 15

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) Each Member State *should* have the flexibility to contribute to InvestEU for the provision of budgetary guarantees for investments in that Member State.

*Amendment*

(16) Each Member State *could* have the flexibility to contribute to InvestEU for the provision of budgetary guarantees for investments in that Member State, *under certain conditions specified in Article 10 of this Regulation.*

## Amendment 16

### Proposal for a regulation

#### Recital 17

*Text proposed by the Commission*

(17) To ensure the necessary prerequisites for the effective and efficient use of Union support granted by the Funds, a limited list of enabling conditions as well

*Amendment*

(17) To ensure the necessary prerequisites for the *inclusive, non-discriminatory*, effective and efficient use of Union support granted by the Funds, a

as a concise and exhaustive set of objective criteria for their assessment should be established. Each enabling condition should be linked to a specific objective and should be automatically applicable where the specific objective is selected for support. Where those conditions are not fulfilled, expenditure related to operations under the related specific objectives should not be included in payment applications.. In order to maintain a favourable investment framework, the continued fulfilment of the enabling conditions should be monitored regularly. It is also important to ensure that operations selected for support are implemented consistently with the strategies and planning documents in place underlying the fulfilled enabling conditions, thus ensuring that all co-financed operations are in line with the Union policy framework.

limited list of enabling conditions as well as a concise and exhaustive set of objective criteria for their assessment should be established. Each enabling condition should be linked to a specific objective and should be automatically applicable where the specific objective is selected for support. Where those conditions are not fulfilled, expenditure related to operations under the related specific objectives should not be included in payment applications.. In order to maintain a favourable investment framework, the continued fulfilment of the enabling conditions should be monitored regularly. It is also important to ensure that operations selected for support are implemented consistently with the strategies and planning documents in place underlying the fulfilled enabling conditions, thus ensuring that all co-financed operations are in line with the Union policy framework.

## **Amendment 17**

### **Proposal for a regulation Recital 18**

#### *Text proposed by the Commission*

(18) Member States should establish a performance framework for each programme covering all indicators, milestones and targets to monitor, report on and evaluate programme performance.

#### *Amendment*

(18) Member States should establish a performance framework for each programme covering all indicators, milestones and targets to monitor, report on and evaluate programme performance.  
***This should allow project selection and evaluation to be result-driven.***

## **Amendment 18**

### **Proposal for a regulation Recital 19**

#### *Text proposed by the Commission*

(19) The Member State should carry out a mid-term review of each programme

#### *Amendment*

(19) The Member State should carry out a mid-term review of each programme

supported by the ERDF, the ESF+ and the Cohesion Fund. That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

supported by the ERDF, the ESF+ and the Cohesion Fund. That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024, ***as well as progress with the National Energy and Climate Plans and the European Pillar of Social Rights. Demographic challenges should also be taken into account.*** In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

## **Amendment 19**

### **Proposal for a regulation**

#### **Recital 20**

*Text proposed by the Commission*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the

*Amendment*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the



basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

basis of a Commission proposal ***and after consulting the European Parliament***. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

## **Amendment 20**

### **Proposal for a regulation Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20 a) Member States could make in duly justified cases a request for flexibility within the current framework of the Stability and Growth Pact for the public or equivalent structural expenditure, supported by the public administration by way of co-financing of investments activated as part of European Structural and Investment Funds ('ESI Funds'). The Commission should carefully assess the respective request, when defining the fiscal adjustment under either the preventive or the corrective arm of the Stability and Growth Pact.***

## **Amendment 21**

### **Proposal for a regulation Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22 a) Major projects represent a substantial share of Union spending and are frequently of strategic importance with respect to the achievement of the Union strategy for smart, sustainable and inclusive growth. It is therefore justified that operations above certain thresholds continue to be subject to specific approval procedures under this Regulation. The threshold should be established in relation***

*to total eligible cost after taking account of expected net revenues. To ensure clarity, it is appropriate to define the content of a major project application for such a purpose. The application should contain the necessary information to provide assurance that the financial contribution from the Funds does not result in a substantial loss of jobs in existing locations within the Union. The Member State should submit all required information and the Commission should appraise the major project to determine whether the requested financial contribution is justified.*

## Amendment 22

### Proposal for a regulation Recital 23

*Text proposed by the Commission*

(23) To strengthen the integrated territorial development approach, investments in the form of territorial tools such as integrated territorial investments ('ITI'), community-led local development ('CLLD') or any other territorial tool under policy objective "a Europe closer to citizens" supporting initiatives designed by the Member State for investments programmed for the ERDF should be based on territorial and local development strategies. For the purposes of ITIs and territorial tools designed by Member States, minimum requirements should be set out for the content of territorial strategies. Those territorial strategies should be developed and endorsed under the responsibility of relevant authorities or bodies. To ensure the involvement of relevant authorities or bodies in implementing territorial strategies, those authorities or bodies should be responsible for the selection of operations to be supported, or involved in that selection.

*Amendment*

(23) To strengthen the integrated territorial development approach, investments in the form of territorial tools such as integrated territorial investments ('ITI'), community-led local development ('CLLD', **known as 'LEADER' under the EAFRD**), or any other territorial tool under policy objective "a Europe closer to citizens" supporting initiatives designed by the Member State for investments programmed for the ERDF should be based on territorial and local development strategies. **The same should apply to related initiatives such as the Smart Villages.** For the purposes of ITIs and territorial tools designed by Member States, minimum requirements should be set out for the content of territorial strategies. Those territorial strategies should be developed and endorsed under the responsibility of relevant authorities or bodies. To ensure the involvement of relevant authorities or bodies in implementing territorial strategies, those authorities or bodies should be responsible

for the selection of operations to be supported, or involved in that selection.

## Amendment 23

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

*Amendment*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community **and administrative** capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

## Amendment 24

### Proposal for a regulation

#### Recital 25

*Text proposed by the Commission*

(25) In order to reduce the administrative burden, technical assistance at the initiative of the Member State should be implemented through a flat rate based on progress in programme implementation. That technical assistance may be complemented with targeted administrative capacity building measures using reimbursement methods that are not linked to costs. Actions and deliverables as well

*Amendment*

(25) In order to reduce the administrative burden, technical assistance at the initiative of the Member State should be implemented through a flat rate based on progress in programme implementation. That technical assistance may be complemented with targeted administrative capacity building measures, **such as the evaluation of the skills set of human resources**, using reimbursement methods

as corresponding Union payments can be agreed in a roadmap and can lead to payments for results on the ground.

that are not linked to costs. Actions and deliverables as well as corresponding Union payments can be agreed in a roadmap and can lead to payments for results on the ground.

## Amendment 25

### Proposal for a regulation

#### Recital 27

##### *Text proposed by the Commission*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation made available by the Member State.

##### *Amendment*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees, ***consisting also of representatives of civil society and social partners***. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation made available by the Member State.

## Amendment 26

### Proposal for a regulation

#### Recital 28

##### *Text proposed by the Commission*

(28) Pursuant to paragraphs 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016<sup>16</sup>, there is a need to evaluate the Funds on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Funds on the ground.

##### *Amendment*

(28) Pursuant to paragraphs 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016<sup>16</sup>, there is a need to evaluate the Funds on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Funds on the ground. ***Indicators should be developed in a gender sensitive manner***

*when possible.*

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<sup>16</sup> OJ L 123, 12.5.2016, p. 13.

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<sup>16</sup> OJ L 123, 12.5.2016, p. 13.

## **Amendment 27**

### **Proposal for a regulation**

#### **Recital 29**

*Text proposed by the Commission*

(29) To ensure availability of comprehensive up-to-date information on programme implementation, **more frequent** electronic reporting on quantitative data should be required.

*Amendment*

(29) To ensure availability of comprehensive up-to-date information on programme implementation, **effective and timely** electronic reporting on quantitative data should be required.

## **Amendment 28**

### **Proposal for a regulation**

#### **Recital 30**

*Text proposed by the Commission*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term assessment of the Funds. At the end of the programming period, the Commission should carry out retrospective evaluations of the Funds, which should focus on the impact of the Funds.

*Amendment*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term assessment of the Funds. At the end of the programming period, the Commission should carry out retrospective evaluations of the Funds, which should focus on the impact of the Funds. **The results of these evaluations should be made public.**

## **Amendment 29**

### **Proposal for a regulation**

#### **Recital 34**

*Text proposed by the Commission*

(34) As regards grants provided to beneficiaries, Member States should increasingly make use of simplified cost

*Amendment*

(34) As regards grants provided to beneficiaries, Member States should increasingly make use of simplified cost

options. The threshold linked to the obligatory use of simplified cost options should be linked to the total costs of the operation in order to ensure the same treatment of all operations below the threshold, regardless of whether the support is public or private.

options. The threshold linked to the obligatory use of simplified cost options should be linked to the total costs of the operation in order to ensure the same treatment of all operations below the threshold, regardless of whether the support is public or private. ***Where a Member State intends to propose the use of a simplified cost option, it could consult the monitoring committee.***

## Amendment 30

### Proposal for a regulation

#### Recital 36

*Text proposed by the Commission*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects.

*Amendment*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects, ***as well as with projects funded under Horizon Europe and other Union programmes.***

## Amendment 31

### Proposal for a regulation

#### Recital 38

*Text proposed by the Commission*

(38) To ensure the effectiveness, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the

*Amendment*

(38) To ensure the ***inclusiveness***, effectiveness, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are ***non-discriminatory and*** long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the

requirement of durability as irregularities.

requirement of durability as irregularities.

### Amendment 32

#### Proposal for a regulation Recital 40

*Text proposed by the Commission*

(40) In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the Funds and directly managed instruments, including the Reform Delivery Tool. Those synergies should be achieved through key mechanisms, namely the recognition of flat rates for eligible costs from Horizon Europe for a similar operation and the possibility of combining funding from different Union instruments in the same operation as long as double financing is avoided. This Regulation should therefore set out rules for complementary financing from the Funds.

*Amendment*

(40) In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the Funds and directly managed instruments, including the Reform Delivery Tool. ***This policy coordination should promote easy-to-use mechanisms and multi-level governance.*** Those synergies should be achieved through key mechanisms, namely the recognition of flat rates for eligible costs from Horizon Europe for a similar operation and the possibility of combining funding from different Union instruments in the same operation as long as double financing is avoided. This Regulation should therefore set out rules for complementary financing from the Funds.

### Amendment 33

#### Proposal for a regulation Recital 42 a (new)

*Text proposed by the Commission*

*Amendment*

***(42a) Managing authorities should have the possibility to implement financial instruments through a direct award of a contract to the EIB Group, national promotional banks and to international financial institutions (IFIs).***

### Amendment 34

#### Proposal for a regulation Recital 44

*Text proposed by the Commission*

(44) In full respect of the applicable State aid and public procurement rules already clarified during the 2014-2020 programming period, the managing authorities should have the possibility to decide on the most appropriate implementation options for financial instruments in order to address the specific needs of target regions.

*Amendment*

(44) In full respect of the applicable State aid and public procurement rules already clarified during the 2014-2020 programming period, the managing authorities should have the possibility to decide on the most appropriate implementation options for financial instruments in order to address the specific needs of target regions. ***In this framework, the Commission should, in cooperation with the European Court of Auditors, give guidance to auditors, managing authorities and beneficiaries for assessing compliance with state aid and developing state aid schemes.***

**Amendment 35**

**Proposal for a regulation  
Recital 45 a (new)**

*Text proposed by the Commission*

*Amendment*

***(45a) In order to increase accountability and transparency, the Commission should provide for a complaints-handling system accessible to all citizens and stakeholders at all stages of preparation and implementation of programmes including monitoring and evaluation.***

**Amendment 36**

**Proposal for a regulation  
Recital 46**

*Text proposed by the Commission*

*Amendment*

(46) In order to hasten the start of programme implementation, the roll-over of implementation arrangements from the previous programming period should be facilitated. The use of the computerised system already established for the previous

(46) In order to hasten the start of programme implementation, the roll-over of implementation arrangements, ***including administrative and IT systems***, from the previous programming period should be facilitated ***where possible***. The use of the



programming period, adapted as required, should be maintained, unless a new technology is necessary.

computerised system already established for the previous programming period, adapted as required, should be maintained, unless a new technology is necessary.

## Amendment 37

### Proposal for a regulation Recital 48 a (new)

*Text proposed by the Commission*

*Amendment*

***(48 a) To support the effective use of the Funds, the EIB support should be available to all Member States at their request. This could cover capacity building, support for project identification, preparation and implementation, as well as advice on financial instruments and investment platforms.***

## Amendment 38

### Proposal for a regulation Recital 50

*Text proposed by the Commission*

*Amendment*

(50) To ensure an appropriate balance between the effective and efficient implementation of the Funds and the related administrative costs and burdens, the frequency, scope and coverage of management verifications should be based on a risk assessment that takes account of factors such as the type of operations implemented, the beneficiaries as well as the level of risk identified by previous management verifications and audits.

(50) To ensure an appropriate balance between the effective and efficient implementation of the Funds and the related administrative costs and burdens, the frequency, scope and coverage of management verifications should be based on a risk assessment that takes account of factors such as the type of operations implemented, the ***complexity and number of operations, the*** beneficiaries as well as the level of risk identified by previous management verifications and audits. ***Management and control measures for the Funds should be proportionate to the level of risk to the Union budget.***

## Amendment 39

### Proposal for a regulation

#### Recital 58

##### *Text proposed by the Commission*

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should report to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations.

##### *Amendment*

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should ***provide a detailed*** report to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations. ***Member States that do not participate in the enhanced cooperation with the EPPO should report to the Commission on decisions taken by***

***national prosecution authorities in relation to cases of irregularities affecting the Union budget.***

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<sup>18</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>20</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>21</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

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<sup>18</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>20</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>21</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

## **Amendment 40**

### **Proposal for a regulation**

#### **Recital 61**

*Text proposed by the Commission*

(61) Objective criteria should be established for designating eligible regions

*Amendment*

(61) Objective criteria should be established for designating eligible regions

and areas for support from the Funds. To this end, the identification of the regions and areas at Union level should be based on the common system of classification of the regions established by Regulation (EC) No 1059/2003 of the European Parliament and the Council<sup>23</sup>, as amended by Commission Regulation (EU) **No 868/2014**<sup>24</sup>.

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<sup>23</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

<sup>24</sup> Commission Regulation (EU) **No 868/2014 of 8 August 2014** amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 241, 13.8.2014, p. 1).

and areas for support from the Funds. To this end, the identification of the regions and areas at Union level should be based on the common system of classification of the regions established by Regulation (EC) No 1059/2003 of the European Parliament and the Council<sup>23</sup>, as **most recently** amended by Commission Regulation (EU) **No 2016/2066**<sup>24</sup>.

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<sup>23</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

<sup>24</sup> Commission Regulation (EU) **No 2066/2016 of 21 November 2016** amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 322, 29.11.2016, p. 1).

## Amendment 41

### Proposal for a regulation

#### Recital 62

##### *Text proposed by the Commission*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+ and the Cohesion Fund, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs and growth goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the Commission should

##### *Amendment*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+, **the EAFRD, the EMFF** and the Cohesion Fund, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs and growth goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the

review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

Commission should review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

## **Amendment 42**

### **Proposal for a regulation Recital 63**

*Text proposed by the Commission*

(63) Trans-European transport networks projects in accordance with Regulation (EU) No [new CEF Regulation]<sup>25</sup> will continue to be financed from the Cohesion Fund via both shared management and the direct implementation mode under the Connecting Europe Facility ('CEF'). Building on the successful approach of the 2014-2020 programming period, EUR **10 000 000 000** of the Cohesion Fund should be transferred to the CEF for this purpose.

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<sup>25</sup> Regulation (EU) [...] of the European Parliament and of the Council of [...] on [CEF] (OJ L [...], [...], p. [...])

*Amendment*

(63) Trans-European transport networks projects in accordance with Regulation (EU) No [new CEF Regulation]<sup>25</sup> will continue to be financed from the Cohesion Fund via both shared management and the direct implementation mode under the Connecting Europe Facility ('CEF'). Building on the successful approach of the 2014-2020 programming period, EUR **4 000 000 000** of the Cohesion Fund should be transferred to the CEF for this purpose.

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<sup>25</sup> Regulation (EU) [...] of the European Parliament and of the Council of [...] on [CEF] (OJ L [...], [...], p. [...])

## **Amendment 43**

### **Proposal for a regulation Recital 64**

*Text proposed by the Commission*

(64) A certain amount of the resources from ERDF, the ESF+ and the Cohesion Fund should be allocated to the European Urban Initiative which should be

*Amendment*

(64) A certain amount of the resources from ERDF, the ESF+ and the Cohesion Fund should be allocated to the European Urban Initiative which should be

implemented through direct or indirect management by the Commission.

implemented through direct or indirect management by the Commission. ***Further reflection should be carried out in future on the specific support which is provided for disadvantaged regions and communities.***

#### **Amendment 44**

##### **Proposal for a regulation Recital 65 a (new)**

*Text proposed by the Commission*

*Amendment*

***(65a) With a view to tackling the challenges faced by middle income regions, as described in the 7th cohesion report<sup>1a</sup> (low growth compared to more developed regions but also compared to less developed regions, this issue being faced especially by regions with a GDP per capita between 90% and 100% of the average GDP of the EU-27), "transition regions" should receive adequate support and be defined as regions whose GDP per capita is between 75 % and 100% of the average GDP of the EU-27.***

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***<sup>1a</sup> The Commission's 7th report on economic, social and territorial cohesion, entitled 'My region, My Europe, Our future: The 7th report on economic, social and territorial cohesion' (COM(2017)0583, 9 October 2017).***

#### **Amendment 45**

##### **Proposal for a regulation Recital 66 a (new)**

*Text proposed by the Commission*

*Amendment*

***(66 a) Within the context of the UK's withdrawal from the Union, several regions and Member States will be more exposed to the consequences of this***

*withdrawal than the others, due to their geography, nature and / or the extent of their trading links. It is therefore important to identify practical solutions for support also within the framework of cohesion policy to address the challenges for the concerned regions and Member States once the UK's withdrawal has taken place. Furthermore, a continuous cooperation, involving exchanges of information and good practices at the level of the most impacted local and regional authorities and Member States will need to be established.*

## Amendment 46

### Proposal for a regulation Recital 67

*Text proposed by the Commission*

(67) It is necessary to establish the maximum rates of co-financing in the area of cohesion policy by category of region in order to ensure that the principle of co-financing is respected through an appropriate level of public or private national support. Those rates should reflect the level of economic development of regions in terms of GDP per capita in relation to the EU-27 average.

*Amendment*

(67) It is necessary to establish the maximum rates of co-financing in the area of cohesion policy by category of region in order to ensure that the principle of co-financing is respected through an appropriate level of public or private national support. Those rates should reflect the level of economic development of regions in terms of GDP per capita in relation to the EU-27 average, *while safeguarding no less favourable treatment due to shifts in their categorisation.*

## Amendment 47

### Proposal for a regulation Recital 69

*Text proposed by the Commission*

(69) In addition the power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of the establishment of the criteria for determining the cases of

*Amendment*

(69) In addition the power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of *the amendment of the European code of conduct on*

irregularities to be reported, the definition of unit costs, lump sums, flat rates and financing not linked to costs applicable to all Member States as well as the establishment of standardised off-the-shelf sampling methodologies.

*partnership in order to adapt the code to this Regulation*, the establishment of the criteria for determining the cases of irregularities to be reported, the definition of unit costs, lump sums, flat rates and financing not linked to costs applicable to all Member States as well as the establishment of standardised off-the-shelf sampling methodologies.

## Amendment 48

### Proposal for a regulation Recital 70

#### *Text proposed by the Commission*

(70) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

#### *Amendment*

(70) It is of particular importance that the Commission carry out appropriate, **transparent** consultations **with all interested parties** during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

## Amendment 49

### Proposal for a regulation Recital 73

#### *Text proposed by the Commission*

(73) The objectives of this Regulation, namely to strengthen economic, social and territorial cohesion and to lay down common financial rules for part of the budget of the Union implemented under

#### *Amendment*

(73) The objectives of this Regulation, namely to strengthen economic, social and territorial cohesion and to lay down common financial rules for part of the budget of the Union implemented under



shared management, cannot be sufficiently achieved by the Member States by reason on the one hand due to the extent of the disparities between the levels of development of the various regions and the **backwardness of** the least favoured regions, as well as the limit on the financial resources of the Member States and regions and on the other hand due to the need for a coherent implementation framework covering several Union funds under shared management. Since those objectives can therefore rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

shared management, cannot be sufficiently achieved by the Member States by reason on the one hand due to the extent of the disparities between the levels of development of the various regions and the **specific challenges faced by** the least favoured regions, as well as the limit on the financial resources of the Member States and regions and on the other hand due to the need for a coherent implementation framework covering several Union funds under shared management. Since those objectives can therefore rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

## **Amendment 50**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

*Amendment*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, **the European Agricultural Fund for Rural Development ('EAFRD')**, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

## **Amendment 51**

### **Proposal for a regulation**

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

*Text proposed by the Commission*

(b) common provisions applicable to the ERDF, the ESF+, the Cohesion Fund and the EMFF.

*Amendment*

(b) common provisions applicable to the ERDF, the ESF+, the Cohesion Fund, **the EAFRD** and the EMFF.

## **Amendment 52**

### **Proposal for a regulation**

#### **Article 1 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. The following provisions of this Regulation shall not apply to the EAFRD:**

- (a) Article 14 of Title II;**
- (b) Chapters I and III of Title III;**
- (c) Articles 37 and 38 of Title IV;**
- (d) Section I of Chapter II and Chapter III of Title V;**
- (e) Titles VI, VII and VIII.**

## **Amendment 53**

### **Proposal for a regulation**

#### **Article 1 – paragraph 6 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(c a) Regulation (EU) [...] (the 'CAP Strategic Plans Regulation') and Regulation (EU) [...] (the 'CAP Horizontal Regulation');**

## **Amendment 54**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 1**

*Text proposed by the Commission*

*Amendment*

(1) 'relevant country specific recommendations' mean Council

(1) 'relevant country specific recommendations' mean Council

recommendations adopted in accordance with **Article 121(2)** and Article 148(4) of the TFEU relating to structural challenges which it is appropriate to address through multiannual investments that fall within the scope of the Funds as set out in Fund-specific Regulations, and relevant recommendations adopted in accordance with Article [XX] of Regulation (EU) [number of the new Energy Union Governance Regulation] of the European Parliament and of the Council;

recommendations adopted in accordance with **Articles 121(2) and (4)** and Article 148(4) of the TFEU relating to structural challenges which it is appropriate to address through multiannual investments that fall within the scope of the Funds as set out in Fund-specific Regulations, and relevant recommendations adopted in accordance with Article [XX] of Regulation (EU) [number of the new Energy Union Governance Regulation] of the European Parliament and of the Council;

## **Amendment 55**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1 a) 'enabling condition' means a concrete and precisely defined condition which has a genuine link to a direct impact on the effective and efficient achievement of a specific objective of the programme;***

## **Amendment 56**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4 a) 'programme' in the context of the EAFRD means the CAP Strategic Plans as referred to in Regulation (EU) [...] (the 'CAP Strategic Plans Regulation');***

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 8 – point c**

*Text proposed by the Commission*

(c) in the context of State aid schemes, the undertaking which receives the aid;

*Amendment*

(c) in the context of State aid schemes, the **body or the** undertaking, **as appropriate**, which receives the aid, **except where the aid per undertaking is less than EUR 200 000 , in which case the Member State concerned may decide that the beneficiary is the body granting the aid, without prejudice to Commission Regulations (EU) No 1407/2013<sup>1a</sup>, (EU) No 1408/2013<sup>1b</sup> and (EU) No 717/2014<sup>1c</sup>**;

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<sup>1a</sup> OJ L 352, 24.12.2013, p. 1.

<sup>1b</sup> OJ L 352, 24.12.2013, p. 9.

<sup>1c</sup> OJ L 190, 28.6.2014, p. 45.

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

(9) 'small project fund' means an operation in an Interreg programme aimed at the selection and implementation of projects of limited financial volume;

*Amendment*

(9) 'small project fund' means an operation in an Interreg programme aimed at the selection and implementation of **projects, including people-to-people** projects of limited financial volume;

## **Amendment 59**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 21**

*Text proposed by the Commission*

(21) 'specific fund' means a fund, **set-up** by a managing authority or a holding fund, **to** provide financial products to final recipients;

*Amendment*

(21) 'specific fund' means a fund **set up** by a managing authority or a holding fund **through which they** provide financial products to final recipients;

## Amendment 60

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 36 a (new)

*Text proposed by the Commission*

*Amendment*

***(36a) 'energy efficiency first principle' means the prioritisation, in energy planning, policy and investment decisions, of measures that make the demand and supply of energy more efficient;***

## Amendment 61

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 37

*Text proposed by the Commission*

*Amendment*

(37) 'climate proofing' means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with national rules and guidance, where available, *or internationally recognised standards.*

(37) 'climate proofing' means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with ***internationally recognised standards*** or national rules and guidance, where available, ***that the energy efficiency first principle is respected and that specific emission reduction and decarbonisation pathways are chosen;***

## Amendment 62

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 37 a (new)

*Text proposed by the Commission*

*Amendment*

***(37a) 'EIB' means the European Investment Bank, the European Investment Fund or any subsidiary of the European Investment Bank.***

## Amendment 63

### Proposal for a regulation

#### Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

(a) a smarter Europe by promoting innovative and smart economic transformation;

*Amendment*

(a) a **more competitive and** smarter Europe by promoting innovative and smart economic transformation **and strengthening small and medium-sized enterprises**;

## **Amendment 64**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) a greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

*Amendment*

(b) a greener, low-carbon **transitioning towards a net zero carbon economy and resilient** Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate **change mitigation and** adaptation and risk prevention and management;

## **Amendment 65**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity;

*Amendment*

(c) a more connected Europe by enhancing mobility, **including smart and sustainable mobility**, and regional ICT connectivity;

## **Amendment 66**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) a more social Europe implementing the European Pillar of Social Rights;

*Amendment*

(d) a more social **and inclusive** Europe implementing the European Pillar of Social Rights;

## Amendment 67

### Proposal for a regulation

#### Article 4 – paragraph 1 – point e

*Text proposed by the Commission*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of **urban, rural and coastal** areas and local initiatives.

*Amendment*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of **all regions**, areas and local initiatives.

## Amendment 68

### Proposal for a regulation

#### Article 4 – paragraph 3

*Text proposed by the Commission*

3. Member States shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

*Amendment*

3. Member States **shall ensure climate proofing for relevant operations through the entire planning and implementation process and** shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

## Amendment 69

### Proposal for a regulation

#### Article 4 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Member States and the Commission shall ensure the coordination, complementarity and coherence between the Funds and other Union instruments such as the Reform Support Programme, including the Reform Delivery Tool and the Technical Support Instrument. They shall optimise mechanisms for coordination between those responsible to avoid duplication during planning and implementation.

4. ***In accordance with their respective responsibilities and in line with the principles of subsidiarity and multilevel governance***, Member States and the Commission shall ensure the coordination, complementarity and coherence between the Funds and other Union instruments such as the Reform Support Programme, including the Reform Delivery Tool and the Technical Support Instrument. They shall optimise mechanisms for coordination between those responsible ***in order*** to avoid duplication during planning and implementation.

#### **Amendment 70**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. Member States and the Commission shall ensure compliance with relevant State aid rules.***

#### **Amendment 71**

##### **Proposal for a regulation**

##### **Article 5 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Member States and the Commission shall implement the budget of the Union allocated to the Funds under shared management in accordance with Article [63] of Regulation (EU, Euratom) [number of the new financial regulation] (the 'Financial Regulation').

1. The Member States, ***in accordance with their institutional and legal framework***, and the Commission shall implement the budget of the Union allocated to the Funds under shared management in accordance with Article [63] of Regulation (EU, Euratom) [number of the new financial regulation] (the 'Financial Regulation').

#### **Amendment 72**

##### **Proposal for a regulation**



## Article 5 – paragraph 2

*Text proposed by the Commission*

2. **However**, the Commission shall implement the amount of support from the Cohesion Fund transferred to the Connecting Europe Facility ('CEF'), the European Urban Initiative, Interregional Innovative Investments, the amount of support transferred from the ESF+ to transnational cooperation, the amounts contributed to InvestEU<sup>37</sup> and technical assistance at the initiative of the Commission under direct or indirect management in accordance with [points (a) and (c) of Article 62(1)] of the Financial Regulation.

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<sup>37</sup> [Regulation (EU) No [...] on [...] (OJ L [...], [...], p. [...])].

*Amendment*

2. **Without prejudice to Article 1(2)**, the Commission shall implement the amount of support from the Cohesion Fund transferred to the Connecting Europe Facility ('CEF'), the European Urban Initiative, Interregional Innovative Investments, the amount of support transferred from the ESF+ to transnational cooperation, the amounts contributed to InvestEU<sup>37</sup> and technical assistance at the initiative of the Commission under direct or indirect management in accordance with [points (a) and (c) of Article 62(1)] of the Financial Regulation.

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<sup>37</sup> [Regulation (EU) No [...] on [...] (OJ L [...], [...], p. [...])].

## Amendment 73

### Proposal for a regulation Article 5 – paragraph 3

*Text proposed by the Commission*

3. The Commission may implement outermost regions' cooperation under the European territorial cooperation goal (Interreg) under indirect management.

*Amendment*

3. The Commission may, **with the agreement of the Member State and the region concerned**, implement outermost regions' cooperation under the European territorial cooperation goal (Interreg) under indirect management.

## Amendment 74

### Proposal for a regulation Article 6 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. Each Member State shall organise a partnership **with the competent regional and local authorities**. That partnership

*Amendment*

1. **For the Partnership Agreement and each programme**, each Member State shall, **in accordance with its institutional**

shall include at least the following partners:

**and legal framework**, organise a **fully - fledged, effective** partnership. That partnership shall include at least the following partners:

#### Amendment 75

##### Proposal for a regulation Article 6 – paragraph 1 – point a

*Text proposed by the Commission*

(a) urban and other public authorities;

*Amendment*

(a) **regional, local**, urban and other public authorities;

#### Amendment 76

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

*Text proposed by the Commission*

(c) relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination.

*Amendment*

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

#### Amendment 77

##### Proposal for a regulation Article 6 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

(c a) **research institutions and universities, where appropriate.**

#### Amendment 78

##### Proposal for a regulation Article 6 – paragraph 2

*Text proposed by the Commission*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation **and** implementation of programmes including through participation in monitoring committees in accordance with Article 34.

*Amendment*

2. In accordance with the multi-level governance principle **and following a bottom-up approach**, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation, implementation **and evaluation** of programmes including through participation in monitoring committees in accordance with Article 34. ***In that context, Member States shall allocate an appropriate percentage of the resources coming from the Funds for the administrative capacity building of social partners and civil society organisations.***

**Amendment 79**

**Proposal for a regulation  
Article 6 – paragraph 3**

*Text proposed by the Commission*

3. The organisation and implementation of partnership shall be carried out in accordance with Commission Delegated Regulation (EU) No 240/2014<sup>38</sup>.

*Amendment*

3. The organisation and implementation of partnership shall be carried out in accordance with Commission Delegated Regulation (EU) No 240/2014<sup>38</sup>. ***The Commission is empowered to adopt delegated acts, in accordance with Article 107, concerning amendments to Delegated Regulation (EU) 240/2014 in order to adapt that Delegated Regulation to this Regulation.***

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<sup>38</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

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<sup>38</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

## Amendment 80

### Proposal for a regulation Article 6 – paragraph 4

*Text proposed by the Commission*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes.

*Amendment*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes, **and shall report to the European Parliament and Council on the outcome.**

## Amendment 81

### Proposal for a regulation Article 6 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 6 a*

##### *Horizontal Principles*

**1. Member States and the Commission shall ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union in the implementation of the Funds.**

**2. Member States and the Commission shall ensure that equality between men and women, gender mainstreaming and the integration of gender perspective are taken into account and promoted throughout the preparation and implementation of programmes, including in relation to monitoring, reporting and evaluation.**

**3. Member States and the Commission shall take appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of programmes. In particular, accessibility for persons**

*with disabilities shall be taken into account throughout the preparation and implementation of programmes.*

*4. The objectives of the Funds shall be pursued in line with the principle of sustainable development, taking into account the UN Sustainable Development Goals and with the Union's promotion of the aim of preserving, protecting and improving the quality of environment and combating climate change, taking into account the polluter pays principle, as set out in Article 191(1) and (2) TFEU.*

*Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, energy efficiency first-principle, socially just energy transition, climate change mitigation and adaptation, biodiversity, disaster resilience, and risk prevention and management are promoted in the preparation and implementation of programmes. They shall aim at avoiding investments related to production, processing, distribution, storage or combustion of fossil fuels.*

## Amendment 82

### Proposal for a regulation Article 7 – paragraph 1

*Text proposed by the Commission*

1. Each Member State shall prepare a Partnership Agreement which sets out arrangements for using the Funds in an effective and efficient way for the period from 1 January 2021 to 31 December 2027.

*Amendment*

1. Each Member State shall prepare a Partnership Agreement which sets out arrangements for using the Funds in an effective and efficient way for the period from 1 January 2021 to 31 December 2027. ***Such Partnership Agreement shall be prepared in accordance with the code of conduct established by the Commission Delegated Regulation (EU) No 240/2014.***

## Amendment 83

**Proposal for a regulation**  
**Article 7 – paragraph 2**

*Text proposed by the Commission*

2. The Member State shall submit the Partnership Agreement to the Commission before or at the same time as the submission of the first programme.

*Amendment*

2. The Member State shall submit the Partnership Agreement to the Commission before or at the same time as the submission of the first programme, ***but not later than 30 April 2021.***

**Amendment 84**

**Proposal for a regulation**  
**Article 7 – paragraph 3**

*Text proposed by the Commission*

3. The Partnership Agreement may be submitted together with the relevant annual National Reform Programme.

*Amendment*

3. The Partnership Agreement may be submitted together with the relevant annual National Reform Programme ***and the National Energy and Climate Plan.***

**Amendment 85**

**Proposal for a regulation**  
**Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, ***and where relevant, a justification for using the delivery mode of the InvestEU,*** taking into account relevant country-specific recommendations;

*Amendment*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, taking into account ***and listing*** relevant country-specific recommendations, ***as well as regional challenges;***

**Amendment 86**

**Proposal for a regulation**  
**Article 8 – paragraph 1 – point b – point i**

*Text proposed by the Commission*

(i) a summary of the policy choices and the main results expected for each of the Funds, ***including where relevant, through the use of InvestEU***;

*Amendment*

(i) a summary of the policy choices and the main results expected for each of the Funds;

## **Amendment 87**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point b – point ii**

*Text proposed by the Commission*

(ii) coordination, demarcation and complementarities between the Funds and, where appropriate, coordination between national and regional programmes;

*Amendment*

(ii) coordination, demarcation and complementarities between the Funds and, where appropriate, coordination between national and regional programmes, ***in particular with regard to CAP Strategic Plans referred to in Regulation (EU) [...] (the 'CAP Strategic Plans Regulation')***;

## **Amendment 88**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point b – point iii**

*Text proposed by the Commission*

(iii) complementarities between the Funds and other Union instruments, including LIFE strategic integrated projects and strategic nature projects;

*Amendment*

(iii) complementarities ***and synergies*** between the Funds and other Union instruments, including LIFE strategic integrated projects and strategic nature projects, ***and, where appropriate, projects funded under Horizon Europe***;

## **Amendment 89**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point b – point iii a (new)**

*Text proposed by the Commission*

*Amendment*

***(iii a) delivery on targets, policies and measures under the National Energy and***

## **Amendment 90**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the preliminary financial allocation from each of the Funds by policy objective at national level, respecting Fund-specific rules on thematic concentration;

*Amendment*

(c) the preliminary financial allocation from each of the Funds by policy objective at national **and where appropriate at regional** level, respecting Fund-specific rules on thematic concentration;

## **Amendment 91**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) **where relevant**, the breakdown of financial resources by category of regions drawn up in accordance with Article 102(2) and the amounts of allocations proposed to be transferred between categories of regions pursuant to Article 105;

*Amendment*

(d) the breakdown of financial resources by category of regions drawn up in accordance with Article 102(2) and the amounts of allocations proposed to be transferred between categories of regions pursuant to Article 105;

## **Amendment 92**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) **the amounts to be contributed to InvestEU by Fund and by category of regions;**

*Amendment*

**deleted**

## **Amendment 93**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point g**



*Text proposed by the Commission*

(g) a summary of the actions which the Member State concerned shall take to reinforce its administrative capacity of the implementation of the Funds.

*Amendment*

(g) a summary of the actions which the Member State concerned shall take to reinforce its administrative capacity of the implementation of the Funds ***and its management and control system.***

#### **Amendment 94**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

***(ga) where appropriate, an integrated approach to address the demographic challenges and/ or specific needs of regions and areas;***

#### **Amendment 95**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 – point g b (new)**

*Text proposed by the Commission*

*Amendment*

***(g b) a communication and visibility strategy.***

#### **Amendment 96**

##### **Proposal for a regulation**

##### **Article 8 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The EIB may, at the request of Member States, participate in the preparation of the Partnership Agreement, as well as in activities relating to the preparation of operations, financial instruments and PPPs.***

## Amendment 97

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

*Text proposed by the Commission*

With regard to the European territorial cooperation goal (Interreg), the Partnership Agreement shall only contain the list of planned programmes.

*Amendment*

With regard to the European territorial cooperation goal (Interreg), the Partnership Agreement shall only contain the list of planned programmes ***and the cross-border investment needs in the concerned Member State.***

## Amendment 98

### Proposal for a regulation Article 9 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, ***in particular***, take into account relevant country-specific recommendations.

*Amendment*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, take into account ***the provisions of Article 4 and 6, the relevant country-specific recommendations, as well as the measures linked to integrated national energy and climate plans and the way they are addressed.***

## Amendment 99

### Proposal for a regulation Article 9 – paragraph 2

*Text proposed by the Commission*

2. The Commission may make observations within ***three*** months of the date of submission by the Member State of the Partnership Agreement.

*Amendment*

2. The Commission may make observations within ***two*** months of the date of submission by the Member State of the Partnership Agreement.

## Amendment 100

**Proposal for a regulation**  
**Article 9 – paragraph 3**

*Text proposed by the Commission*

3. The Member State shall review the Partnership Agreement taking into account the observations **made by** the Commission.

*Amendment*

3. The Member State shall review the Partnership Agreement taking into account the observations made by the Commission **within one month of the date of their submission.**

**Amendment 101**

**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall adopt a decision by means of an implementing act approving the Partnership Agreement no later than four months after the date of submission of that Partnership Agreement by the Member State concerned. The Partnership Agreement shall not be amended.

*Amendment*

4. The Commission shall adopt a decision by means of an implementing act approving the Partnership Agreement no later than four months after the date of **the first** submission of that Partnership Agreement by the Member State concerned. The Partnership Agreement shall not be amended.

**Amendment 102**

**Proposal for a regulation**  
**Article 10 – paragraph 1**

*Text proposed by the Commission*

1. Member States may allocate, **in the Partnership Agreement or** in the request for an amendment of a programme, **the amount** of ERDF, the ESF+, the Cohesion Fund and the EMFF to be contributed to InvestEU and delivered through budgetary guarantees. **The amount to be contributed to InvestEU shall not exceed 5 % of the total allocation of each Fund, except in duly justified cases.** Such contributions shall **not constitute transfers of resources under Article 21.**

*Amendment*

1. **As of 1 January 2023,** Member States, **with the agreement of the managing authorities concerned,** may allocate, in the request for an amendment of a programme, **up to 1%** of ERDF, the ESF+, the Cohesion Fund and the EMFF to be contributed to InvestEU and delivered through budgetary guarantees. **Up to 2,5%** of the total allocation of each fund **may be further allocated to InvestEU under the mid-term review.** Such contributions shall **be available for investments in line with cohesion policy objectives and in the same**

*category of regions targeted by the Funds of origin. Whenever an amount of ERDF, ESF+, Cohesion Fund is contributed to Invest EU, the enabling conditions as described in Article 11 and in the annexes III and IV of this regulation shall apply. Only resources of future calendar years may be allocated.*

## **Amendment 103**

### **Proposal for a regulation Article 10 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2.** *For the Partnership Agreement, resources of the current and future calendar years may be allocated. For the request for an amendment of a programme, only resources of future calendar years may be allocated.*

*deleted*

## **Amendment 104**

### **Proposal for a regulation Article 10 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3.** The amount referred to in paragraph 1 shall be used for the provisioning of the part of the EU guarantee under the Member State compartment.

**3.** The amount referred to in paragraph 1 shall be used for the provisioning of the part of the EU guarantee under the *respective* Member State compartment.

## **Amendment 105**

### **Proposal for a regulation Article 10 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Where a contribution agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded by 31 December

Where a contribution agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded by 31 December

**2021** for an amount referred to in paragraph 1 *allocated in the Partnership Agreement*, the Member State shall submit a request for amendment of a programme or programmes to use the corresponding amount.

**2023** for an amount referred to in paragraph 1, the Member State shall submit a request for amendment of a programme or programmes to use the corresponding amount.

## Amendment 106

### Proposal for a regulation Article 10 – paragraph 4 – subparagraph 2

#### *Text proposed by the Commission*

The contribution agreement for an amount referred to in paragraph 1 allocated in the request of the amendment of a programme shall be concluded simultaneously with the adoption of the decision amending the programme.

#### *Amendment*

The contribution agreement for an amount referred to in paragraph 1 allocated in the request of the amendment of a programme shall be concluded, *or amended as the case may be*, simultaneously with the adoption of the decision amending the programme.

## Amendment 107

### Proposal for a regulation Article 10 – paragraph 5

#### *Text proposed by the Commission*

5. Where a guarantee agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded within nine months from the approval of the contribution agreement, the respective amounts paid into the common provisioning fund as a provisioning shall be transferred back to *a* programme or programmes and the Member State shall submit a corresponding request for a programme amendment.

#### *Amendment*

5. Where a guarantee agreement, as set out in Article [9] of the [InvestEU Regulation], has not been concluded within nine months from the approval of the contribution agreement, the respective amounts paid into the common provisioning fund as a provisioning shall be transferred back to *the original* programme or programmes and the Member State shall submit a corresponding request for a programme amendment. *In this particular case, resources of past calendar years may be modified, as long as the commitments are not yet implemented.*

## Amendment 108

**Proposal for a regulation**  
**Article 10 – paragraph 7**

*Text proposed by the Commission*

7. Resources generated by or attributable to the amounts contributed to InvestEU and delivered through budgetary guarantees shall be made available to the Member State and shall be used for support under the same objective or objectives in the form of financial instruments.

*Amendment*

7. Resources generated by or attributable to the amounts contributed to InvestEU and delivered through budgetary guarantees shall be made available to the Member State and ***the local or regional authority concerned by the contribution and*** shall be used for support under the same objective or objectives in the form of financial instruments.

**Amendment 109**

**Proposal for a regulation**  
**Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

For each specific objective, prerequisite conditions for its effective and efficient implementation ('enabling conditions') are laid down in this Regulation.

*Amendment*

For each specific objective, prerequisite conditions for its effective and efficient implementation ('enabling conditions') are laid down in this Regulation. ***Enabling conditions shall apply to the extent to which they contribute to the achievement of the specific objectives of the programme.***

**Amendment 110**

**Proposal for a regulation**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. When preparing a programme or introducing a new specific objective as part of a programme amendment, the Member State shall assess whether the enabling conditions linked to the selected specific objective are fulfilled. An enabling condition is fulfilled where all the related criteria are met. The Member State shall identify in each programme or in the

*Amendment*

2. When preparing a programme or introducing a new specific objective as part of a programme amendment, the Member State shall assess whether the enabling conditions linked to the selected specific objective are fulfilled. An enabling condition is fulfilled where all the related criteria are met. The Member State shall identify in each programme or in the

programme amendment the fulfilled and non-fulfilled enabling conditions and where it considers that an enabling condition is fulfilled, it shall provide justification.

programme amendment the fulfilled and non-fulfilled enabling conditions and where it considers that an enabling condition is fulfilled, it shall provide justification. ***On the request of a Member State, the EIB may contribute to the assessments of actions needed to fulfil the relevant enabling conditions.***

## Amendment 111

### Proposal for a regulation

#### Article 11 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The Commission shall, within **three** months of receipt of the information referred to in paragraph 3, perform an assessment and inform the Member State where it agrees with the fulfilment.

*Amendment*

The Commission shall, within **two** months of receipt of the information referred to in paragraph 3, perform an assessment and inform the Member State where it agrees with the fulfilment.

## Amendment 112

### Proposal for a regulation

#### Article 11 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

Where the Commission disagrees with the assessment of the Member State, it shall inform the Member State accordingly and give it the opportunity to present its observations within **one month**.

*Amendment*

Where the Commission disagrees with the assessment of the Member State, it shall inform the Member State accordingly and give it the opportunity to present its observations within **maximum two months**.

## Amendment 113

### Proposal for a regulation

#### Article 11 – paragraph 5 – subparagraph 1

*Text proposed by the Commission*

Expenditure related to operations linked to the specific objective cannot be included in payment applications **until** the

*Amendment*

Expenditure related to operations linked to the specific objective **or, for the EAFRD, linked to the intervention concerned, may**

Commission has informed the Member State of the fulfilment of the enabling condition pursuant to paragraph 4.

be included in payment applications *before* the Commission has informed the Member State of the fulfilment of the enabling condition pursuant to paragraph 4, *without prejudice to the suspension of the reimbursement itself until such time as the condition is fulfilled.*

#### **Amendment 114**

##### **Proposal for a regulation**

##### **Article 11 – paragraph 6 – subparagraph 2**

###### *Text proposed by the Commission*

Where the Commission considers that an enabling condition is no longer fulfilled, it shall inform the Member State and give it the opportunity to present its observations within one month. Where the Commission concludes that the non-fulfilment of the enabling condition persists, expenditure related to the specific objective concerned cannot be included in payment applications as from the date the Commission informs the Member State accordingly.

###### *Amendment*

Where the Commission considers that an enabling condition is no longer fulfilled, it shall inform the Member State and give it the opportunity to present its observations within one month. Where the Commission concludes that the non-fulfilment of the enabling condition persists, expenditure related to the specific objective concerned *or, for the EAFRD, linked to the intervention concerned*, cannot be included in payment applications as from the date the Commission informs the Member State accordingly.

#### **Amendment 115**

##### **Proposal for a regulation**

##### **Article 12 – paragraph 1 – subparagraph 1**

###### *Text proposed by the Commission*

The Member State shall establish a performance framework which shall allow monitoring, reporting on and evaluating programme performance during its implementation, and contribute to measuring the overall performance of the Funds.

###### *Amendment*

The Member State, *where appropriate, in cooperation with local and regional authorities*, shall establish a performance framework which shall allow monitoring, reporting on and evaluating programme performance during its implementation, and contribute to measuring the overall performance of the Funds.



## Amendment 116

### Proposal for a regulation Article 12 – paragraph 2

*Text proposed by the Commission*

2. Milestones and targets shall be established in relation to each specific objective within a programme, with the exception of technical assistance and of the specific objective addressing material deprivation set out in Article [4(c)(vii)] of the ESF+ Regulation.

*Amendment*

2. Milestones and targets shall be established in relation to each specific objective within a programme, with the exception of technical assistance and of the specific objective addressing material deprivation set out in Article [4(1)(xi)] of the ESF+ Regulation.

## Amendment 117

### Proposal for a regulation Article 14 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. For programmes supported by the ERDF, the ESF+ and the Cohesion Fund, the Member State shall review each programme, taking into account the following elements:

*Amendment*

1. For programmes supported by the ERDF, the ESF+ and the Cohesion Fund, the Member State **and relevant managing authorities** shall review each programme, taking into account the following elements:

## Amendment 118

### Proposal for a regulation Article 14 – paragraph 1 – point a

*Text proposed by the Commission*

(a) **the** challenges identified in relevant country-specific recommendations adopted in 2024;

*Amendment*

(a) **new** challenges identified in relevant country-specific recommendations adopted in 2024 **and the targets identified in the implementation of the integrated national climate and energy plans, if relevant**;

## Amendment 119

### Proposal for a regulation Article 14 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the socio-economic situation of the Member State or region concerned;

*Amendment*

(b) the socio-economic situation of the Member State or region concerned, ***including the state of implementation of the European Pillar of Social Rights and territorial needs with a view to reducing disparities, as well as economic and social inequalities;***

## **Amendment 120**

### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) any major negative financial, economic or social developments which require an adjustment of the programmes, including as a consequence of symmetric or asymmetric shocks in the Member States and their regions.***

## **Amendment 121**

### **Proposal for a regulation**

#### **Article 14 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The Member State shall submit to the Commission by 31 March 2025 a request for the amendment of each programme in accordance with Article 19(1). The Member State shall justify the amendment on the basis of the elements set out in paragraph 1.

***In accordance with the outcome of the review,*** the Member State shall submit to the Commission by 31 March 2025 a request for the amendment of each programme in accordance with Article 19(1) ***or state that no amendment is requested.*** The Member State shall justify the amendment on the basis of the elements set out in paragraph 1 ***or, as appropriate, give reasons for not requesting the amendment of a programme.***

## **Amendment 122**

## **Proposal for a regulation**

### **Article 14 – paragraph 2 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) the allocations of the financial resources by priority including the amounts for the years 2026 and 2027;

*Amendment*

(a) the **revised initial** allocations of the financial resources by priority including the amounts for the years 2026 and 2027;

## **Amendment 123**

### **Proposal for a regulation**

#### **Article 14 – paragraph 2 – subparagraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) the amounts to be contributed to InvestEU per Fund and per category of region, where appropriate;**

## **Amendment 124**

### **Proposal for a regulation**

#### **Article 14 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. The Commission shall, by 31 March 2026, adopt a report summarising the results of the review referred to in paragraphs 1 and 2. The Commission shall communicate the report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.**

## **Amendment 125**

### **Proposal for a regulation**

#### **Article 15 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. A request by the Commission to a Member State in accordance with

2. A request by the Commission to a Member State in accordance with

paragraph 1 shall be justified, with reference to the need to support the implementation of the relevant recommendations and shall indicate the programmes or priorities which it considers are concerned and the nature of the amendments expected.

paragraph 1 shall be justified, ***based on an evaluation*** with reference to the need to support the implementation of the relevant recommendations and shall indicate the programmes or priorities which it considers are concerned and the nature of the amendments expected.

## **Amendment 126**

### **Proposal for a regulation Article 15 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. Where the Member State fails to take effective action in response to a request made in accordance with paragraph 1, within the deadlines set out in paragraphs 3 and 4, the Commission may suspend all or part of the payments for the programmes or priorities concerned in accordance with Article 91.**

***deleted***

## **Amendment 127**

### **Proposal for a regulation Article 15 – paragraph 7 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall make a proposal to the Council to suspend all or part of the commitments ***or payments*** for one or more of the programmes of a Member State in the following cases:

***After taking into account the economic and social circumstances of the Member State concerned and the impact of the envisaged suspension on the economy,*** the Commission shall make a proposal to the Council to suspend, ***gradually,*** all or part of the commitments for one or more of the programmes of a Member State in the following cases:

## **Amendment 128**

### **Proposal for a regulation Article 15 – paragraph 7 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***Priority shall be given to the suspension of commitments; payments shall be suspended only when immediate action is sought and in the case of significant non-compliance. The suspension of payments shall apply to payment applications submitted for the programmes concerned after the date of the decision to suspend.***

***deleted***

## **Amendment 129**

### **Proposal for a regulation**

#### **Article 15 – paragraph 8 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

A proposal by the Commission for the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within ***one month*** of the submission of the Commission proposal.

A proposal by the Commission for the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within ***three months*** of the submission of the Commission proposal.

## **Amendment 130**

### **Proposal for a regulation**

#### **Article 15 – paragraph 8 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

***The Council shall adopt a decision, by means of an implementing act, on a proposal by the Commission referred to in paragraph 7 in relation to the suspension of payments.***

***deleted***

## **Amendment 131**

### **Proposal for a regulation**

#### **Article 15 – paragraph 9**

*Text proposed by the Commission*

9. The scope and level of the suspension of commitments *or payments* to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic *or* social conditions shall be a specific factor to be taken into account.

*Amendment*

9. The scope and level of the suspension of commitments to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic, social, *or structural* conditions shall be a specific factor to be taken into account *prior to the decision to suspend commitments and shall be communicated to the Council and European Parliament.*

**Amendment 132**

**Proposal for a regulation**

**Article 15 – paragraph 10 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

The suspension of commitments shall be subject to a maximum of **25** % of the commitments relating to the next calendar year for the Funds or **0,25** % of nominal GDP whichever is lower, in any of the following cases:

*Amendment*

The suspension of commitments shall be subject to a maximum of **20** % of the commitments relating to the next calendar year for the Funds or **0,20** % of nominal GDP whichever is lower, in any of the following cases:

**Amendment 133**

**Proposal for a regulation**

**Article 15 – paragraph 10 – subparagraph 2**

*Text proposed by the Commission*

In case of persistent non-compliance, the suspension of commitments *may exceed* the maximum percentages set out in the

*Amendment*

In case of persistent non-compliance, the suspension of commitments *is subject to a ceiling of twice* the maximum percentages

first sub-paragraph.

set out in the first sub-paragraph.

#### **Amendment 134**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 11 – subparagraph 5**

*Text proposed by the Commission*

*Amendment*

*A decision concerning the lifting of the suspension of payments shall be taken by the Council on a proposal by the Commission where the applicable conditions set out in in the first sub-paragraph are fulfilled.*

*deleted*

#### **Amendment 135**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*11 a. The procedure set out in paragraphs 7 to 11 shall be applied only where:*

*(a) economic governance tools have already been deployed,*

*(b) those tools have proven insufficient to improve macroeconomic and fiscal stability, and*

*(c) one of the cases referred to in points (a) to (e) of paragraph 7 is putting cohesion policy expenditure in that Member State at risk.*

#### **Amendment 136**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 12 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The Commission shall keep the European

The Commission shall keep the European

Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide details of the Funds and programmes which could be subject to a suspension of commitments.

Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide ***reasons for its proposal and details of the Funds and programmes which could be subject to a suspension of commitments, as well as the expected impact of that suspension on the Member State's economy, for the purposes of structured dialogue to ensure a meaningful debate and facilitate a transparent enforcement process. The Commission shall inform the European Parliament before it makes a proposal on suspension of commitments.***

#### **Amendment 137**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 12 – subparagraph 2**

*Text proposed by the Commission*

***The European Parliament may invite the Commission for a structured dialogue on the application of this Article, having regard to the transmission of the information referred to in the first subparagraph.***

*Amendment*

***deleted***

#### **Amendment 138**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 12 – subparagraph 3**

*Text proposed by the Commission*

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension, to the European Parliament and to the Council.

*Amendment*

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension to the European Parliament and to the Council ***immediately after its adoption, stating the reasons for the proposal.***



## Amendment 139

### Proposal for a regulation Article 15 – paragraph 13

*Text proposed by the Commission*

13. Paragraphs 1 to 12 shall not apply to priorities or programmes under Article [4(c)(v)(ii)] of ESF+ Regulation.

*Amendment*

13. Paragraphs 1 to 12 shall not apply to priorities or programmes under Article [4(1)(xi)] of **the** ESF+ Regulation.

## Amendment 140

### Proposal for a regulation Article 16 – paragraph 1

*Text proposed by the Commission*

1. Member States shall prepare programmes to implement the Funds for the period from 1 January 2021 to 31 December 2027.

*Amendment*

1. Member States **in cooperation with the partners referred to in Article 6** shall prepare programmes to implement the Funds for the period from 1 January 2021 to 31 December 2027.

## Amendment 141

### Proposal for a regulation Article 17 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

A programme shall consist of priorities. Each priority shall correspond to **a single** policy **objective** or to technical assistance. A priority corresponding to a policy objective shall consist of one or more specific objectives. More than one priority may correspond to the same policy objective.

*Amendment*

A programme shall consist of priorities. Each priority shall correspond to **one or several** policy **objectives** or to technical assistance. A priority corresponding to a policy objective shall consist of one or more specific objectives. More than one priority may correspond to the same policy objective.

## Amendment 142

### Proposal for a regulation Article 17 – paragraph 3 – subparagraph 1 – point a – point i

*Text proposed by the Commission*

*Amendment*

(i) economic, social and territorial disparities, except for programmes supported by the EMFF;

(i) economic, social and territorial disparities **as well as inequalities**, except for programmes supported by the EMFF;

**Amendment 143**

**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 1 – point a – point ii**

*Text proposed by the Commission*

*Amendment*

(ii) market failures, investment needs and complementarity with other forms of support;

(ii) market failures, investment needs and complementarity **and synergies** with other forms of support;

**Amendment 144**

**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 1 – point a – point iii**

*Text proposed by the Commission*

*Amendment*

(iii) challenges identified in relevant country-specific recommendations **and other relevant Union recommendations addressed to the Member State**;

(iii) challenges identified in **the** relevant country-specific recommendations;

**Amendment 145**

**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 1 – point a – point iv**

*Text proposed by the Commission*

*Amendment*

(iv) challenges in administrative capacity and governance;

(iv) challenges in administrative capacity and governance **and simplification measures**;

**Amendment 146**

**Proposal for a regulation**

**Article 17 – paragraph 3 – subparagraph 1 – point a – point iv a (new)**

*Text proposed by the Commission*

*Amendment*

***(iv a) an integrated approach to address demographic challenges, where relevant;***

#### **Amendment 147**

##### **Proposal for a regulation**

##### **Article 17 – paragraph 3 – subparagraph 1 – point a – point vi a (new)**

*Text proposed by the Commission*

*Amendment*

***(vi a) challenges and related objectives identified within National Energy and Climate Plans and in the European Pillar of Social Rights;***

#### **Amendment 148**

##### **Proposal for a regulation**

##### **Article 17 – paragraph 3 – subparagraph 1 – point a – point vii**

*Text proposed by the Commission*

*Amendment*

(vii) for programmes supported by the AMIF, the ISF and the BMVI, progress in implementing the relevant Union acquis and action plans;

(vii) for programmes supported by the AMIF, the ISF and the BMVI, progress in implementing the relevant Union acquis and action plans, ***as well as identified shortcomings;***

#### **Amendment 149**

##### **Proposal for a regulation**

##### **Article 17 – paragraph 3 – subparagraph 1 – point d – point i**

*Text proposed by the Commission*

*Amendment*

(i) the related types of actions, including ***a*** list of planned operations of strategic importance, and their expected contribution to those specific objectives and to macro-regional strategies and sea-basin strategies, where appropriate;

(i) the related types of actions, including ***an indicative list and timetable*** of planned operations of strategic importance, and their expected contribution to those specific objectives and to macro-regional strategies and sea-basin strategies, where appropriate;

## Amendment 150

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point iii a (new)

*Text proposed by the Commission*

*Amendment*

***(iii a) actions safeguarding equality, inclusion and non-discrimination;***

## Amendment 151

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point v

*Text proposed by the Commission*

*Amendment*

(v) the interregional and transnational actions with beneficiaries located in at least one other Member State;

(v) the interregional, ***cross-border*** and transnational actions with beneficiaries located in at least one other Member State;

## Amendment 152

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point v a (new)

*Text proposed by the Commission*

*Amendment*

***(va) sustainability of investments;***

## Amendment 153

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point vii a (new)

*Text proposed by the Commission*

*Amendment*

***(vii a) a description of how complementarities and synergies with other Funds and instruments are to be pursued;***

## Amendment 154

### Proposal for a regulation

## Article 17 – paragraph 3 – subparagraph 1 – point i

*Text proposed by the Commission*

(i) the envisaged approach to communication and visibility for the programme through defining its objectives, target audiences, communication channels, social media outreach, planned budget and relevant indicators for monitoring and evaluation;

*Amendment*

(i) the envisaged approach to communication and visibility for the programme through defining its objectives, target audiences, communication channels, ***where appropriate*** social media outreach, ***as well as*** planned budget and relevant indicators for monitoring and evaluation;

## Amendment 155

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point j

*Text proposed by the Commission*

(j) the managing authority, the audit authority and the body which receives payments from the Commission.

*Amendment*

(j) the managing authority, the audit authority, ***the body responsible for the accounting function under Article 70***, and the body which receives payments from the Commission.

## Amendment 156

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

Points (c) and (d) of this paragraph shall not apply to the specific objective set out in Article [4(c)(vii)] of the ESF+Regulation.

*Amendment*

Points (c) and (d) of this paragraph shall not apply to the specific objective set out in Article [4(1)(xi)] of the ESF+Regulation.

## Amendment 157

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***An environmental report containing relevant information on the effects on the environment in accordance with Directive***

***2001/42/EC shall be annexed to the programme, taking into account climate change mitigation needs.***

## **Amendment 158**

### **Proposal for a regulation Article 17 – paragraph 6**

*Text proposed by the Commission*

6. For ERDF, ESF+ and Cohesion Fund programmes submitted in accordance with Article 16, the table referred to in paragraph (3)(f)(ii) shall include the amounts for the years 2021 to **2025 only**.

*Amendment*

6. For ERDF, ESF+ and Cohesion Fund programmes submitted in accordance with Article 16, the table referred to in paragraph (3)(f)(ii) shall include the amounts for the years 2021 to **2027**.

## **Amendment 159**

### **Proposal for a regulation Article 17 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 17a***

***These general provisions shall apply to Leader community-led local development action provided for in Article 71 of draft regulation XX on strategic plans (number of the new regulation on CAP 'strategic plans') as this initiative contributes to harmonious economic and social development of rural territories. This action shall be implemented solely in the context of the provisions laid down in Chapter II of the Regulation (territorial development). The intervention concerned shall respect and contribute to the implementation of the Sustainable Development Goals (New York, 2015), and the commitments arising from the Climate Agreement (COP21) and the European Pillar of Social Rights.***

## **Amendment 160**

**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, in particular, take into account relevant country-specific recommendations.

*Amendment*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, in particular, take into account relevant country-specific recommendations, ***as well as relevant challenges identified in the implementation of the Integrated National Energy and Climate Plans and in the European Pillar of Social Rights and the way they are addressed.***

**Amendment 161**

**Proposal for a regulation**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

2. The Commission may make observations within ***three*** months of the date of submission of the programme by the Member State.

*Amendment*

2. The Commission may make observations within ***two*** months of the date of submission of the programme by the Member State.

**Amendment 162**

**Proposal for a regulation**  
**Article 18 – paragraph 3**

*Text proposed by the Commission*

3. The Member State shall review the programme taking into account the observations made by the Commission.

*Amendment*

3. The Member State shall review the programme taking into account the observations made by the Commission ***within two months of their submission.***

**Amendment 163**

**Proposal for a regulation**

## Article 18 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than **six** months after the date of submission of the programme by the Member State.

*Amendment*

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than **five** months after the date of **the first** submission of the programme by the Member State.

## Amendment 164

### Proposal for a regulation

#### Article 19 – paragraph 2

*Text proposed by the Commission*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within **three** months of the submission of the amended programme.

*Amendment*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within **two** months of the submission of the amended programme.

## Amendment 165

### Proposal for a regulation

#### Article 19 – paragraph 3

*Text proposed by the Commission*

3. The Member State shall review the amended programme and take into account the observations made by the Commission.

*Amendment*

3. The Member State shall review the amended programme and take into account the observations made by the Commission **within two months of their submission.**

## Amendment 166

### Proposal for a regulation

#### Article 19 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall approve the

*Amendment*

4. The Commission shall approve the



amendment of a programme no later than **six** months after its submission by the Member State.

amendment of a programme no later than **three** months after its submission by the Member State.

## Amendment 167

### Proposal for a regulation

#### Article 19 – paragraph 5 – subparagraph 1

##### *Text proposed by the Commission*

The Member State may transfer during the programming period an amount of up to **5** % of the initial allocation of a priority and no more than **3** % of the programme budget to another priority of the same Fund of the same programme. For the programmes supported by the ERDF and ESF+, the transfer shall only concern allocations for the same category of region.

##### *Amendment*

The Member State may transfer during the programming period an amount of up to **7** % of the initial allocation of a priority and no more than **5** % of the programme budget to another priority of the same Fund of the same programme. ***In doing so the Member State shall respect the code of conduct established by the Commission Delegated Regulation (EU) No 240/2014.*** For the programmes supported by the ERDF and ESF+, the transfer shall only concern allocations for the same category of region.

## Amendment 168

### Proposal for a regulation

#### Article 19 – paragraph 6

##### *Text proposed by the Commission*

6. The approval of the Commission shall not be required for corrections of a purely clerical or editorial nature that do not affect the implementation of the programme. Member States shall inform the Commission of such corrections.

##### *Amendment*

6. The approval of the Commission shall not be required for corrections of a purely clerical, ***technical*** or editorial nature that do not affect the implementation of the programme. Member States shall inform the Commission of such corrections.

## Amendment 169

### Proposal for a regulation

#### Article 20 – paragraph 2

##### *Text proposed by the Commission*

##### *Amendment*

2. The ERDF and the ESF+ may finance, in a complementary manner and subject to a limit of **10** % of support from those Funds for each priority of a programme, all or part of an operation for which the costs are eligible for support from the other Fund on the basis of eligibility rules applied to that Fund, provided that such costs are necessary for the implementation.

2. The ERDF and the ESF+ may finance, in a complementary manner and subject to a limit of **15** % of support from those Funds for each priority of a programme, all or part of an operation for which the costs are eligible for support from the other Fund on the basis of eligibility rules applied to that Fund, provided that such costs are necessary for the implementation.

## Amendment 170

### Proposal for a regulation Article 21 – paragraph 1

*Text proposed by the Commission*

1. Member States may request the transfer of up to 5 % of programme financial allocations from any of the Funds to **any other Fund under shared management or to any instrument under direct or indirect management.**

*Amendment*

1. ***For the purpose of ensuring flexibility,*** Member States may request, ***if agreed by the monitoring committee of the programme,*** the transfer of up to 5% of programme financial allocations from any of the Funds to ***the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, or the European Maritime and Fisheries Fund.***

## Amendment 171

### Proposal for a regulation Article 21 – paragraph 2

*Text proposed by the Commission*

2. Transferred resources shall be implemented in accordance with the rules of the Fund or the instrument to which the resources are transferred ***and, in the case of transfers to instruments under direct or indirect management, for the benefit of the Member State concerned.***

*Amendment*

2. Transferred resources shall be implemented in accordance with the rules of the Fund or the instrument to which the resources are transferred.

## Amendment 172

### Proposal for a regulation

## Article 21 – paragraph 3

*Text proposed by the Commission*

3. Requests under paragraph 1 shall set out the total amount transferred for each year by Fund and by category of region, where relevant, shall be duly justified and shall be accompanied by the revised programme or programmes, from which the resources are to be transferred in accordance with Article 19 indicating to which other Fund or instrument the amounts are transferred.

*Amendment*

3. Requests under paragraph 1 shall set out the total amount transferred for each year by Fund and by category of region, where relevant, shall be duly justified ***with a view to the complementarities and impact to be achieved***, and shall be accompanied by the revised programme or programmes, from which the resources are to be transferred in accordance with Article 19 indicating to which other Fund or instrument the amounts are transferred.

## Amendment 173

### Proposal for a regulation Title 3 – chapter 1 a (new)

*Text proposed by the Commission*

*Amendment*

### ***CHAPTER I a - Major projects***

## Amendment 174

### Proposal for a regulation Article 21 a (new)

*Text proposed by the Commission*

*Amendment*

### ***Article 21 a***

#### ***Content***

***As part of a programme or programmes, the ERDF and the Cohesion Fund may support an operation comprising a series of works, activities or services intended in itself to accomplish an indivisible task of a precise economic or technical nature which has clearly identified goals and for which the total eligible cost exceeds EUR 100 000 000 (the 'major project'). Financial instruments shall not be considered to be major projects.***

## Amendment 175

### Proposal for a regulation

#### Article 21 b (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 21 b*

##### *Information necessary for the approval of a major project*

*Before a major project is approved, the managing authority shall submit to the Commission the following information:*

*(a) details concerning the body to be responsible for implementation of the major project, and its capacity;*

*(b) a description of the investment and its location;*

*(c) the total cost and total eligible cost;*

*(d) feasibility studies carried out, including the options analysis, and the results;*

*(e) a cost-benefit analysis, including an economic and a financial analysis, and a risk assessment;*

*(f) an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience;*

*(g) an explanation as to how the major project is consistent with the relevant priorities of the programme or programmes concerned, and its expected contribution to achieving the specific objectives of those priorities and the expected contribution to socio-economic development;*

*(h) the financing plan showing the total planned financial resources and the planned support from the Funds, the EIB, and all other sources of financing, together with physical and financial indicators for monitoring progress, taking account of the identified risks;*

*(i) the timetable for implementing the major project and, where the implementation period is expected to be longer than the programming period, the phases for which support from the Funds is requested during the programming period.*

## **Amendment 176**

### **Proposal for a regulation Article 21 c (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 21 c*

##### *Decision on a major project*

- 1. The Commission shall appraise the major project on the basis of the information referred to in Article 21b in order to determine whether the requested financial contribution for the major project selected by the managing authority is justified. The Commission shall adopt a decision on the approval of the financial contribution to the selected major project, by means of an implementing act, no later than three months after the date of submission of the information referred to in Article 21b.*
- 2. The approval by the Commission under paragraph 1 shall be conditional on the first works contract being concluded, or, in the case of operations implemented under PPP structures, on the signing of the PPP agreement between the public body and the private sector body, within three years of the date of the approval.*
- 3. Where the Commission does not approve the financial contribution to the selected major project, it shall give in its decision the reasons for its refusal.*
- 4. Major projects submitted for approval under paragraph 1 shall be contained in the list of major projects in a programme.*

***5. Expenditure relating to a major project may be included in a payment application after the submission for approval referred to in paragraph 1. Where the Commission does not approve the major project selected by the managing authority, the declaration of expenditure following the withdrawal of the application by the Member State or the adoption of the Commission decision shall be rectified accordingly.***

*(This amendment will require consequential adjustments to Annex V.)*

#### **Amendment 177**

##### **Proposal for a regulation**

##### **Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) another territorial tool supporting initiatives designed by the Member State for investments programmed ***for the ERDF*** under the policy objective referred in Article 4(1)(e).

*Amendment*

(c) another territorial tool supporting initiatives designed by the Member State for investments programmed under the policy objective referred in Article 4(1)(e).

#### **Amendment 178**

##### **Proposal for a regulation**

##### **Article 22 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Member State shall ensure coherence and coordination when local development strategies are financed by more than one Fund.***

#### **Amendment 179**

##### **Proposal for a regulation**

##### **Article 23 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the geographical area covered by the strategy;

(a) the geographical area covered by the strategy ***including economic, social and environmental interlinkages***;

**Amendment 180**

**Proposal for a regulation**

**Article 23 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) a description of the involvement of partners ***in accordance with*** Article 6 in the preparation and in the implementation of the strategy.

(d) a description of the involvement of partners ***under*** Article 6 in the preparation and in the implementation of the strategy.

**Amendment 181**

**Proposal for a regulation**

**Article 23 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Territorial strategies shall be ***drawn up*** under the responsibility of the relevant ***urban***, local ***or*** other territorial ***authorities or bodies***.

2. Territorial strategies shall be ***prepared and endorsed*** under the responsibility of the relevant ***regional***, local ***and*** other ***public authorities***. ***Pre-existing strategic documents concerning the covered areas may be updated and used for territorial strategies***.

**Amendment 182**

**Proposal for a regulation**

**Article 23 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Where the list of operations to be supported has not been included in the territorial strategy, the relevant ***urban***, local or other territorial authorities or bodies shall select or shall be involved in the selection of operations.

Where the list of operations to be supported has not been included in the territorial strategy, the relevant ***regional***, local or other territorial authorities or bodies shall select or shall be involved in the selection of operations.

## Amendment 183

### Proposal for a regulation Article 23 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3 a.** *When preparing territorial strategies, the authorities referred to in paragraph 2 shall cooperate with relevant managing authorities, in order to determine the scope of operations to be supported under the relevant programme.*

## Amendment 184

### Proposal for a regulation Article 23 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Where ***an urban***, local or other ***territorial*** authority or body carries out tasks falling under the responsibility of the managing authority other than the selection of operations, the authority shall be identified by the managing authority as an intermediate body.

4. Where ***a regional***, local or other ***public*** authority or ***other*** body carries out tasks falling under the responsibility of the managing authority other than the selection of operations, the authority shall be identified by the managing authority as an intermediate body.

## Amendment 185

### Proposal for a regulation Article 23 – paragraph 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The selected operations may be supported under more than one priority of the same programme.***

## Amendment 186

### Proposal for a regulation Article 24 – paragraph 1



*Text proposed by the Commission*

1. Where a strategy implemented in accordance with Article 23 involves investments that receive support from one or more **Funds**, from more than one programme or from more than one priority of the same programme, actions may be carried out as an integrated territorial investment ('ITI').

*Amendment*

1. Where a strategy implemented in accordance with Article 23 involves investments that receive support from one or more **than one Fund**, from more than one programme or from more than one priority of the same programme, actions may be carried out as an integrated territorial investment ('ITI'). **Where appropriate, each ITI may be complemented by financial support from the EAFRD.**

**Amendment 187**

**Proposal for a regulation  
Article 24 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Where the list of operations to be supported has not been included in the territorial strategy, the relevant regional, local, other public authorities or bodies shall be involved in the selection of operations.**

**Amendment 188**

**Proposal for a regulation  
Article 25 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The ERDF, the ESF+ **and** the EMFF **may** support community-led local development.

1. The ERDF, the ESF+, the EMFF **and the EAFRD shall** support community-led local development. **In the context of the EAFRD, such development shall be designated as LEADER local development.**

**Amendment 189**

**Proposal for a regulation**

## Article 25 – paragraph 2 – point b

*Text proposed by the Commission*

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group controls the decision-making;

*Amendment*

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group, **including the public sector**, controls the decision-making;

## Amendment 190

### Proposal for a regulation

#### Article 25 – paragraph 2 – point d

*Text proposed by the Commission*

(d) supportive of networking, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

*Amendment*

(d) supportive of networking, **bottom-up approaches, accessibility**, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

## Amendment 191

### Proposal for a regulation

#### Article 25 – paragraph 4

*Text proposed by the Commission*

4. Where the implementation of such a strategy involves support from more than one Fund, the relevant managing authorities may choose one of the Funds concerned as the Lead Fund.

*Amendment*

4. Where the implementation of such a strategy involves support from more than one Fund, the relevant managing authorities may choose one of the Funds concerned as the Lead Fund. ***The type of measures and operations to be financed by each affected Fund may also be specified.***

## Amendment 192

### Proposal for a regulation

#### Article 26 – paragraph 1 – point d

*Text proposed by the Commission*

(d) the objectives of that strategy, including measurable targets for results, and related planned actions;

*Amendment*

(d) the objectives of that strategy, including measurable targets for results, and related planned actions ***in response to local needs as identified by the local community***;

**Amendment 193**

**Proposal for a regulation**

**Article 26 – paragraph 1 – point f**

*Text proposed by the Commission*

(f) a financial plan, including the planned allocation from each Fund and programme concerned.

*Amendment*

(f) a financial plan, including the planned allocation from each Fund, ***including where appropriate the EAFRD, and each*** programme concerned.

**Amendment 194**

**Proposal for a regulation**

**Article 26 – paragraph 4**

*Text proposed by the Commission*

4. The decision approving a strategy shall set out the allocation of each Fund and programme concerned and set out the responsibilities for the management and control tasks under the programme or programmes.

*Amendment*

4. The decision approving a strategy shall set out the allocation of each Fund and programme concerned and set out the responsibilities for the management and control tasks under the programme or programmes. ***Corresponding national public contributions shall be guaranteed upfront for the whole period.***

**Amendment 195**

**Proposal for a regulation**

**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. The managing authorities shall ensure that the local action groups either select one partner within the group as a

*Amendment*

2. The managing authorities shall ensure that the local action groups ***are inclusive, and that they*** either select one

lead partner in administrative and financial matters, or come together in a legally constituted common structure.

partner within the group as a lead partner in administrative and financial matters, or come together in a legally constituted common structure, ***in order to implement tasks relating to the community-led local development strategy.***

#### **Amendment 196**

##### **Proposal for a regulation Article 27 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) building the capacity of local actors to develop and implement operations;

*Amendment*

(a) building the ***administrative*** capacity of local actors to develop and implement operations;

#### **Amendment 197**

##### **Proposal for a regulation Article 27 – paragraph 5**

*Text proposed by the Commission*

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy.

*Amendment*

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy, ***encouraging the separation of functions inside the local action group.***

#### **Amendment 198**

##### **Proposal for a regulation Article 28 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. The Member State shall ensure that support from the Funds for community-led local development covers:

*Amendment*

1. ***With a view to ensuring complementarities and synergies,*** the Member State shall ensure that support from the Funds for community-led local development covers:

#### **Amendment 199**

**Proposal for a regulation**  
**Article 28 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) capacity building and preparatory actions supporting the design and future implementation of the strategies;

*Amendment*

(a) **administrative** capacity building and preparatory actions supporting the design and future implementation of the strategies;

**Amendment 200**

**Proposal for a regulation**  
**Article 28 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) animation of the community-led local development strategy in order to facilitate exchange between stakeholders, to provide them with information and to support potential beneficiaries in their preparation of applications;**

**Amendment 201**

**Proposal for a regulation**  
**Article 29 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a. The actions referred to in the first subparagraph may include in particular:**

**(a) assistance for project preparation and appraisal;**

**(b) support for institutional strengthening and administrative capacity-building for the effective management of the Funds;**

**(c) studies linked to the Commission's reporting on the Funds and the cohesion report;**

**(d) measures related to the analysis, management, monitoring, information exchange and implementation of the Funds, as well as measures relating to the**

*implementation of control systems and technical and administrative assistance;*

*(e) evaluations, expert reports, statistics and studies, including those of a general nature, concerning the current and future operation of the Funds;*

*(f) actions to disseminate information, support networking where appropriate, carry out communication activities with particular attention to the results and added value of support from the Funds, and to raise awareness and promote cooperation and exchange of experience, including with third countries;*

*(g) the installation, operation and interconnection of computerised systems for management, monitoring, audit, control and evaluation;*

*(h) actions to improve evaluation methods and the exchange of information on evaluation practices;*

*(i) actions related to auditing;*

*(j) the strengthening of national and regional capacity regarding investment planning, funding needs, preparation, design and implementation of financial instruments, joint action plans and major projects;*

*(k) the dissemination of good practices in order to assist Member States to strengthen the capacity of the relevant partners referred to in Article 6(1) and their umbrella organisations.*

## **Amendment 202**

### **Proposal for a regulation Article 29 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. The Commission shall dedicate at least 15 % of the resources for technical assistance at the initiative of the Commission to bring about greater***

*efficiency in communication to the public and stronger synergies between the communication activities undertaken at the initiative of the Commission, by extending the knowledge base on results, in particular through more effective data collection and dissemination, evaluations and reporting, and especially by highlighting the contribution of the Funds to improving the lives of citizens, and by increasing the visibility of support from the Funds as well as by raising awareness about the results and the added value of such support. Information, communication and visibility measures on results and added value of support from the Funds, with particular focus on operations, shall be continued after the closure of the programmes, where appropriate. Such measures shall also contribute to the corporate communication of the political priorities of the Union as far as they are related to the general objectives of this Regulation.*

#### **Amendment 203**

##### **Proposal for a regulation Article 29 – paragraph 2**

*Text proposed by the Commission*

2. Such actions may cover **future and** previous programming periods.

*Amendment*

2. Such actions may cover previous **and future** programming periods.

#### **Amendment 204**

##### **Proposal for a regulation Article 29 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a. In order to avoid situations where payments are suspended, the Commission shall ensure that Member States and regions which face compliance concerns due to a lack of administrative capacity**

*receive adequate technical assistance to improve that administrative capacity.*

## Amendment 205

### Proposal for a regulation Article 30 – paragraph 1

*Text proposed by the Commission*

1. At the initiative of a Member State, the Funds may support actions, which may concern previous and subsequent programming periods, necessary for the effective administration and use of those Funds.

*Amendment*

1. At the initiative of a Member State, the Funds may support actions, which may concern previous and subsequent programming periods, necessary for the effective administration and use of those Funds, *for the capacity building of the partners referred to in Article 6, as well as to ensure functions such as preparation, training, management, monitoring, evaluation, visibility and communication.*

## Amendment 206

### Proposal for a regulation Article 30 – paragraph 3

*Text proposed by the Commission*

3. Within each programme, technical assistance shall take the form of a priority relating to one single Fund.

*Amendment*

3. Within each programme, technical assistance shall take the form of a priority relating to *either* one single Fund *or several Funds*.

## Amendment 207

### Proposal for a regulation Article 31 – paragraph 2 – introductory part

*Text proposed by the Commission*

2. The percentage of the Funds reimbursed for technical assistance *shall be the following*:

*Amendment*

2. *On the basis of an agreement between the Commission and the Member States and taking into account the programme financial plan*, the percentage of the Funds reimbursed for technical assistance *may be up to*:



## Amendment 208

### Proposal for a regulation Article 31 – paragraph 2 – point a

*Text proposed by the Commission*

(a) for the ERDF support under the Investment for jobs and growth goal, and for the Cohesion Fund support: **2,5 %**;

*Amendment*

(a) for the ERDF support under the Investment for jobs and growth goal, and for the Cohesion Fund support: **3 %**;

## Amendment 209

### Proposal for a regulation Article 31 – paragraph 2 – point b

*Text proposed by the Commission*

(b) for the ESF+ support: **4%** and for programmes under Article **4(I)(c)(vii)** of the ESF+ Regulation: **5 %**;

*Amendment*

(b) for the ESF+ support: **5 %** and for programmes under Article **4(I)(xi)** of the ESF+ Regulation: **6 %**;

## Amendment 210

### Proposal for a regulation Article 31 – paragraph 2 – point d

*Text proposed by the Commission*

(d) for the AMIF, the ISF and the BMVI support: **6 %**.

*Amendment*

(d) for the AMIF, the ISF and the BMVI support: **7 %**.

## Amendment 211

### Proposal for a regulation Article 31 – paragraph 2 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***For the outermost regions, for (a), (b), (c) the percentage shall be up to 1% higher.***

## Amendment 212

**Proposal for a regulation**  
**Article 32 – paragraph 1**

*Text proposed by the Commission*

In addition to Article 31, the Member State may propose to undertake additional technical assistance actions to reinforce the capacity *of Member State* authorities, beneficiaries and relevant partners necessary for the effective administration and use of the Funds.

*Amendment*

In addition to Article 31, the Member State may propose to undertake additional technical assistance actions to reinforce the ***institutional capacity and efficiency of public*** authorities ***and services***, beneficiaries and relevant partners necessary for the effective administration and use of the Funds.

**Amendment 213**

**Proposal for a regulation**  
**Article 32 – paragraph 2**

*Text proposed by the Commission*

Support for such actions shall be implemented by financing not linked to costs in accordance with Article 89.

*Amendment*

Support for such actions shall be implemented by financing not linked to costs in accordance with Article 89.  
***Technical assistance in the form of an optional specific programme may be implemented either through financing not linked to costs for technical assistance or through reimbursement of direct costs.***

**Amendment 214**

**Proposal for a regulation**  
**Article 33 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Member State shall set up a committee to monitor the implementation of the programme ('monitoring committee') within three months of the date of notification to the Member State concerned of the decision approving the programme.

*Amendment*

The Member State shall set up a committee to monitor the implementation of the programme ('monitoring committee'), ***after consultation with the managing authority***, within three months of the date of notification to the Member State concerned of the decision approving the programme.

**Amendment 215**

**Proposal for a regulation**  
**Article 33 – paragraph 2**

*Text proposed by the Commission*

2. Each monitoring committee shall adopt its rules of procedure.

*Amendment*

2. Each monitoring committee shall adopt its rules of procedure, ***taking into account the need for full transparency.***

**Amendment 216**

**Proposal for a regulation**  
**Article 33 – paragraph 5**

*Text proposed by the Commission*

5. Paragraphs 1 to 4 shall not apply to programmes under Article [4(c)(vi)] of the ESF+ Regulation and related technical assistance.

*Amendment*

5. Paragraphs 1 to 4 shall not apply to programmes under Article [4(1)(xi)] of the ESF+ Regulation and related technical assistance.

**Amendment 217**

**Proposal for a regulation**  
**Article 34 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Member State shall determine the composition of the monitoring committee and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6.

*Amendment*

The Member State shall determine the composition of the monitoring committee and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6 ***through a transparent process.***

**Amendment 218**

**Proposal for a regulation**  
**Article 34 – paragraph 2**

*Text proposed by the Commission*

2. Representatives of the Commission shall participate in the work of the monitoring committee in an advisory

*Amendment*

2. Representatives of the Commission shall participate in the work of the monitoring committee in ***a monitoring and***

capacity.

an advisory capacity. *Representatives of the EIB may be invited to participate in the work of the monitoring committee, in an advisory capacity, where appropriate.*

#### **Amendment 219**

##### **Proposal for a regulation Article 34 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. For the AMIF, the ISF and the BMVI, relevant decentralised agencies shall participate in the work of the monitoring committee in an advisory capacity.**

#### **Amendment 220**

##### **Proposal for a regulation Article 35 – paragraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) proposals for possible simplification measures for beneficiaries;**

#### **Amendment 221**

##### **Proposal for a regulation Article 35 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) any issues that affect the performance of the programme and the measures taken to address those issues;

(b) any issues that affect the performance of the programme and the measures taken to address those issues, **including also any irregularities, where appropriate;**

#### **Amendment 222**

##### **Proposal for a regulation Article 35 – paragraph 1 – point i**

*Text proposed by the Commission*

- (i) the progress in administrative capacity building for public institutions and beneficiaries, where relevant.

*Amendment*

- (i) the progress in administrative capacity building for public institutions, **partners** and beneficiaries, where relevant.

**Amendment 223**

**Proposal for a regulation**

**Article 35 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The monitoring committee shall approve:

*Amendment*

2. The monitoring committee shall approve **or, for programmes supported by the EAFRD, give its opinion on:**

**Amendment 224**

**Proposal for a regulation**

**Article 35 – paragraph 2 – point b**

*Text proposed by the Commission*

- (b) the annual performance reports for programmes supported by the EMFF, the **AMF**, the ISF and the BMVI, and the final performance report for programmes supported by the ERDF, the ESF+ and the Cohesion Fund;

*Amendment*

- (b) the annual performance reports for programmes supported by **the EAFRD**, the EMFF, the **AMIF**, the ISF and the BMVI, and the final performance report for programmes supported by the ERDF, the ESF+ and the Cohesion Fund;

**Amendment 225**

**Proposal for a regulation**

**Article 35 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

- (da) changes to the list of planned operations of strategic importance referred to in point (d) of Article 17(3);**

**Amendment 226**

**Proposal for a regulation**  
**Article 35 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The monitoring committee may propose to the managing authority further functions of intervention.**

**Amendment 227**

**Proposal for a regulation**  
**Article 36 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

An annual review meeting shall be organised between the Commission and each Member State to examine the performance of each programme.

An annual review meeting shall be organised between the Commission and each Member State to examine the performance of each programme.  
**Managing authorities shall be duly involved in this process.**

**Amendment 228**

**Proposal for a regulation**  
**Article 36 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. For programmes supported by the EMFF, the **AMF**, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

6. For programmes supported by **the EAFRD**, the EMFF, the **AMIF**, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

**Amendment 229**

**Proposal for a regulation**  
**Article 37 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The first transmission shall be due by **31 January** 2022 and the last one by **31**

The first transmission shall be due by **28 February** 2022 and the last one by **28**

January 2030.

February 2030.

### Amendment 230

#### Proposal for a regulation

#### Article 37 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

For programmes under Article **4(1)(c)(vii)** of the ESF+ Regulation, data shall be transmitted annually by 30 November.

*Amendment*

For programmes under Article **4(1)(xi)** of the ESF+ Regulation, data shall be transmitted annually by 30 November.

### Amendment 231

#### Proposal for a regulation

#### Article 37 – paragraph 2 – point a

*Text proposed by the Commission*

(a) the number of selected operations, their total eligible cost, the contribution from the Funds and the total eligible expenditure declared by the beneficiaries to the managing authority, all broken down by types of intervention;

*Amendment*

(a) ***in the data transmissions due by 31 January, 31 March, 31 May, 31 July, 30 September and 30 November of each year,*** the number of selected operations, their total eligible cost, the contribution from the Funds and the total eligible expenditure declared by the beneficiaries to the managing authority, all broken down by types of intervention;

### Amendment 232

#### Proposal for a regulation

#### Article 37 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the values of output and result indicators for selected operations and values achieved by operations.

*Amendment*

(b) ***in the data transmissions due by 31 May and 30 November of each year only,*** the values of output and result indicators for selected operations and values achieved by operations.

### Amendment 233

**Proposal for a regulation**  
**Article 39 – paragraph 1**

*Text proposed by the Commission*

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's effectiveness, efficiency, relevance, coherence and EU added value with the aim to improve the quality of the design and implementation of programmes.

*Amendment*

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's ***inclusiveness, non-discriminatory nature***, effectiveness, efficiency, relevance, coherence, ***visibility*** and EU added value with the aim to improve the quality of the design and implementation of programmes.

**Amendment 234**

**Proposal for a regulation**  
**Article 40 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The evaluation referred to in paragraph 2 shall include an evaluation of the socio-economic impact and the funding needs under the policy objectives referred to in Article 4(1), within and among the programmes with a focus on a more competitive and smarter Europe by promoting innovative and smart economic transformation and a more connected Europe by enhancing mobility, including smart and sustainable mobility and regional ICT connectivity. The Commission shall publish the results of the evaluation on its website and communicate those results to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.***

**Amendment 235**

**Proposal for a regulation**  
**Article 43 – paragraph 1 – subparagraph 2 – point b**



*Text proposed by the Commission*

*Amendment*

(b) other relevant partners and bodies.

(b) other relevant partners and bodies, ***including regional, local and other public authorities, and economic and social partners.***

## **Amendment 236**

### **Proposal for a regulation Article 44 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The managing authority shall ensure that, within six months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, available funding opportunities and achievements.

1. The managing authority shall ensure that, within six months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, ***indicative timetable for calls for proposals***, available funding opportunities and achievements.

## **Amendment 237**

### **Proposal for a regulation Article 44 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) in the case of legal entities, the beneficiary's name;

(a) in the case of legal entities, the beneficiary's ***and the contractor's*** name;

## **Amendment 238**

### **Proposal for a regulation Article 44 – paragraph 3 – subparagraph 1 – point h**

*Text proposed by the Commission*

*Amendment*

(h) total cost of the operation;

(h) total cost of the operation, ***or for EAFRD operations, the amount of payments corresponding to each type of intervention;***

## Amendment 239

### Proposal for a regulation

#### Article 44 – paragraph 3 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***For EAFRD operations, the data referred to in point (b) of the first subparagraph shall not be published where the amount of payments received by the beneficiary in the financial year concerned is equal to or less than EUR 1 250. The beneficiary shall be identified by a code, in a form to be decided by the Member State.***

## Amendment 240

### Proposal for a regulation

#### Article 45 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) providing on the beneficiary's professional website **or** social media sites, where such sites exist, a short description of the operation, proportionate to the level of support, including its aims and results, and highlighting the financial support from the Union;

(a) providing on the beneficiary's professional website **and** social media sites, where such sites exist, a short description of the operation, proportionate to the level of support, including its aims and results, and highlighting the financial support from the Union;

## Amendment 241

### Proposal for a regulation

#### Article 45 – paragraph 1 – point c – introductory part

*Text proposed by the Commission*

*Amendment*

(c) **publicly** displaying plaques or billboards as soon as the physical implementation of operations involving physical investment or the purchase of equipment starts, with regard to the following:

(c) displaying **permanent** plaques or billboards **clearly visible to the public** as soon as the physical implementation of operations involving physical investment or the purchase of equipment starts, with regard to the following:

## Amendment 242

### Proposal for a regulation

#### Article 45 – paragraph 1 – point c – point i

*Text proposed by the Commission*

(i) operations supported by the ERDF **and** the Cohesion Fund the total cost of which exceeds EUR 500 000;

*Amendment*

(i) operations supported by the ERDF, the Cohesion Fund **and the EAFRD** the total cost of which exceeds EUR 500 000;

## Amendment 243

### Proposal for a regulation

#### Article 45 – paragraph 1 – point d

*Text proposed by the Commission*

(d) for operations not falling under point (c), publicly displaying at least one printed or electronic display of a minimum size A3 with information about the operation highlighting the support from the Funds;

*Amendment*

(d) for operations not falling under point (c), publicly displaying **at a location clearly visible to the public** at least one printed or electronic display of a minimum size A3 with information about the operation highlighting the support from the Funds;

## Amendment 244

### Proposal for a regulation

#### Article 45 – paragraph 1 – point e a (new)

*Text proposed by the Commission*

*Amendment*

**(ea) publicly and permanently displaying, as of the moment of the physical implementation, the Union emblem in a way that is clearly visible to the public and in accordance with the technical characteristics laid down in Annex VIII ;**

## Amendment 245

### Proposal for a regulation

#### Article 45 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

For operations supported under the specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation, this requirement shall not apply.

*Amendment*

For operations supported under the specific objective set out in Article 4(1)(xi) of the ESF+ Regulation, this requirement shall not apply.

**Amendment 246**

**Proposal for a regulation**  
**Article 47 – paragraph 1**

*Text proposed by the Commission*

Member States shall use the contribution from the Funds to provide support to beneficiaries in the form of grants, financial instruments or prizes or a combination thereof.

*Amendment*

Member States shall use the contribution from the Funds to provide support to beneficiaries in the form of grants, **limited use of** financial instruments or prizes or a combination thereof.

**Amendment 247**

**Proposal for a regulation**  
**Article 49 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) a flat rate of up to 25 % of eligible direct costs, provided that the rate is calculated in accordance with Article 48(2)(a).

*Amendment*

(c) a flat rate of up to 25 % of eligible direct costs, provided that the rate is calculated in accordance with Article 48(2)(a) **or 48(2)(c)**.

**Amendment 248**

**Proposal for a regulation**  
**Article 50 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) by dividing the latest documented annual gross employment costs by 1720 hours for persons working full time, or by a corresponding pro-rata of 1720 hours, for persons working part-time;

*Amendment*

(a) by dividing the latest documented annual gross employment costs, **with expected additional costs in order to take account of factors such as increases in tariffs or staff promotions**, by 1720 hours for persons working full time, or by a

corresponding pro-rata of 1720 hours, for persons working part-time;

## Amendment 249

### Proposal for a regulation

#### Article 50 – paragraph 2 – point b

*Text proposed by the Commission*

(b) by dividing the latest documented monthly gross employment costs by the monthly working time of the person concerned in accordance with applicable national legislation referred to in the contract for employment.

*Amendment*

(b) by dividing the latest documented monthly gross employment costs, ***with expected additional costs in order to take account of factors such as increases in tariffs or staff promotions***, by the monthly working time of the person concerned in accordance with applicable national legislation referred to in the contract for employment.

## Amendment 250

### Proposal for a regulation

#### Article 52 – paragraph 2

*Text proposed by the Commission*

2. Financial instruments shall provide support to final recipients only for new investments expected to be financially viable, such as generating revenues or savings, and which do not find sufficient funding from market sources.

*Amendment*

2. Financial instruments shall provide support to final recipients only for new investments expected to be financially viable, such as generating revenues or savings, and which do not find sufficient funding from market sources. ***Such support may target investments in both tangible and intangible assets as well as working capital, in compliance with applicable Union State aid rules.***

## Amendment 251

### Proposal for a regulation

#### Article 52 – paragraph 3 – subparagraph 2 – point a

*Text proposed by the Commission*

(a) the proposed amount of programme

*Amendment*

(a) the proposed amount of programme

contribution to a financial instrument and the expected leverage effect;

contribution to a financial instrument and the expected leverage effect, ***accompanied by the relevant assessments;***

#### **Amendment 252**

##### **Proposal for a regulation Article 52 – paragraph 5**

*Text proposed by the Commission*

5. Financial instruments may be combined with ancillary programme support in the form of grants as a single financial instrument operation, within a single funding agreement, where both distinct forms of support shall be provided by the body implementing the financial instrument. ***In such case*** the rules applicable to financial instruments shall apply ***to that single financial instrument operation.***

*Amendment*

5. Financial instruments may be combined with ancillary programme support in the form of grants as a single financial instrument operation, within a single funding agreement, where both distinct forms of support shall be provided by the body implementing the financial instrument. ***Where the amount of the programme support in the form of grant is less than the amount of programme support in the form of a financial instrument,*** the rules ***applicable to*** financial instruments shall apply.

#### **Amendment 253**

##### **Proposal for a regulation Article 53 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

The managing authority shall select the body implementing a financial instrument.

*Amendment*

The managing authority shall select the body implementing a financial instrument ***either through direct or indirect award of a contract.***

#### **Amendment 254**

##### **Proposal for a regulation Article 53 – paragraph 2 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***The managing authority may entrust implementation tasks through a direct***

*award to:*

- (a) the EIB;*
- (b) an international financial institution in which a Member State is a shareholder;*
- (c) a publicly-owned bank or institution, established as a legal entity and carrying out financial activities on a professional basis.*

## **Amendment 255**

### **Proposal for a regulation Article 53 – paragraph 7**

*Text proposed by the Commission*

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

*Amendment*

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region, ***or by type of intervention for the EAFRD***, for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

## **Amendment 256**

### **Proposal for a regulation Article 53 – paragraph 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***7a. Reporting requirements on the financial instrument's use for the intended purposes shall be limited to the managing authorities and to financial intermediaries.***

## **Amendment 257**

**Proposal for a regulation**  
**Article 54 – paragraph 2**

*Text proposed by the Commission*

2. Interest and other gains attributable to support from the Funds paid to financial instruments shall be used under the same objective or objectives as the initial support from the Funds, either within the same financial instrument; or, following the winding up of the financial instrument, in other financial instruments or other forms of support, until the end of the eligibility period.

*Amendment*

2. Interest and other gains attributable to support from the Funds paid to financial instruments shall be used under the same objective or objectives as the initial support from the Funds, either within the same financial instrument; or, following the winding up of the financial instrument, in other financial instruments or other forms of support ***for further investments in final recipients; or, where applicable, to cover the losses in the nominal amount of the Funds contribution to the financial instrument that result from negative interest, if such losses occur despite active treasury management by the bodies implementing financial instruments;*** until the end of the eligibility period.

**Amendment 258**

**Proposal for a regulation**  
**Article 55 – paragraph 1**

*Text proposed by the Commission*

1. Support from the Funds to financial instruments invested in final recipients as well as any type of income generated by those investments, which are attributable to the support from the Funds, may be used for differentiated treatment of investors operating under the market economy principle through an appropriate sharing of risks and profits.

*Amendment*

1. Support from the Funds to financial instruments invested in final recipients as well as any type of income generated by those investments, which are attributable to the support from the Funds, may be used for differentiated treatment of investors operating under the market economy principle, ***or for other forms of Union support,*** through an appropriate sharing of risks and profits ***taking into account the principle of sound financial management.***

**Amendment 259**

**Proposal for a regulation**  
**Article 55 – paragraph 2**



*Text proposed by the Commission*

2. The level of such differentiated treatment shall not exceed what is necessary to create incentives for attracting private resources, established by either a competitive process or ***an independent*** assessment.

*Amendment*

2. The level of such differentiated treatment shall not exceed what is necessary to create incentives for attracting private resources, established by either a competitive process or ***the ex ante*** assessment ***performed in line with Article 52 of this Regulation***.

**Amendment 260**

**Proposal for a regulation**  
**Article 56 – paragraph 1**

*Text proposed by the Commission*

1. Resources paid back, before the end of the eligibility period, to financial instruments from investments in final recipients or from the release of resources set aside as agreed in guarantee contracts, including capital repayments and any type of generated income that is attributable to the support from the Funds, shall be re-used in the same or other financial instruments for further investments in final recipients, under the same specific objective or objectives and for any management costs and fees associated to such further investments.

*Amendment*

1. Resources paid back, before the end of the eligibility period, to financial instruments from investments in final recipients or from the release of resources set aside as agreed in guarantee contracts, including capital repayments and any type of generated income that is attributable to the support from the Funds, shall be re-used in the same or other financial instruments for further investments in final recipients, under the same specific objective or objectives and for any management costs and fees associated to such further investments, ***taking into account the principle of sound financial management***.

**Amendment 261**

**Proposal for a regulation**  
**Article 56 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Savings through more efficient operations shall not be considered to constitute generated income for the purposes of the first subparagraph. In particular, cost savings resulting from energy efficiency measures shall not result in a***

*corresponding reduction in operating subsidies.*

## **Amendment 262**

### **Proposal for a regulation**

#### **Article 57 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Expenditure shall be eligible for a contribution from the Funds if it has been incurred by a beneficiary or the private partner of a PPP operation and paid in implementing operations, between the date of submission of the programme to the Commission or from 1 January 2021, whichever date is earlier, and 31 December **2029**.

*Amendment*

Expenditure shall be eligible for a contribution from the Funds if it has been incurred by a beneficiary or the private partner of a PPP operation and paid in implementing operations, between the date of submission of the programme to the Commission or from 1 January 2021, whichever date is earlier, and 31 December **2030**.

## **Amendment 263**

### **Proposal for a regulation**

#### **Article 57 – paragraph 4**

*Text proposed by the Commission*

4. All or part of an operation may be implemented outside of a Member State, including outside the Union, provided that the operation contributes to the objectives of the programme.

*Amendment*

4. All or part of an operation ***under the ERDF, the ESF+ or the Cohesion Fund*** may be implemented outside of a Member State, including outside the Union, provided that the operation ***falls under one of the five components of the European territorial cooperation goal (Interreg) as defined in Article 3 of the Regulation (EU) [...] ('the ETC Regulation')*** and contributes to the objectives of the programme.

## **Amendment 264**

### **Proposal for a regulation**

#### **Article 57 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. Operations shall not be selected for support by the Funds where they have been physically completed or fully implemented before the application for funding under the programme is submitted to the managing authority, irrespective of whether all related payments have been made.

6. Operations shall not be selected for support by the Funds where they have been physically completed or fully implemented before the application for funding under the programme is submitted to the managing authority, irrespective of whether all related payments have been made. ***This paragraph shall not apply to EMFF compensation for additional costs in outermost regions or expenditure financed by specific supplementary ERDF and ESF+ allocations for outermost regions.***

#### **Amendment 265**

##### **Proposal for a regulation**

##### **Article 58 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) interest on debt, except in relation to grants given in the form of an interest rate subsidy or guarantee fee subsidy;

(a) interest on debt, except in relation to grants given in the form of an interest rate subsidy or guarantee fee subsidy ***or in relation to a contribution to financial instruments that results from negative interest;***

#### **Amendment 266**

##### **Proposal for a regulation**

##### **Article 58 – paragraph 1 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) ***value added tax ('VAT'), except for operations the total cost of which is below EUR 5 000 000.***

***deleted***

#### **Amendment 267**

##### **Proposal for a regulation**

##### **Article 58 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*The eligibility for value added tax ('VAT') operations shall be determined on a case-by-case approach, except for operations the total cost of which is below EUR 5 000 000, and for investments and expenditure by final recipients.*

## Amendment 268

### Proposal for a regulation

#### Article 59 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The Member State may reduce the time limit set out in the first subparagraph to three years in cases concerning the maintenance of *investments or* jobs created by SMEs.

*Amendment*

The Member State may reduce the time limit set out in the first subparagraph to three years in *the duly justified* cases *referred to in points (a), (b) and (c)* concerning the maintenance of jobs created by SMEs.

## Amendment 269

### Proposal for a regulation

#### Article 59 – paragraph 3

*Text proposed by the Commission*

3. Paragraphs 1 and 2 shall not apply to any operation which undergoes cessation of a productive activity due to a non-fraudulent bankruptcy.

*Amendment*

3. Paragraphs 1 and 2 shall not apply to *programme contributions to or from financial instruments and* any operation which undergoes cessation of a productive activity due to a non-fraudulent bankruptcy.

## Amendment 270

### Proposal for a regulation

#### Article 62 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

For point (d) of paragraph 1, management fees shall be performance based. Where bodies implementing a holding fund and/or specific funds, pursuant to Article 53(3),

*Amendment*

For point (d) of paragraph 1, management fees shall be performance based. *For the first twelve months of implementation of the financial instrument, base*

are selected through a direct award of contract, the amount of management cost and fees paid to those bodies that can be declared as eligible expenditure shall be subject to a threshold of up to 5 % of the total amount of programme contributions disbursed to final recipients in loans, equity or quasi-equity investments or set aside as agreed in guarantee contracts.

***remuneration for management costs and fees shall be eligible.*** Where bodies implementing a holding fund and/or specific funds, pursuant to Article 53(2), are selected through a direct award of contract, the amount of management cost and fees paid to those bodies that can be declared as eligible expenditure shall be subject to a threshold of up to 5 % of the total amount of programme contributions disbursed to final recipients in loans, equity or quasi-equity investments or set aside as agreed in guarantee contracts.

## Amendment 271

### Proposal for a regulation

#### Article 62 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

***That threshold is not applicable*** where the selection of bodies implementing financial instruments is made through a competitive tender in accordance with the applicable law and the competitive tender establishes the need for a higher level of management costs and fees.

*Amendment*

Where the selection of bodies implementing financial instruments is made through a competitive tender in accordance with the applicable law and the competitive tender establishes the need for a higher level of management costs and fees ***which shall be performance-based.***

## Amendment 272

### Proposal for a regulation

#### Article 63 – paragraph 2

*Text proposed by the Commission*

2. Member States shall ensure the legality and regularity of expenditure included in the accounts submitted to the Commission and shall take all required actions to prevent, detect and correct and report on irregularities including fraud.

*Amendment*

2. Member States shall ensure the legality and regularity of expenditure included in the accounts submitted to the Commission and shall take all required actions to prevent, detect and correct and report on irregularities including fraud. ***Member States shall fully cooperate with OLAF.***

## Amendment 273

### Proposal for a regulation Article 63 – paragraph 4

*Text proposed by the Commission*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators.

*Amendment*

4. Member States shall ensure the quality, **independence** and reliability of the monitoring system and of data on indicators.

## Amendment 274

### Proposal for a regulation Article 63 – paragraph 6 – subparagraph 1

*Text proposed by the Commission*

Member States shall make arrangements for ensuring the effective examination of complaints concerning the Funds. They shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their programmes and shall inform the Commission of the results of those examinations.

*Amendment*

Member States shall make arrangements for ensuring the effective examination of complaints concerning the Funds. **The scope, rules and procedures concerning those arrangements shall be the responsibility of Member States in accordance with their institutional and legal framework.** They shall, upon request by the Commission **in accordance with Article 64(4a)**, examine complaints submitted to the Commission falling within the scope of their programmes and shall inform the Commission of the results of those examinations.

## Amendment 275

### Proposal for a regulation Article 63 – paragraph 7 – subparagraph 1

*Text proposed by the Commission*

Member States shall ensure that all exchanges of information between beneficiaries and the programme authorities are carried out by means of electronic data exchange systems in accordance with Annex XII.

*Amendment*

Member States shall ensure that all exchanges of information between beneficiaries and the programme authorities are carried out by means of **user-friendly** electronic data exchange systems in accordance with Annex XII.

## **Amendment 276**

### **Proposal for a regulation Article 63 – paragraph 7 – subparagraph 2**

*Text proposed by the Commission*

For programmes supported by the EMFF, the AMIF, the ISF and the BMVI, the first sub-paragraph shall apply as from 1 January **2023**.

*Amendment*

For programmes supported by the EMFF, the AMIF, the ISF and the BMVI, the first sub-paragraph shall apply as from 1 January **2022**.

## **Amendment 277**

### **Proposal for a regulation Article 63 – paragraph 7 – subparagraph 3**

*Text proposed by the Commission*

The first sub-paragraph shall not apply to programmes under Article [**4(1)(c)(vii)**] of the ESF+ Regulation.

*Amendment*

The first sub-paragraph shall not apply to programmes under Article [**4(1)(xi)**] of the ESF+ Regulation.

## **Amendment 278**

### **Proposal for a regulation Article 63 – paragraph 11**

*Text proposed by the Commission*

(11) The Commission shall adopt an implementing act setting out the format to be used for reporting of irregularities in accordance with the advisory procedure referred to in Article 109(2) in order to ensure uniform conditions for the implementation of this Article.

*Amendment*

(11) The Commission shall adopt an implementing act setting out the format to be used for reporting of irregularities in accordance with the advisory procedure referred to in Article 109(2) in order to ensure uniform conditions **and rules** for the implementation of this Article.

## **Amendment 279**

### **Proposal for a regulation Article 64 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall satisfy itself that Member States have management and control systems that comply with this Regulation and that those systems function effectively during the implementation of the programmes. The Commission shall draw up an audit strategy and an audit plan which shall be based on a risk-assessment.

*Amendment*

The Commission shall satisfy itself that Member States have management and control systems that comply with this Regulation and that those systems function effectively **and efficiently** during the implementation of the programmes. The Commission shall draw up **for Member States** an audit strategy and an audit plan which shall be based on a risk-assessment.

**Amendment 280**

**Proposal for a regulation**  
**Article 64 – paragraph 2**

*Text proposed by the Commission*

2. Commission audits shall be carried out up to **three** calendar years following the acceptance of the accounts in which the expenditure concerned was included. This period shall not apply to operations where there is a suspicion of fraud.

*Amendment*

2. Commission audits shall be carried out up to **two** calendar years following the acceptance of the accounts in which the expenditure concerned was included. This period shall not apply to operations where there is a suspicion of fraud.

**Amendment 281**

**Proposal for a regulation**  
**Article 64 – paragraph 4 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) the Commission shall give at least **12** working days' notice for the audit to the competent programme authority, except in urgent cases. Officials or authorised representatives of the Member State may take part in such audits.

*Amendment*

(a) the Commission shall give at least **15** working days' notice for the audit to the competent programme authority, except in urgent cases. Officials or authorised representatives of the Member State may take part in such audits.

**Amendment 282**

**Proposal for a regulation**  
**Article 64 – paragraph 4 – subparagraph 1 – point c**



*Text proposed by the Commission*

*Amendment*

(c) the Commission shall transmit the preliminary audit findings, in at least one of the official languages of the Union, no later than **3** months after the last day of the audit, to the competent Member State authority.

(c) the Commission shall transmit the preliminary audit findings, in at least one of the official languages of the Union, no later than **2** months after the last day of the audit, to the competent Member State authority.

**Amendment 283**

**Proposal for a regulation**

**Article 64 – paragraph 4 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the Commission shall transmit the audit report, in at least one of the official languages of the Union, no later than **3** months from the date of receiving a complete reply from the competent Member State authority to the preliminary audit findings.

(d) the Commission shall transmit the audit report, in at least one of the official languages of the Union, no later than **2** months from the date of receiving a complete reply from the competent Member State authority to the preliminary audit findings. ***The Member State's reply shall be considered complete if the Commission has not reported on the existence of outstanding documentation within 2 months.***

**Amendment 284**

**Proposal for a regulation**

**Article 64 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Commission may extend the time limits referred in points (c) and (d) by an additional **three** months.

The Commission may ***in duly justified cases*** extend the time limits referred in points (c) and (d) by an additional **two** months.

**Amendment 285**

**Proposal for a regulation**

**Article 64 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a.** *Without prejudice to paragraph 6 of Article 63, the Commission shall provide for a complaints handling system which shall be accessible to citizens and stakeholders.*

## **Amendment 286**

### **Proposal for a regulation Article 65 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The audit authority shall be a public authority, functionally independent from the *auditees*.

2. The audit authority shall be a public *or private* authority, functionally independent from the *Management Authority and the bodies or entities to which functions have been entrusted or delegated*.

## **Amendment 287**

### **Proposal for a regulation Article 66 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) record and store in *an* electronic *system* the data on each operation necessary for monitoring, evaluation, financial management, verifications and audits, and shall ensure the security, integrity and confidentiality of data and the authentication of the users.

(e) record and store in electronic *systems* the data on each operation necessary for monitoring, evaluation, financial management, verifications and audits, and shall ensure the security, integrity and confidentiality of data and the authentication of the users.

## **Amendment 288**

### **Proposal for a regulation Article 67 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

For the selection of operations, the managing authority shall establish and

For the selection of operations, the managing authority shall establish and

apply criteria and procedures which are non-discriminatory, transparent, ensure gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.

apply criteria and procedures which are non-discriminatory, transparent, ensure **accessibility to persons with disabilities**, gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.

## Amendment 289

### Proposal for a regulation

#### Article 67 – paragraph 3 – point a

*Text proposed by the Commission*

(a) ensure that selected operations comply with the programme and provide an effective contribution to the achievement of its specific objectives;

*Amendment*

(a) ensure that selected operations **are sustainable**, comply with the programme, **as well as territorial strategies**, and provide an effective contribution to the achievement of its specific objectives;

## Amendment 290

### Proposal for a regulation

#### Article 67 – paragraph 3 – point c

*Text proposed by the Commission*

(c) ensure that selected operations present **the best** relationship between the amount of support, the activities undertaken and the achievement of objectives;

*Amendment*

(c) ensure that selected operations present **an appropriate** relationship between the amount of support, the activities undertaken and the achievement of objectives;

## Amendment 291

### Proposal for a regulation

#### Article 67 – paragraph 3 – point e

*Text proposed by the Commission*

(e) ensure that selected operations which fall under the scope of Directive 2011/92/EU of the European Parliament

*Amendment*

(e) ensure that selected operations which fall under the scope of Directive 2011/92/EU of the European Parliament

and of the Council<sup>48</sup> are subject to an environmental impact assessment or a screening procedure, on the basis of the requirements of that Directive as amended by Directive 2014/52/EU of the European Parliament and of the Council<sup>49</sup> ;

and of the Council<sup>48</sup> are subject to an environmental impact assessment or a screening procedure ***and that the assessment of alternative solutions as well as a comprehensive public consultation has been taken in due account***, on the basis of the requirements of that Directive as amended by Directive 2014/52/EU of the European Parliament and of the Council<sup>49</sup> ;

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<sup>48</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

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<sup>48</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

<sup>49</sup> Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2014, p. 1).

<sup>49</sup> Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2014, p. 1).

## Amendment 292

### Proposal for a regulation Article 67 – paragraph 3 – point f

*Text proposed by the Commission*

(f) ***verify*** that where the operations have started before the submission of an application for funding to the managing authority, applicable law has been complied with;

*Amendment*

(f) ***ensure*** that where the operations have started before the submission of an application for funding to the managing authority, applicable law has been complied with;

## Amendment 293

### Proposal for a regulation Article 67 – paragraph 3 – point j

*Text proposed by the Commission*

(j) ensure the climate proofing of investments in infrastructure with an

*Amendment*

(j) ensure, ***before taking investment decisions***, the climate proofing of

expected lifespan of at least five years.

investments in infrastructure with an expected lifespan of at least five years, *as well as the application of the Energy Efficiency First principle.*

#### Amendment 294

##### Proposal for a regulation Article 67 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a.** *The managing authority may also decide, in duly justified cases, to contribute up to 5 % of a programme's financial allocation under the ERDF and ESF+ to specific projects within the Member State eligible under Horizon Europe, including those selected in the second phase, provided that those specific projects contribute to the programme's objectives in that Member State.*

#### Amendment 295

##### Proposal for a regulation Article 67 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. When the managing authority selects an operation of strategic importance, it shall inform the Commission ***immediately*** and shall provide all relevant information to the Commission about that operation.

6. When the managing authority selects an operation of strategic importance, it shall inform the Commission ***within one month*** and shall provide all relevant information to the Commission about that operation, ***including a cost-benefit analysis.***

#### Amendment 296

##### Proposal for a regulation Article 68 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) ensure, ***subject to the availability of***

(b) ensure ***for pre-financing and***

***funding***, that a beneficiary receives the amount due in full and no later than **90** days from the date of submission of the payment claim by the beneficiary;

***interim payments*** that a beneficiary receives the amount due in full ***for verified expenditure*** and no later than **60** days from the date of submission of the payment claim by the beneficiary;

#### **Amendment 297**

##### **Proposal for a regulation Article 70 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) drawing up and submitting payment applications to the Commission in accordance with Articles 85 and 86;

*Amendment*

(a) drawing up and submitting payment applications to the Commission in accordance with Articles 85 and 86 ***and taking account of the audits carried out by, or under the responsibility of the audit authority***;

#### **Amendment 298**

##### **Proposal for a regulation Article 70 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) drawing up the accounts in accordance with Article 92 and keeping records of all the elements of the accounts in an electronic system;

*Amendment*

(b) drawing up ***and presenting*** the accounts, ***confirming the completeness, accuracy and correctness*** in accordance with Article 92 and keeping records of all the elements of the accounts in an electronic system;

#### **Amendment 299**

##### **Proposal for a regulation Article 71 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6a. The audit shall be carried out with reference to the applicable standard at the time of the convention of the audited operation, except when new standards are more favourable to the beneficiary.***

## Amendment 300

### Proposal for a regulation Article 71 – paragraph 6 b (new)

*Text proposed by the Commission*

*Amendment*

**6b.** *The finding of an irregularity, as part of the audit of an operation leading to a financial penalty, cannot lead to extending the scope of the control or to financial corrections beyond the expenditure covered by the accounting year of the audited expenditure.*

## Amendment 301

### Proposal for a regulation Article 72 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The audit authority shall prepare an audit strategy based on a risk assessment, taking account of the management and control system description provided for in Article 63(9), covering system audits and audits of operations. The audit strategy shall include system audits of newly identified managing authorities and authorities in charge of the accounting function within nine months following their first year of functioning. The audit strategy shall be prepared in accordance with the template set out in Annex XVIII and shall be updated annually following the first annual control report and audit opinion provided to the Commission. It may cover one or more programmes.

1. The audit authority shall, **after consulting the managing authority**, prepare an audit strategy based on a risk assessment, taking account of the management and control system description provided for in Article 63(9), covering system audits and audits of operations. The audit strategy shall include system audits of newly identified managing authorities and authorities in charge of the accounting function. **The audit shall be performed** within nine months following their first year of functioning. The audit strategy shall be prepared in accordance with the template set out in Annex XVIII and shall be updated annually following the first annual control report and audit opinion provided to the Commission. It may cover one or more programmes. **In the audit strategy, the audit authority may determine a limit for single account audits.**

## Amendment 302

### Proposal for a regulation

#### Article 73 – paragraph 3 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***In case of a disagreement between the Commission and a Member State on audit findings, a settlement procedure shall be put in place.***

## Amendment 303

### Proposal for a regulation

#### Article 74 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

The Commission and audit authorities shall first use all information and records available in ***the*** electronic ***system*** referred to in Article 66(1)(e), including results of management verifications and only request and obtain additional documents and audit evidence from the beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions.

The Commission and audit authorities shall first use all information and records available in electronic ***systems*** referred to in Article 66(1)(e), including results of management verifications and only request and obtain additional documents and audit evidence from the beneficiaries concerned where, based on their professional judgement, this is required to support robust audit conclusions.

## Amendment 304

### Proposal for a regulation

#### Article 75 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The managing authority shall carry out on-the-spot management verifications in accordance with Article 68(1) only at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans.

1. The managing authority shall carry out on-the-spot management verifications in accordance with Article 68(1) only at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans. ***Without prejudice to the provisions of Article 127 of the Financial Regulation, if the financial instrument provides control reports***



*supporting the payment application, the managing authority may decide not to carry out on-the-spot management verifications.*

## Amendment 305

### Proposal for a regulation Article 75 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

However, the EIB or other *internationally* financial institutions in which a Member State is a shareholder shall provide control reports supporting the payment applications to the managing authority.

*Amendment*

However, the EIB or other *international* financial institutions in which a Member State is a shareholder shall provide control reports supporting the payment applications to the managing authority.

## Amendment 306

### Proposal for a regulation Article 75 – paragraph 3

*Text proposed by the Commission*

3. The audit authority shall carry out system audits and audits of operations in accordance with Articles 71, 73 or 77 at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans.

*Amendment*

3. The audit authority shall carry out system audits and audits of operations in accordance with Articles 71, 73 or 77 at the level of bodies implementing the financial instrument and, in the context of guarantee funds, at the level of bodies delivering the underlying new loans. *Without prejudice to the provisions of Article 127 of the Financial Regulation, if the financial instrument provides the audit authority with an annual audit report drawn up by their external auditors by the end of each calendar year that covers the elements included in Annex XVII, the audit authority may decide not to carry out further audits.*

## Amendment 307

### Proposal for a regulation Article 75 – paragraph 3 a (new)

**3a. In the context of guarantee funds, the bodies responsible for the audit of programmes may conduct verifications or audits of the bodies providing new underlying loans only when one or more of the following situations occur:**

**(a) supporting documents, providing evidence of the support from the financial instrument to final recipients, are not available at the level of the managing authority or at the level of the bodies that implement financial instruments;**

**(b) there is evidence that the documents available at the level of the managing authority or at the level of the bodies that implement financial instruments do not represent a true and accurate record of the support provided.**

## **Amendment 308**

### **Proposal for a regulation Article 76 – paragraph 1**

*Text proposed by the Commission*

1. Without prejudice to the rules governing State aid, the managing authority shall ensure that all supporting documents related to an operation supported by the Funds are kept at the appropriate level for a **five-year** period from 31 December of the year in which the last payment by the managing authority to the beneficiary is made.

*Amendment*

1. Without prejudice to the rules governing State aid, the managing authority shall ensure that all supporting documents related to an operation supported by the Funds are kept at the appropriate level for a **three-year** period from 31 December of the year in which the last payment by the managing authority to the beneficiary is made.

## **Amendment 309**

### **Proposal for a regulation Article 76 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The document retention period may be reduced, proportionally to the risk profile and the size of beneficiaries, by decision of the managing authority.**

### **Amendment 310**

#### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The pre-financing for each Fund shall be paid in yearly instalments before 1 July of each year, **subject to availability of funds**, as follows:

The pre-financing for each Fund shall be paid in yearly instalments before 1 July of each year, as follows:

### **Amendment 311**

#### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 2022: **0.5** %;

(b) 2022: **0,7** %;

### **Amendment 312**

#### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 2023: **0.5** %;

(c) 2023: **1** %;

### **Amendment 313**

#### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 2024: **0.5** %;

(d) 2024: **1,5** %;

## Amendment 314

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point e

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5 %**;

(e) 2025: **2 %**;

## Amendment 315

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point f

*Text proposed by the Commission*

*Amendment*

(f) 2026: **0.5**

(f) 2026: **2 %**

## Amendment 316

### Proposal for a regulation

#### Article 85 – paragraph 3 – point b

*Text proposed by the Commission*

*Amendment*

(b) the amount for technical assistance calculated in accordance with Article **31(2)**;

(b) the amount for technical assistance calculated in accordance with Article **31**;

## Amendment 317

### Proposal for a regulation

#### Article 85 – paragraph 4 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(ca) in the case of state aid, the payment application may include advances paid to the beneficiary by the body granting the aid under the following cumulative conditions: they are subject to a bank or equivalent guarantee, they do not exceed 40 % of the total amount of the aid to be granted to a beneficiary for a given operation and are covered by expenditure paid by beneficiaries and**

*supported by receipted invoices within 3 years.*

## **Amendment 318**

### **Proposal for a regulation Article 86 – paragraph 1**

*Text proposed by the Commission*

1. Where financial instruments are implemented in accordance with Article **53(2)**, payment applications submitted in accordance with Annex XIX shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside as agreed in guarantee contracts, by the managing authority to final recipients as referred to in points (a), (b) and (c) of Article 62(1).

*Amendment*

1. Where financial instruments are implemented in accordance with Article **53(1)**, payment applications submitted in accordance with Annex XIX shall include the total amounts disbursed or, in the case of guarantees, the amounts set aside as agreed in guarantee contracts, by the managing authority to final recipients as referred to in points (a), (b) and (c) of Article 62(1).

## **Amendment 319**

### **Proposal for a regulation Article 86 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. Where financial instruments are implemented in accordance with Article **53(3)**, payment applications that include expenditure for financial instruments shall be submitted in accordance with the following conditions:

*Amendment*

2. Where financial instruments are implemented in accordance with Article **53(2)**, payment applications that include expenditure for financial instruments shall be submitted in accordance with the following conditions:

## **Amendment 320**

### **Proposal for a regulation Article 87 – paragraph 1**

*Text proposed by the Commission*

1. **Subject to available funding**, the Commission shall make interim payments no later than 60 days after the date on which a payment application is received by

*Amendment*

1. The Commission shall make interim payments no later than 60 days after the date on which a payment

the Commission.

application is received by the Commission.

### Amendment 321

#### Proposal for a regulation

#### Article 90 – paragraph 1 – point a

*Text proposed by the Commission*

(a) there is evidence **to suggest** a serious deficiency and for which corrective measures have not been taken;

*Amendment*

(a) there is a serious evidence **of** a serious deficiency and for which corrective measures have not been taken;

### Amendment 322

#### Proposal for a regulation

#### Article 91 – paragraph 1 – point e

*Text proposed by the Commission*

**(e) the Member State has failed to take the necessary action in accordance with Article 15(6).**

*Amendment*

**deleted**

### Amendment 323

#### Proposal for a regulation

#### Article 99 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall decommit any amount in a programme which has not been used for pre-financing in accordance with Article 84 or for which a payment application has not been submitted in accordance with Articles 85 and 86 by **26** December of the **second** calendar year following the year of the budget commitments for the years 2021 to 2026.

*Amendment*

1. The Commission shall decommit any amount in a programme which has not been used for pre-financing in accordance with Article 84 or for which a payment application has not been submitted in accordance with Articles 85 and 86 by **31** December of the **third** calendar year following the year of the budget commitments for the years 2021 to 2026.

### Amendment 324

#### Proposal for a regulation

#### Article 99 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. The amount to be covered by pre-financing or payment applications by the time limit established in paragraph 1 concerning the budget commitment of 2021 shall be 60 % of that commitment. 10 % of the budget commitment of 2021 shall be added to each budget commitment for the years 2022 to 2025 for the purposes of calculating the amounts to be covered.**

*deleted*

### **Amendment 325**

#### **Proposal for a regulation Article 99 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The part of commitments still open on 31 December 2029 shall be decommitted if the assurance package and the final performance report for programmes supported by the ESF+, the ERDF and the Cohesion Fund have not been submitted to the Commission by the time limit set out in Article 38(1).**

**3. The part of commitments still open on 31 December 2030 shall be decommitted if the assurance package and the final performance report for programmes supported by the ESF+, the ERDF and the Cohesion Fund have not been submitted to the Commission by the time limit set out in Article 38(1).**

### **Amendment 326**

#### **Proposal for a regulation Article 100 – paragraph 1 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) it has not been possible to make a timely payment application because of delays at Union level in setting up the legal and administrative framework for the funds for the 2021-2027 period.**

### **Amendment 327**

#### **Proposal for a regulation**

## Article 101 – paragraph 2

*Text proposed by the Commission*

2. The Member State shall have **one month** to agree to the amount to be decommitted or to submit its observations.

*Amendment*

2. The Member State shall have **two months** to agree to the amount to be decommitted or to submit its observations.

## Amendment 328

### Proposal for a regulation

#### Article 102 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund shall support the Investment for jobs and growth goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions') established by Regulation (EC) No 1059/2003 as amended by Commission Regulation (EC) **No 868/2014**.

*Amendment*

1. The ERDF, the ESF+ and the Cohesion Fund shall support the Investment for jobs and growth goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions') established by Regulation (EC) No 1059/2003 as amended by Commission Regulation (EC) **No 2016/2066**.

## Amendment 329

### Proposal for a regulation

#### Article 103 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **330 624 388 630** in 2018 prices.

*Amendment*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be **EUR 378 097 000 000 in 2018 prices**.

*(This amendment aims to reinstate an amount equivalent to that available for the 2014-2020 period, with the necessary increases, in line with the EP position on the MFF proposal for 2021-2027. It will require consequential adjustments to the calculations in Annex XXII.)*

## Amendment 330



**Proposal for a regulation**  
**Article 103 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall adopt a decision, by means of implementing act, setting out the annual breakdown of the global resources per Member State under the Investment for jobs and growth goal, per category of regions, together with the list of eligible regions in accordance with the methodology set out in Annex XXII.

*Amendment*

The Commission shall adopt a decision, by means of implementing act, setting out the annual breakdown of the global resources per Member State under the Investment for jobs and growth goal, per category of regions, together with the list of eligible regions in accordance with the methodology set out in Annex XXII. ***The minimum overall allocation from the Funds, at national level, should be equal to 76% of the budget allocated to each Member State or region over the 2014-2020 period.***

**Amendment 331**

**Proposal for a regulation**  
**Article 103 – paragraph 2 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***In view of the particular importance of cohesion funding for cross-border and transnational cooperation, and for the outermost regions, the eligibility criteria for such funding should be no less favourable than in the 2014-2020 period, and ensure maximum continuity with existing programmes.***

*(This Amendment will require consequential adjustments to the calculations in Annex XXII.)*

**Amendment 332**

**Proposal for a regulation**  
**Article 104 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Resources for the Investment for

1. Resources for the Investment for

jobs and growth goal shall amount to **97.5** % of the global resources (i.e., a total of EUR **322 194 388 630**) and shall be allocated as follows:

jobs and growth goal shall amount to **97** % of the global resources, i.e., a total of EUR **366 754 000 000 (in 2018 prices)**. **Out of this amount, EUR 5 900 000 000 shall be allocated to the Child Guarantee from the resources under the ESF+. The remaining envelope of EUR 360 854 000 000 (in 2018 prices)** shall be allocated as follows:

### **Amendment 333**

#### **Proposal for a regulation Article 104 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) 61.6 % (i.e a total of EUR **198 621 593 157**) for less developed regions;

*Amendment*

(a) 61.6 % (i.e a total of EUR **222 453 894 000**) for less developed regions;

### **Amendment 334**

#### **Proposal for a regulation Article 104 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) 14.3 % (i.e a total of EUR **45 934 516 595**) for transition regions;

*Amendment*

(b) 14.3 % (i.e a total of EUR **51 446 129 000**) for transition regions;

### **Amendment 335**

#### **Proposal for a regulation Article 104 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) 10.8 % (i.e., a total of EUR **34 842 689 000**) for more developed regions;

*Amendment*

(c) 10.8 % (i.e., a total of EUR **39 023 410 000**) for more developed regions;

### **Amendment 336**

#### **Proposal for a regulation Article 104 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 12.8 % (i.e., a total of EUR **41 348 556 877**) for Member States supported by the Cohesion Fund;

(d) 12.8 % (i.e., a total of EUR **46 309 907 000**) for Member States supported by the Cohesion Fund;

**Amendment 337**

**Proposal for a regulation**  
**Article 104 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 0.4 % (i.e., a total of EUR **1 447 034 001**) as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

(e) 0.4 % (i.e., a total of EUR **1 620 660 000**) as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

**Amendment 338**

**Proposal for a regulation**  
**Article 104 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The **amount of** resources available for the ESF+ under the Investment for jobs and growth goal **shall be EUR 88 646 194 590**.

The resources available for the ESF+ **shall amount to 28,8 % of the resources** under the Investment for jobs and growth goal **(i.e., EUR 105 686 000 000 in 2018 prices)**. **That does not include the financial envelope for the Employment and Social Innovation strand or the Health strand.**

**Amendment 339**

**Proposal for a regulation**  
**Article 104 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The amount of additional funding for the

The amount of additional funding for the

outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall **be EUR 376 928 934**.

outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall **correspond to 0,4 % of the resources referred to in the first subparagraph (i.e., EUR 424 296 054 in 2018 prices)**.

#### Amendment 340

##### Proposal for a regulation

##### Article 104 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The amount of support from the Cohesion Fund to be transferred to the CEF shall be EUR **10 000 000 000**. It shall be spent for transport infrastructure projects by launching specific calls in accordance with Regulation (EU) [number of new CEF Regulation] exclusively in Member States eligible for funding from the Cohesion Fund.

*Amendment*

The amount of support from the Cohesion Fund to be transferred to the CEF shall be EUR **4 000 000 000 in 2018 prices**. It shall be spent for transport infrastructure projects, **taking into account the investment infrastructure needs of Member States and regions**, by launching specific calls in accordance with Regulation (EU) [number of new CEF Regulation] exclusively in Member States eligible for funding from the Cohesion Fund.

#### Amendment 341

##### Proposal for a regulation

##### Article 104 – paragraph 4 – subparagraph 5

*Text proposed by the Commission*

**30% of the resources transferred to the CEF shall be available immediately after the transfer to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].**

*Amendment*

**deleted**

#### Amendment 342

##### Proposal for a regulation

##### Article 104 – paragraph 4 – subparagraph 6

*Text proposed by the Commission*

Rules applicable for the transport sector under Regulation (EU) [new CEF Regulation] shall apply to the specific calls referred to in the first subparagraph. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund ***with regard to 70% of the resources transferred to the CEF.***

*Amendment*

Rules applicable for the transport sector under Regulation (EU) [new CEF Regulation] shall apply to the specific calls referred to in the first subparagraph. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund.

**Amendment 343**

**Proposal for a regulation  
Article 104 – paragraph 5**

*Text proposed by the Commission*

5. EUR ***500 000 000*** of the resources for the Investment for jobs and growth goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

*Amendment*

5. EUR ***560 000 000 in 2018 prices*** of the resources for the Investment for jobs and growth goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

**Amendment 344**

**Proposal for a regulation  
Article 104 – paragraph 6**

*Text proposed by the Commission*

6. EUR ***175 000 000*** of the ESF+ resources for the Investment for jobs and growth goal shall be allocated for transnational cooperation supporting innovative solutions under direct or indirect management.

*Amendment*

6. EUR ***196 000 000 in 2018 prices*** of the ESF+ resources for the Investment for jobs and growth goal shall be allocated for transnational cooperation supporting innovative solutions under direct or indirect management.

**Amendment 345**

**Proposal for a regulation  
Article 104 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **2.5** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027 (i.e. a total of EUR **8 430 000 000**).

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **3** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027 (i.e. a total of EUR **11 343 000 000 in 2018 prices**).

**Amendment 346**

**Proposal for a regulation**

**Article 105 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) of not more than **15** % of the total allocations for less developed regions to transition regions or more developed regions and from transition regions to more developed regions;

(a) of not more than **5** % of the total allocations for less developed regions to transition regions or more developed regions and from transition regions to more developed regions;

**Amendment 347**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) **70** % for the less developed regions;

(a) **85** % for the less developed regions;

**Amendment 348**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) **55** % for the transition regions;

(b) **65** % for the transition regions;

## Amendment 349

### Proposal for a regulation

#### Article 106 – paragraph 3 – subparagraph 1 – point c

*Text proposed by the Commission*

(c) **40** % for the more developed regions.

*Amendment*

(c) **50** % for the more developed regions.

## Amendment 350

### Proposal for a regulation

#### Article 106 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The co-financing rates set out under point (a), shall also apply to outermost regions.

*Amendment*

The co-financing rates set out under point (a), shall also apply to outermost regions **and to the additional allocation for the outermost regions.**

## Amendment 351

### Proposal for a regulation

#### Article 106 – paragraph 3 – subparagraph 3

*Text proposed by the Commission*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **70** %.

*Amendment*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **85** %.

## Amendment 352

### Proposal for a regulation

#### Article 106 – paragraph 3 – subparagraph 4

*Text proposed by the Commission*

The ESF+ Regulation may establish higher co-financing rates for priorities supporting innovative actions in accordance with Article [14] of that Regulation.

*Amendment*

The ESF+ Regulation may ***in duly justified cases*** establish higher co-financing rates of ***up to 90*** %, for priorities supporting innovative actions in accordance with Article [13] and Article [4 (1) (x)] and [(xi)] of that Regulation, ***as well as for***

*programmes addressing material deprivation in accordance with Article [9], youth unemployment in accordance with Article [10], supporting the European Child Guarantee in accordance with Article [10a] and transnational cooperation in line with Article [11b].*

#### **Amendment 353**

##### **Proposal for a regulation Article 106 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The co-financing rate for Interreg programmes shall be no higher than **70** %.

*Amendment*

The co-financing rate for Interreg programmes shall be no higher than **85** %.

#### **Amendment 354**

##### **Proposal for a regulation Article 107 – paragraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 108 to amend the Annexes to this Regulation in order adapt to changes occurring during the programming period for non-essential elements of this Regulation, except for Annexes III, IV, X and XXII.

*Amendment*

The Commission is empowered to adopt delegated acts in accordance with Article 108 to amend the Annexes to this Regulation in order adapt to changes occurring during the programming period for non-essential elements of this Regulation, except for Annexes III, IV, X and XXII. ***The Commission is empowered to adopt delegated acts in accordance with Article 108 in order to amend and adapt Delegated Regulation (EU) 204/2014, referred to in Article 6(3), to this Regulation.***

#### **Amendment 355**

##### **Proposal for a regulation Article 108 – paragraph 2**



*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 63(10), Article 73(4), Article 88(4), Article 89(4) and Article 107 shall be conferred on the Commission **for an indeterminate period of time** from date of entry into force of this Regulation.

*Amendment*

2. The power to adopt delegated acts referred to in **Article 6(3)**, Article 63(10), Article 73(4), Article 88(4), Article 89(4) and Article 107 shall be conferred on the Commission from **the** date of entry into force of this Regulation **until 31 December 2027**.

**Amendment 356**

**Proposal for a regulation  
Article 108 – paragraph 3**

*Text proposed by the Commission*

3. The delegation of power referred to in Article 63(10), Article 73(4), Article 88(4) **and** Article **89(1)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of power referred to in Article **6(3)**, **Article** 63(10), Article 73(4), Article 88(4), **Article 89(4)** and Article **107** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

**Amendment 357**

**Proposal for a regulation  
Article 108 – paragraph 6**

*Text proposed by the Commission*

6. A delegated act adopted pursuant to Article 63(10), Article 73(4), Article 88(4), Article 89(4) and 107 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the

*Amendment*

6. A delegated act adopted pursuant to **Article 6(3)**, Article 63(10), Article 73(4), Article 88(4), Article 89(4) and 107 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the

expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### **Amendment 358**

##### **Proposal for a regulation Article 110 – paragraph 1**

*Text proposed by the Commission*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund and the EMFF under that period.

*Amendment*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund, **the EAFRD** and the EMFF under that period.

#### **Amendment 359**

##### **Proposal for a regulation Annex I – Table 1 – Policy objective 1 – row 001 – column 1**

*Text proposed by the Commission*

001 Investment in fixed assets in micro enterprises directly linked to research and innovation activities

*Amendment*

001 Investment in fixed assets in micro enterprises directly linked to research and innovation activities **or linked to competitiveness**

#### **Amendment 360**

##### **Proposal for a regulation Annex I – Table 1 – Policy objective 1 – row 002 – column 1**

*Text proposed by the Commission*

002 Investment in fixed assets in small and medium-sized enterprises (including private research centres) directly linked to

*Amendment*

002 Investment in fixed assets in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities **or linked**

research and innovation activities

*to competitiveness*

### **Amendment 361**

#### **Proposal for a regulation**

##### **Annex I – Table 1 – Policy objective 1 – row 004 – column 1**

*Text proposed by the Commission*

*Amendment*

004 Investment in intangible assets in micro enterprises directly linked to research and innovation activities

004 Investment in intangible assets in micro enterprises directly linked to research and innovation activities *or linked to competitiveness*

### **Amendment 362**

#### **Proposal for a regulation**

##### **Annex I – Table 1 – Policy objective 1 – row 005 – column 1**

*Text proposed by the Commission*

*Amendment*

005 Investment in intangible assets in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities

005 Investment in intangible assets in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities *or linked to competitiveness*

### **Amendment 363**

#### **Proposal for a regulation**

##### **Annex I – Table 1 – Policy objective 2 – row 035 – column 1**

*Text proposed by the Commission*

*Amendment*

035 Adaption to climate change measures and prevention and management of climate related risks: floods (including awareness raising, civil protection and disaster management systems and infrastructures)

035 Adaption to climate change measures and prevention and management of climate related risks: floods *and landslides* (including awareness raising, civil protection and disaster management systems and infrastructures)

### **Amendment 364**

#### **Proposal for a regulation**

##### **Annex I – Table 1 – Policy objective 2 – row 043**

*Text proposed by the Commission*

043      **Household waste management:  
mechanical biological treatment,  
thermal treatment**      0%      100%

*Amendment*

*deleted*

**Amendment 365**

**Proposal for a regulation**

**Annex I – Table 1 – Policy objective 3 – row 056 – column 1**

*Text proposed by the Commission*

*Amendment*

056      Newly built motorways and roads –  
TEN-T core network

056      Newly built motorways, **bridges**  
and roads – TEN-T core network

**Amendment 366**

**Proposal for a regulation**

**Annex I – Table 1 – Policy objective 3 – row 057 – column 1**

*Text proposed by the Commission*

*Amendment*

057      Newly built motorways and roads –  
TEN-T comprehensive network

057      Newly built motorways, **bridges**  
and roads – TEN-T comprehensive  
network

**Amendment 367**

**Proposal for a regulation**

**Annex I – Table 1 – Policy objective 3 – row 060 – column 1**

*Text proposed by the Commission*

*Amendment*

060      Reconstructed or improved  
motorways and roads – TEN-T core  
network

060      Reconstructed or improved  
motorways, **bridges** and roads – TEN-T  
core network

## Amendment 368

### Proposal for a regulation

Annex I – Table 1 – Policy objective 3 – row 061 – column 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
061 Reconstructed or improved motorways and roads – TEN-T comprehensive network	061 Reconstructed or improved motorways, <b>bridges</b> and roads – TEN-T comprehensive network

## Amendment 369

### Proposal for a regulation

Annex I – Table 1 – Policy objective 5 – row 128 – column 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
128 Protection, development and promotion of public tourism assets and <b>related</b> tourism services	128 Protection, development and promotion of public tourism assets and tourism services

## Amendment 370

### Proposal for a regulation

Annex I – Table 1 – Policy objective 5 – row 130 – column 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
130 Protection, development and promotion of natural heritage and eco-tourism	130 Protection, development and promotion of natural heritage and eco-tourism <b>other than Natura 2000 sites</b>

## Amendment 371

### Proposal for a regulation

Annex I – Table 3 – row 12 – column Integrated territorial investment (ITI)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Cities, towns <b>and</b> suburbs	Cities, towns, suburbs <b>and connected rural areas</b>

## Amendment 372

**Proposal for a regulation**

**Annex I – Table 3 – row 16 – column Integrated territorial investment (ITI)**

*Text proposed by the Commission*

*Amendment*

Sparsely populated areas

***Rural and*** sparsely populated areas

**Amendment 373**

**Proposal for a regulation**

**Annex I – Table 3 – row 22 – column Community led local development (CLLD)**

*Text proposed by the Commission*

*Amendment*

Cities, towns ***and*** suburbs

Cities, towns, suburbs ***and connected rural areas***

**Amendment 374**

**Proposal for a regulation**

**Annex I – Table 3 – row 26 – column Community led local development (CLLD)**

*Text proposed by the Commission*

*Amendment*

Sparsely populated areas

***Rural and*** sparsely populated areas

**Amendment 375**

**Proposal for a regulation**

**Annex I – Table 3 – row 32 – column – Other type of territorial tool under Policy Objective 5**

*Text proposed by the Commission*

*Amendment*

Cities, towns ***and*** suburbs

Cities, towns, suburbs ***and connected rural areas***

**Amendment 376**

**Proposal for a regulation**

**Annex I – Table 3 – row 36 – column – Other type of territorial tool under Policy Objective 5**

*Text proposed by the Commission*

*Amendment*

Sparsely populated areas

**Rural and** sparsely populated areas

### **Amendment 377**

#### **Proposal for a regulation Annex I – Table 4 – row 17**

*Text proposed by the Commission*

*Amendment*

17 Accommodation and food service activities

17 **Tourism**, accommodation and food service activities

### **Amendment 378**

#### **Proposal for a regulation Annex III – Table Horizontal enabling conditions – row 6 – column 2**

*Text proposed by the Commission*

*Amendment*

A national framework for implementing the UNCRPD is in place that includes:

1. Objectives with measurable goals, data collection and monitoring mechanism.
2. Arrangements to ensure that the accessibility policy, legislation and standards are properly reflected in the preparation and implementation of the programmes.

A national framework for implementing the UNCRPD is in place that includes:

1. Objectives with measurable goals, data collection and monitoring mechanism, **applicable across all policy objectives.**
2. Arrangements to ensure that the accessibility policy, legislation and standards are properly reflected in the preparation and implementation of the programmes **in line with the provisions of the UNCRPD and included in the project selection criteria and obligations.**
  - 2a. Reporting arrangements to the monitoring committee on the compliance of the operations supported.**

### **Amendment 379**

#### **Proposal for a regulation**

**Annex III – Table Horizontal enabling conditions – row 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***Implementation of the principles and rights of the European Pillar of Social Rights that contribute to real convergence and cohesion in the European Union.***

***Arrangements at national level to ensure the proper implementation of the principles of the European Pillar of Social Rights that contribute to upward social convergence and cohesion in the EU, especially the principles preventing unfair competition within the internal market.***

**Amendment 380**

**Proposal for a regulation**

**Annex III – Table Horizontal enabling conditions – row 6 b (new)**

*Text proposed by the Commission*

*Amendment*

***Effective application of the partnership principle***

***A framework is in place for all partners to play a fully-fledged role in the preparation, implementation, monitoring and evaluation of programmes, which includes***

- 1. Arrangements to ensure transparent procedures for the involvement of partners***
- 2. Arrangement for dissemination and disclosure of information relevant for partners to prepare and follow-up meetings***
- 3. Support for empowering partners and capacity building***

**Amendment 381**

**Proposal for a regulation**



## Annex IV – Policy objective 2 – row 2 – column 4

### *Text proposed by the Commission*

National Energy and Climate Plan are adopted and include:

1. All elements required by the template in Annex I of the Regulation on Governance of the Energy Union
2. An *indicative* outline of envisaged financing resources and mechanisms for measures promoting low-carbon energy

### *Amendment*

National Energy and Climate Plan ***comply with the Paris Agreement objective of limiting global warming to 1.5°C***, are adopted and include:

1. All elements required by the template in Annex I of the Regulation on Governance of the Energy Union
2. An outline of envisaged financing resources and mechanisms for measures promoting low-carbon energy

## Amendment 382

### Proposal for a regulation

#### Annex IV – Policy objective 2 – row 4 – column 2

### *Text proposed by the Commission*

ERDF and Cohesion Fund:

- 2.4 Promoting climate change adaptation, risk prevention and disaster resilience

### *Amendment*

ERDF and Cohesion Fund:

- 2.4 Promoting climate ***and structural*** change adaptation, risk prevention and disaster resilience

## Amendment 383

### Proposal for a regulation

#### Annex IV – Policy objective 2 – row 7 – column 4

### *Text proposed by the Commission*

A priority action framework pursuant to Article 8 of Directive 92/43/EEC is in place and includes

1. All elements required by the template for the priority action framework for 2021-2027 agreed by the Commission and the Member States
2. ***The identification of*** the priority measures and an estimate of financing

### *Amendment*

A priority action framework pursuant to Article 8 of Directive 92/43/EEC is in place and includes

1. All elements required by the template for the priority action framework for 2021-2027 agreed by the Commission and the Member States ***including*** the priority measures and an estimate of financing needs

needs

#### **Amendment 384**

##### **Proposal for a regulation**

##### **Annex IV – Policy objective 3 – point 3.2 – column 2**

*Text proposed by the Commission*

*Amendment*

3.2 Developing a sustainable, climate resilient, intelligent, *secure* and intermodal TEN-T

3.2 Developing a sustainable, climate resilient, intelligent, *safe* and intermodal TEN-T

#### **Amendment 385**

##### **Proposal for a regulation**

##### **Annex IV – Policy objective 3 – point 3.2 – column 4 – point -1 a (new)**

*Text proposed by the Commission*

*Amendment*

***-1a. Requires social, economic and territorial cohesion to be ensured, and, to a greater extent, missing links to be completed and bottlenecks to be removed on the TEN-T network, which also means investment in hard infrastructure***

#### **Amendment 386**

##### **Proposal for a regulation**

##### **Annex IV – Policy objective 3 – point 3.2 – column 4 – point 1**

*Text proposed by the Commission*

*Amendment*

1. Includes economic justification of the planned investments, underpinned by robust demand analysis and traffic modelling, which should take into account the anticipated impact of *rail liberalisation*

1. Includes economic justification of the planned investments, underpinned by robust demand analysis and traffic modelling, which should take into account the anticipated impact of *the opening of the rail services markets*

#### **Amendment 387**

##### **Proposal for a regulation**

##### **Annex IV – Policy objective 3 – row 2 – column 4 – point 2**

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*Text proposed by the Commission*

*Amendment*

2. Reflects air quality plans, taking into account in particular ***national decarbonisation plans***

2. Reflects air quality plans, taking into account in particular ***national emission reduction strategies for the transport sector***

#### **Amendment 388**

##### **Proposal for a regulation**

**Annex IV – Policy objective 3 – row 2 – column 4 – point 3**

*Text proposed by the Commission*

*Amendment*

3. Includes investments in core TEN-T network corridors, as defined by regulation (EU) 1316/2013, in line with the respective TEN-T work plans

3. Includes investments in core TEN-T network corridors, as defined by regulation (EU) 1316/2013, in line with the respective TEN-T work plans ***as well as pre-identified sections on the comprehensive network***

#### **Amendment 389**

##### **Proposal for a regulation**

**Annex IV – Policy objective 3 – row 2 – column 4 – point 4**

*Text proposed by the Commission*

*Amendment*

4. For investments outside the core TEN-T, ensures complementarity by providing sufficient connectivity of the regions and local communities to the core TEN-T and its nodes

4. For investments outside the core TEN-T, ensures complementarity by providing sufficient connectivity of the ***urban networks***, regions and local communities to the core TEN-T and its nodes

#### **Amendment 390**

##### **Proposal for a regulation**

**Annex IV – Policy objective 3 – row 2 – column 4 – point 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***9a. Promotes sustainable regional and cross-border tourism initiatives that lead to win-win situations for both the tourists***

*and the inhabitants, such as  
interconnecting the EuroVelo network  
with the TRAN European Railway  
network*

## Amendment 391

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 1 – column 2 – point ESF

*Text proposed by the Commission*

*Amendment*

ESF:

4.1.1 Improving access to employment of all jobseekers, **including** youth, and of inactive people and promoting self-employment, and the social economy;

4.1.2 Modernising labour market institutions and services to ensure timely and tailor-made assistance and support to labour market matching, transitions and mobility;

ESF:

4.1.1 Improving access to employment of all jobseekers, **in particular** youth **and long-term unemployed**, and of inactive people and promoting self-employment, and the social economy;

4.1.2 Modernising labour market institutions and services to **assess and anticipate skills needs and** ensure timely and tailor-made assistance and support to labour market matching, transitions and mobility;

## Amendment 392

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 2 – column 2 – point ESF

*Text proposed by the Commission*

*Amendment*

ESF

4.1.3 Promoting a better work/life balance including access to childcare, a healthy and well-adapted working environment addressing health risks, adaptation of workers to change and healthy and active ageing;

ESF

4.1.3 Promoting **women's labour market participation** a better work/life balance including access to childcare, a healthy and well-adapted working environment addressing health risks, adaptation of workers, **enterprises and entrepreneurs** to change and healthy and active ageing;

## Amendment 393

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 2 – column 4 – point 2

*Text proposed by the Commission*

2. Measures to address gender gaps in employment, pay and pensions, and promote work-life balance, including through improving access to early childhood education and care, with targets

*Amendment*

2. Measures to address gender gaps in employment, pay, ***social security, taxation*** and pensions, and promote work-life balance, including through improving access to early childhood education and care, with targets

## Amendment 394

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 3 – column 2 – point ESF

*Text proposed by the Commission*

ESF:

4.2.1 Improving the quality, effectiveness and labour market relevance of education and training systems;

4.2.2 Promoting flexible upskilling and reskilling opportunities for all, ***including by*** facilitating career transitions and promoting professional mobility

4.2.3 Promoting equal access, in particular for disadvantaged groups, ***to quality and inclusive education and training***, from early childhood education and care through general and vocational education and training and to tertiary level;

*Amendment*

ESF:

4.2.1 Improving the quality, ***inclusiveness and*** effectiveness and labour market relevance of education and training systems ***to support acquisition of key competences including digital skills and to facilitate the transition between education and work***;

4.2.2 Promoting ***lifelong learning, notably*** flexible upskilling and reskilling opportunities for all ***as well as informal and non-formal learning***, including by facilitating career transitions and promoting professional mobility

4.2.3 Promoting equal access ***to and completion of, quality and inclusive education and training***, in particular for disadvantaged groups, to quality and inclusive education and training, from early childhood education and care through general and vocational education and training and to tertiary level, ***as well as adult education and learning, including facilitating learning mobility for all***;

## Amendment 395

### Proposal for a regulation

#### Annex IV – row 4.2 - column 4: Fulfilment criteria for the enabling condition – point 1

##### *Text proposed by the Commission*

1. Evidence-based systems for skills anticipation and forecasting as well as graduate tracking mechanisms and services for quality and effective guidance for learners of all ages

##### *Amendment*

1. Evidence-based systems for skills anticipation and forecasting as well as ***follow-up*** tracking mechanisms and services for quality and effective guidance for learners of all ages ***including learner-centred approaches***

## Amendment 396

### Proposal for a regulation

#### Annex IV – row 4.2 – column 4: Fulfilment criteria for the enabling condition – point 2

##### *Text proposed by the Commission*

2. Measures to ensure equal access to, participation in and completion of quality, relevant and inclusive education and training and acquisition of key competences at all levels, including higher education

##### *Amendment*

2. Measures to ensure equal access to, participation in and completion of quality, ***affordable***, relevant, ***non-segregated*** and inclusive education and training and acquisition of key competences at all levels, including tertiary education

## Amendment 397

### Proposal for a regulation

#### Annex IV – row 4.2 – column 4: Fulfilment criteria for the enabling condition – point 3

##### *Text proposed by the Commission*

3. Coordination mechanism across all levels of education and training, including tertiary education, and clear assignment of responsibilities between the relevant national and/or regional bodies

##### *Amendment*

3. Coordination mechanism across all levels of education and training, including tertiary education ***and non-formal and informal learning providers***, and clear assignment of responsibilities between the relevant national and/or regional bodies

## Amendment 398

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 4 – column 2 – point 4.3

*Text proposed by the Commission*

*Amendment*

ERDF:

4.3 increasing the socio-economic integration of marginalised communities, migrants and disadvantaged groups, through integrated measures including housing and social services

ERDF:

4.3 increasing the socio-economic integration of marginalised communities, ***refugees and migrants under international protection*** and disadvantaged groups, through integrated measures including housing and social services

## Amendment 399

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 4 – column 2 – point 4.3.1

*Text proposed by the Commission*

*Amendment*

ESF:

4.3.1 ***Promoting*** active inclusion ***including*** with a view to promoting equal opportunities and active participation, and improving employability;

ESF:

4.3.1 ***fostering*** active inclusion including with a view to promoting equal opportunities and active participation, and improving employability;

## Amendment 400

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 4 – column 2 – point 4.3.1 a (new)

*Text proposed by the Commission*

*Amendment*

***4.3.1a. Promoting social integration of people at risk of poverty or social exclusion, including the most deprived and children***

## Amendment 401

### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 4 – column 4

*Text proposed by the Commission*

A national strategic policy framework for social inclusion and poverty reduction is in place that includes:

1. Evidence-based diagnosis of poverty and social exclusion including child poverty, homelessness, spatial and educational segregation, limited access to essential services and infrastructure, and the specific needs of vulnerable people
2. Measures to prevent and combat segregation in all fields, including through providing adequate income support, inclusive labour markets and access to quality services for vulnerable people, including migrants
3. Measures for the *shift* from institutional to community-based care
4. Arrangements for ensuring that its design, implementation, monitoring and review is conducted in close cooperation with social partners and relevant civil society organisations

**Amendment 402**

**Proposal for a regulation**

**Annex IV – Policy objective 4 – row 5 – column 2**

*Text proposed by the Commission*

ESF:

4.3.2 Promoting socio-economic integration of marginalised communities such as the Roma;

**Amendment 403**

**Proposal for a regulation**

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*Amendment*

A national strategic policy framework **and action plan** for social inclusion and poverty reduction is in place that includes:

1. Evidence-based diagnosis of poverty and social exclusion including child poverty, homelessness, spatial and educational segregation, limited access to essential services and infrastructure, and the specific needs of vulnerable people
2. Measures to prevent and combat segregation in all fields, including through providing adequate income support, **social protection**, inclusive labour markets and access to quality services for vulnerable people, including migrants **and refugees**
3. Measures for the **transition** from institutional to **family- and** community-based care **based on a national deinstitutionalisation strategy and an action plan**
4. Arrangements for ensuring that its design, implementation, monitoring and review is conducted in close cooperation with social partners and relevant civil society organisations

*Amendment*

ESF:

4.3.2 Promoting socio-economic integration **of third country nationals and** of marginalised communities such as the Roma;

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## Annex IV – Policy objective 4 – row 6 – column 2

*Text proposed by the Commission*

*Amendment*

ESF:

4.3.4 Enhancing the equal and timely access to quality, sustainable and affordable services; improving accessibility, effectiveness and resilience of healthcare systems; improving access to long-term care services

ESF:

4.3.4 Enhancing the equal and timely access to quality, sustainable and affordable services; ***modernising social protection systems, including promoting access to social protection***; improving accessibility, effectiveness and resilience of healthcare systems; improving access to long-term care services

### Amendment 404

#### Proposal for a regulation

#### Annex IV – Policy objective 4 – row 6 – column 4 – points 2, 3 and 3 a (new)

*Text proposed by the Commission*

*Amendment*

A national or regional strategic policy framework for health is in place that contains:

1. Mapping of health and long-term care needs, including in terms of medical staff, to ensure sustainable and coordinated measures
2. Measures to ensure the efficiency, sustainability, accessibility and affordability ***to*** health and long-term care services, including specific focus on individuals excluded from the health and long-term care systems
3. Measures to promote community based services, including prevention and primary care, home-care and community-based services

A national or regional strategic policy framework for health is in place that contains:

1. Mapping of health and long-term care needs, including in terms of medical staff, to ensure sustainable and coordinated measures
2. Measures to ensure the efficiency, sustainability, accessibility and affordability ***of*** health and long-term care services, including specific focus on individuals excluded from the health and long-term care systems ***and those who are hardest to reach***
3. Measures to promote community based services, including prevention and primary care, home-care and community-based services, ***and the transition from institutional to family and community based care***
  - 3a. ***Measures to ensure the efficiency, sustainability, accessibility and affordability of social protection systems***

## Amendment 405

### Proposal for a regulation

#### Annex V – point 2 – Table 1T – Programme structure

##### *Text proposed by the Commission*

ID	Title [300]	TA	Basis for calculation	Fund	Category of region supported	Specific Objective selected
1	Priority 1	No		ERDF	More Transition Less developed Outermost and sparsely populated More	SO 1    SO 3
2	Priority 2	No		ESF+	More Transition Less developed Outermost	SO 4  SO 5
3	Priority 3	No		CF	N/A	
3	Priority technical assistance	Yes				NA
..	Dedicated priority youth employment)	No		ESF+		
..	Dedicated priority CSRs	No		ESF+		
..	Dedicated priority Innovative actions	No		ESF+		SO 8
	Dedicated priority Material deprivation	No		ESF+		SO 9

##### *Amendment*

ID	Title [300]	TA	Basis for calculation	Fund	Category of region supported	Specific Objective selected
1	Priority 1	No		ERDF	More Transition Less developed Outermost and sparsely populated More	SO 1    SO 3
2	Priority 2	No		ESF+	More Transition Less developed Outermost	SO 4  SO 5
3	Priority 3	No		CF	N/A	

3	Priority technical assistance	Yes		NA
..	Dedicated priority youth employment)	No	ESF+	
	<b><i>Dedicated priority Child Guarantee</i></b>	<b><i>No</i></b>	<b><i>ESF+</i></b>	
..	Dedicated priority CSRs	No	ESF+	
..	Dedicated priority Innovative actions	No	ESF+	SO 8
	Dedicated priority Material deprivation	No	ESF+	SO 9

## Amendment 406

### Proposal for a regulation Annex V – point 2.1 – table

*Text proposed by the Commission*

- This is a priority dedicated to a relevant country-specific recommendation
- This is a priority dedicated to youth employment
- This is a priority dedicated to innovative actions
- This is a priority dedicated to addressing material deprivation

*Amendment*

- This is a priority dedicated to a relevant country-specific recommendation
- This is a priority dedicated to youth employment
- This is a priority dedicated to Child Guarantee***
- This is a priority dedicated to innovative actions
- This is a priority dedicated to addressing material deprivation

## Amendment 407

### Proposal for a regulation Annex V – point 2 – paragraph 3 – point 2.1 – point 2.1.1 – introductory part

*Text proposed by the Commission*

*Amendment*

2.1.1. Specific objective<sup>54</sup> (Jobs and growth goal) or Area of support (EMFF) – repeated for each selected specific objective or area of support, for priorities

2.1.1. Specific objective<sup>54</sup> (Jobs and growth goal) or Area of support (EMFF) – repeated for each selected specific objective or area of support, for priorities

other than technical assistance

other than technical assistance

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<sup>54</sup> Except for a specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation.

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<sup>54</sup> Except for a specific objective set out in Article 4(1)(xi) of the ESF+ Regulation.

#### **Amendment 408**

##### **Proposal for a regulation**

**Annex V – point 2 – paragraph 3 – point 2.1 – point 2.1.1 – point 2.1.1.2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2.1.1.2 Indicators<sup>55</sup>

2.1.1.2 Indicators

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<sup>55</sup> *Prior to the mid-term review in 2025 for the ERDF, the ESF+ and the CF, breakdown for the years 2021 to 2025 only.*

#### **Amendment 409**

##### **Proposal for a regulation**

**Annex V – point 2 – paragraph 3 – point 2.1 – point 2.1.1 – point 2.1.1.3 – introductory part**

*Text proposed by the Commission*

*Amendment*

2.1.1.3 Indicative breakdown of the programme resources (EU) by type of intervention<sup>56</sup> (not applicable to the EMFF)

2.1.1.3 Indicative breakdown of the programme resources (EU) by type of intervention (not applicable to the EMFF)

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<sup>56</sup> *Prior to the mid-term review in 2025 for the ERDF, the ESF+ and the CF, breakdown for the years 2021 to 2025 only.*

#### **Amendment 410**

##### **Proposal for a regulation**

**Annex V – point 2 – paragraph 3 – point 2.1 – point 2.1.2 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

Criteria for the selection of operations<sup>57</sup>

Criteria for the selection of operations<sup>57</sup>

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<sup>57</sup> Only for programmes limited to the specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation

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<sup>57</sup> Only for programmes limited to the specific objective set out in Article 4(1)(xi) of the ESF+ Regulation

#### **Amendment 411**

##### **Proposal for a regulation Annex V – point 3 – table 16**

*Text proposed by the Commission*

*Amendment*

[...]

*deleted*

#### **Amendment 412**

##### **Proposal for a regulation Annex V – point 3 – point 3.2 – introductory part**

*Text proposed by the Commission*

*Amendment*

3.2 Total financial appropriations by fund and national co-financing<sup>59</sup>

3.2 Total financial appropriations by fund and national co-financing

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<sup>59</sup> *Prior to the mid-term review in 2025 for the ERDF, the ESF+ and the CF, financial appropriations for the years 2021 to 2025 only.*

## **EXPLANATORY STATEMENT**

On 29 May 2018, the Commission made its proposal for the Common Provisions Regulation (CPR) for the 2021-2027 period. The proposed CPR contains common rules for the European Regional Development Fund (ERDF), the Cohesion Fund (CF), the European Social Fund Plus (ESF+), the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMIF), the Border Management and Visa Instrument (BMVI) and the Internal Security Fund (ISF). The Commission decided not to include rules on the European Agricultural Fund for Rural Development (EAFRD) in the proposal, contrary to what is the case for the 2014-2020 period.

### **A. Consideration of the proposal in Parliament**

This proposal is of major political and practical importance, as it lays down the main rules for the Union's cohesion policy for the next seven-year period.

In view of the importance of the proposal, Parliament has authorised the Committee on Regional Development (REGI) to appoint two co-rapporteurs, namely Andrey Novakov (EPP) and Constanze Krehl (S&D).

A first presentation by the Commission and exchange of views took place in REGI on 20 June. After intense work over the summer, the co-rapporteurs submitted the draft report in September 2018.

In order to avoid any possible delay in implementation of the new cohesion policy and to allow interinstitutional negotiations to take place before the European elections and the renewal of Parliament in 2019, the co-rapporteurs have decided to deal with this proposal as speedily as possible. The deadline for tabling amendments in committee was 22 October 2018. The nine opinion-giving committees adopted their positions before the end of 2018, allowing the report to be adopted on 22 January 2019. Interinstitutional negotiations could then take place until mid-March 2019 so that the European parliament secures a first reading position by April 2019.

### **B. Key amendments proposed by the co-rapporteurs**

The draft report built on the Commission Proposal, containing a number of amendments, listed and explained below which the co-rapporteurs would like to see taken into account in the final regulation.

#### **1. Reintegration of the EAFRD**

The Commission rightly notes that having a common rulebook for the different shared-management funds contributes to administrative simplification and coherence, and allows synergies between the different funds. The co-rapporteurs are therefore surprised that the EAFRD is not covered by the CPR, which could lead to strategic gaps and coordination issues for local investments. A number of the amendments above therefore seek to reintegrate the EAFRD into the CPR.

## 2. Resources for economic, social and territorial cohesion

The Commission's proposal provides for a smaller budget (EUR 330.6 billion) for cohesion policy compared to the previous seven-year period. Parliament decided, in its resolution of 30 May 2018 on the 2021-2027 multiannual financial framework and own resources, that the allocation for cohesion policy should remain, in real terms, at the same level as for 2014-2020. The co-rapporteurs have therefore tabled an amendment to increase the overall amount by around EUR 47.5 billion to a total of EUR 378.1 billion (2018 prices) in order to bring it up to the same level as during the 2014-2020 period. This increase is then implemented in the figures for the ERDF, CF and ESF+. The key for allocations between the Member States contained in Annex XXII is not touched, however. The allocations will merely need to be recalculated on the basis of the new total.

The co-rapporteurs propose that EUR 222.4 billion through the Investment for jobs and growth goal support the less developed regions, while EUR 46.3 are allocated to Member States supported by the Cohesion Fund.

## 3. Readjustment of the balance between the 'Investment for jobs and growth' goal and the 'European territorial cooperation' (Interreg) goal

The Commission proposal provides for 97.5% of the overall envelope to be spent on the jobs and growth goal, and only 2.5% on the Interreg goal. In view of the importance of the Interreg programme for cross-border cooperation and of its recognised EU added value, the co-rapporteurs propose to modify those percentages to 97% and 3%, which translates to EUR 366.7 billion and EUR 11.3 billion, respectively. This requires consequential modifications to the allocations to the different categories of regions, without modifying the respective proportions.

## 4. European Urban Initiative and transnational cooperation supporting innovative solutions

In view of the adjustment of the overall figures, in order to reinstate the level of funding available for the previous period, the co-rapporteurs propose to increase the fixed amounts of the allocation to the European Urban Initiative and transnational cooperation supporting innovative solutions by the same percentage: EUR 560 million and EUR 196 million, respectively.

## 5. Transfers out of cohesion policy to InvestEU and the Connecting Europe Facility

The Commission proposal allows Member States to transfer up to 5% of their cohesion policy allocation out in order to increase their allocations under InvestEU. Whilst the co-rapporteurs support the goals of InvestEU, they feel that cohesion policy is also very important for the development of Europe. The co-rapporteurs therefore wish to limit the transfer to 1% of ERDF, the ESF+, the Cohesion Fund and the EMFF before the mid-term review, and up to 2.5% under the mid-term review for investments in line with cohesion policy objectives and in the same category of regions targeted by the Funds of origin.

The Commission's proposal also provides for EUR 10 billion to be taken out of the Cohesion Fund in order to be spent on the Connecting Europe Facility. The co-rapporteurs propose to

limit the transfer to EUR 4 billion. Whilst the Connecting Europe Facility is a worthy enterprise, it is not appropriate to further reduce the allocation for the Cohesion Fund. In addition to the limit, the co-rapporteurs propose that until 31 December 2023, project selection respects the national allocations under the Cohesion Fund.

## 6. Transfers between funds and between categories of regions

The Commission proposal allows Member States to transfer up to 5% of their allocations under a specific fund to a different fund. Whilst the co-rapporteurs understand the need for flexibility in some cases, they consider that allowing transfers between all funds could endanger the fulfilment of the core objectives of cohesion policy. They therefore propose allowing such transfers of up to 5% out of any fund, but only towards the ERDF, CF and ESF+, thus preventing the hollowing out of cohesion policy.

The Commission's proposal also allows for up to 15% of the allocation for less developed regions, which are to benefit from the largest share of cohesion policy funding, to be transferred to other categories of regions. Again, the co-rapporteurs agree that some flexibility is required. However, the reason less developed regions receive the largest share of cohesion policy funding is that they need it most. This draft report therefore proposes to limit such transfers to 5% at most.

## 7. Co-financing rates

The Commission proposal provides for maximum co-financing rates which differ according to the fund and the category of region (70% for the less developed, 55 for transition and 40% for more developed regions). The co-rapporteurs consider that there needs to be more leeway to provide higher rates of co-financing where appropriate. They therefore propose having co-financing rates of 85% for less developed regions, 65% for transition regions and 50% for more developed regions. In the case of funding paid out of the Cohesion Fund, for the outermost regions, or under Interreg programmes, they propose that the maximum co-financing rate should be 85%, as in 2014-2020.

## 8. Pre-financing rates

In the Commission proposal, pre-financing is to be paid on an annual basis at a flat rate of 0.5% each year. The co-rapporteurs consider that it is appropriate to gradually increase the pre-financing rate over the course of the multiannual framework to take into account the increasing level of implementation over that time. They therefore suggest increasing the pre-financing rate in steps each year, so as to reach 2% in the last two years of the programming period.

## 9. Links with the European Semester

The Commission proposes a strengthened link between cohesion policy and the European Semester process. This idea has been hotly disputed for some time. The co-rapporteurs consider that it is not appropriate to punish local communities for perceived failings of national economic policies. They therefore propose that serious failure to comply with recommendations linked to the European Semester process should only lead to the suspension of commitment appropriations and not payment appropriations. Even in serious cases, such



suspensions should not be able to exceed a certain proportion of the funds to be spent in a Member State.

#### 10. Mid-term review and programming

The Commission proposal provides for the mid-term review by the Member States of programmes supported by the ERDF, the ESF+ and the CF. The co-rapporteurs consider that this is a very important point in the framework of cohesion policy, as conditions necessarily change over the course of a seven-year programme. However, based on the experiences Europe has had over the last years, the co-rapporteurs consider that it is appropriate to indicate that economic crises are one of the key reasons which might warrant the reorientation of cohesion policy programmes. However, the outcome of the mid-term review should not lead to compulsory amendment of each programme. Therefore, the co-rapporteurs propose that Member States may state that no amendment is necessary.

In its proposal, the Commission asks the Member States to include in the content of their programmes the respective amount for the years 2021-2025 only. The co-rapporteurs propose indicative financial planning for the entire period 2021-2027, which is more favourable to managing authorities, beneficiaries and projects.

#### 11. Decommitment rule

The European Commission proposed that the part of commitments still open on 31 December 2029 shall be decommitted. The co-rapporteurs decided to extend the decommitment rule to 31 December 2030 (n+3) in order to allow more time for the implementation of cohesion policy, and its programmes.

#### 12. Major projects

In the 2014-2020 period, the CPR contains provisions putting in place special controls for major projects. Those provisions have not been included in the Commission's new proposal. The co-rapporteurs consider that some sort of special consideration is needed for major projects. They therefore proposed reintroducing a streamlined version of the current rules on major projects, albeit with a higher threshold.

11.12.2018

## OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument.

(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Siegfried Mureşan

### AMENDMENTS

The Committee on Budgets calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

#### Amendment 1

##### Proposal for a regulation

##### Title

*Text proposed by the Commission*

*Amendment*

Proposal for a

REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument

Proposal for a

REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, ***the European Agricultural Fund for Rural Development***, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund

and the Border Management and Visa Instrument.

*(This amendment applies throughout the text; its adoption will necessitate linguistic adjustments throughout.)*

## Amendment 2

### Proposal for a regulation Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1 a) In its resolutions of 14 March and 30 May 2018 on the Multiannual Financial Framework for the period 2021-2027 (MFF 2021-2027), the European Parliament stressed the importance of the horizontal principles that should underpin the MFF 2021-2027 and all related Union policies. The European Parliament reaffirmed, in that context, its position that the Union must deliver on its commitment to be a frontrunner in implementing the UN Sustainable Development Goals (SDGs), and deplored the lack of a clear and visible commitment to that end in those proposals. Therefore, the European Parliament requested the mainstreaming of the SDGs into all Union policies and initiatives of the MFF 2021-2027. It further underlined that the elimination of discrimination was vital to fulfil the Union's commitments towards an inclusive Europe and therefore called for gender mainstreaming and gender equality commitments to be incorporated in all Union policies and initiatives in the MFF 2021-2027. It stressed in its resolution that, in response to the Paris Agreement, cross-cutting climate-related spending should be significantly increased in comparison with the current MFF and reach 30% as soon as possible and at the latest by 2027.***

### Amendment 3

#### Proposal for a regulation

##### Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2 a) Cohesion policy remains the main investment policy of the Union covering all regions in the Union, in order to tackle complex socio-economic challenges while concentrating the majority of the resources on the most vulnerable regions, including peripheral and island regions. It is important that, cohesion policy continues to focus on reducing the disparities between levels of development and enhancing convergence as enshrined in the Treaty.***

### Amendment 4

#### Proposal for a regulation

##### Recital 5

*Text proposed by the Commission*

*Amendment*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender *perspective*, as well as at combating discrimination based on sex,

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union ***and the United Nations Sustainable Development Goals***. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender ***mainstreaming and gender***

racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

**equality**, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

## **Amendment 5**

### **Proposal for a regulation Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22a) Maintaining the financing of the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund post-2020 for the EU-27 at least at the level of the 2014-2020 budget at constant prices is an essential condition to enable this policy to fulfil its mission and successfully achieve its objectives. It is also essential for the Youth Employment Initiative envelope to be doubled, as well as secure additional funding for a Child Guarantee. Any reductions would adversely impact on the very nature and objectives of that policy.***

## **Amendment 6**

### **Proposal for a regulation Recital 23**

(23) To strengthen the integrated territorial development approach, investments in the form of territorial tools such as integrated territorial investments ('ITI'), community-led local development ('CLLD') or any other territorial tool under policy objective "a Europe closer to citizens" supporting initiatives designed by the Member State for investments programmed for the ERDF should be based on territorial and local development strategies. For the purposes of ITIs and territorial tools designed by Member States, minimum requirements should be set out for the content of territorial strategies. Those territorial strategies should be developed and endorsed under the responsibility of relevant authorities or bodies. To ensure the involvement of relevant authorities or bodies in implementing territorial strategies, those authorities or bodies should be responsible for the selection of operations to be supported, or involved in that selection.

(23) To strengthen the integrated territorial development approach, investments in the form of territorial tools such as integrated territorial investments ('ITI'), community-led local development ('CLLD') (*referred to as 'LEADER' under the EARDF*) or any other territorial tool under policy objective "a Europe closer to citizens" supporting initiatives designed by the Member State for investments programmed for the ERDF should be based on territorial and local development strategies. For the purposes of ITIs and territorial tools designed by Member States, minimum requirements should be set out for the content of territorial strategies. Those territorial strategies should be developed and endorsed under the responsibility of relevant authorities or bodies. To ensure the involvement of relevant authorities or bodies in implementing territorial strategies, those authorities or bodies should be responsible for the selection of operations to be supported, or involved in that selection.

## **Amendment 7**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

*Amendment*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, *the European Agricultural Fund for Rural Development (EARDF)*, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

*With regard to the EAFRD the following*

*provisions shall apply:*

- *Title I;*
- *in Title II, Chapter I, Articles 11 and 12 of Chapter II and Chapter III;*
- *in Title III, Chapter II;*
- *in Title IV, Articles 33 to 36 of Chapter I, Chapter II and Chapter III;*
- *in Title V, Chapter I and Section 2 of Chapter I; and*
- *Title IX.*

## **Amendment 8**

### **Proposal for a regulation**

#### **Article 1 – paragraph 6 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) Regulation (EU) No [...] (the 'CAP Strategic Plans Regulation')*

## **Amendment 9**

### **Proposal for a regulation**

#### **Article 1 – paragraph 6 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(c b) Regulation (EU) No [...] (the 'CAP Horizontal Regulation')*

## **Amendment 10**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity;

(c) a more connected Europe by enhancing, **both land and maritime**, mobility and regional ICT connectivity;

## Amendment 11

### Proposal for a regulation

#### Article 4 – paragraph 1 – point e

*Text proposed by the Commission*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural **and** coastal areas and local initiatives.

*Amendment*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural, coastal **and island** areas, and local initiatives.

## Amendment 12

### Proposal for a regulation

#### Article 8 – paragraph 1 – point b – point iii

*Text proposed by the Commission*

(iii) complementarities between the Funds and other Union instruments, including LIFE strategic integrated projects and strategic nature projects;

*Amendment*

(iii) complementarities between the Funds and other Union instruments, including LIFE strategic integrated projects and strategic nature projects, **and, where appropriate, projects funded under Horizon Europe**;

## Amendment 13

### Proposal for a regulation

#### Article 8 – paragraph 1 – point g a (new)

*Text proposed by the Commission*

*Amendment*

**(g a) (h) a description of the territorial approach to be applied by the Member State, including territorial challenges and related national or regional strategies, territorial approach in relation to the 5 POs, links with EAFRD investments in rural areas, territorial instruments.**

## Amendment 14

### Proposal for a regulation

#### Article 11 – paragraph 5 – subparagraph 2



*Text proposed by the Commission*

The first sub-paragraph shall not apply to operations that contribute to the fulfilment of the corresponding enabling condition.

*Amendment*

The first sub-paragraph shall not apply to operations that contribute to the fulfilment of the corresponding enabling condition ***or if the fulfilment is very advanced in the process and the reasons for non-fulfilment do not affect the eligibility of the projects.***

**Amendment 15**

**Proposal for a regulation**

**Article 15 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Commission may request a Member State to review and propose amendments to relevant programmes, where this is necessary to support the implementation of relevant Council Recommendations.

*Amendment*

The Commission may request a Member State to review and propose amendments to relevant programmes, where this is necessary to support the implementation of relevant Council Recommendations ***but without prejudice to the good implementation of the policy objectives of each Funds.***

**Amendment 16**

**Proposal for a regulation**

**Article 15 – paragraph 6**

*Text proposed by the Commission*

***6. Where the Member State fails to take effective action in response to a request made in accordance with paragraph 1, within the deadlines set out in paragraphs 3 and 4, the Commission may suspend all or part of the payments for the programmes or priorities concerned in accordance with Article 91.***

*Amendment*

***deleted***

**Amendment 17**

**Proposal for a regulation**

## Article 15 – paragraph 7

*Text proposed by the Commission*

*Amendment*

- 7. The Commission shall make a proposal to the Council to suspend all or part of the commitments or payments for one or more of the programmes of a Member State in the following cases:**
- (a) where the Council decides in accordance with Article 126(8) or Article 126(11) TFEU that a Member State has not taken effective action to correct its excessive deficit;**
- (b) where the Council adopts two successive recommendations in the same imbalance procedure, in accordance with Article 8(3) of Regulation (EU) No 1176/2011 of the European Parliament and of the Council<sup>40</sup> on the grounds that a Member State has submitted an insufficient corrective action plan;**
- (c) where the Council adopts two successive decisions in the same imbalance procedure in accordance with Article 10(4) of Regulation (EU) No 1176/2011 establishing non-compliance by a Member State on the grounds that it has not taken the recommended corrective action;**
- (d) where the Commission concludes that a Member State has not taken measures as referred to in Council Regulation (EC) No 332/2002<sup>41</sup> and as a consequence decides not to authorise the disbursement of the financial assistance granted to that Member State;**
- (e) where the Council decides that a Member State does not comply with the macro-economic adjustment programme referred to in Article 7 of Regulation (EU) No 472/2013 of the European Parliament and of the Council<sup>42</sup>, or with the measures requested by a Council decision adopted in accordance with Article 136(1) TFEU.**

**deleted**

*Priority shall be given to the suspension of commitments; payments shall be suspended only when immediate action is sought and in the case of significant non-compliance. The suspension of payments shall apply to payment applications submitted for the programmes concerned after the date of the decision to suspend.*

*The Commission may, on grounds of exceptional economic circumstances or following a reasoned request by the Member State concerned addressed to the Commission within 10 days of adoption of the decision or recommendation referred to in the previous sub-paragraph, recommend that the Council cancel the suspension referred to in the same sub-paragraph.*

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<sup>40</sup> *Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25).*

<sup>41</sup> *Council Regulation (EC) No 332/2002 of 18 February 2002 establishing a facility providing medium-term financial assistance for Member States' balances of payments (OJ L 53, 23.2.2002).*

<sup>42</sup> *Regulation (EU) No 472/2013 of the European Parliament and of the Council of 21 May 2013 on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability (OJ L 140, 27.5.2013, p. 1).*

## **Amendment 18**

### **Proposal for a regulation Article 15 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

8. *A proposal by the Commission for the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within one month of the submission of the Commission proposal.* *deleted*

*The suspension of commitments shall apply to the commitments from the Funds for the Member State concerned from 1 January of the year following the decision to suspend.*

*The Council shall adopt a decision, by means of an implementing act, on a proposal by the Commission referred to in paragraph 7 in relation to the suspension of payments.*

#### **Amendment 19**

##### **Proposal for a regulation Article 15 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

9. *The scope and level of the suspension of commitments or payments to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.* *deleted*

#### **Amendment 20**

**Proposal for a regulation**  
**Article 15 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**10. The suspension of commitments shall be subject to a maximum of 25 % of the commitments relating to the next calendar year for the Funds or 0,25 % of nominal GDP whichever is lower, in any of the following cases:** **deleted**

**(a) in the first case of non-compliance with an excessive deficit procedure as referred to under point (a) of paragraph 7;**

**(b) in the first case of non-compliance relating to a corrective action plan under an excessive imbalance procedure as referred to under point b of paragraph 7;**

**(c) in case of non-compliance with the recommended corrective action pursuant to an excessive imbalance procedure as referred to under point (c) of paragraph 7;**

**(d) in the first case of non-compliance as referred to under points (d) and (e) of paragraph 7.**

***In case of persistent non-compliance, the suspension of commitments may exceed the maximum percentages set out in the first sub-paragraph.***

**Amendment 21**

**Proposal for a regulation**  
**Article 15 – paragraph 11**

*Text proposed by the Commission*

*Amendment*

**11. The Council shall lift the suspension of commitments on a proposal from the Commission, in accordance with the procedure set out in paragraph 8, in the following cases:** **deleted**

**(a) where the excessive deficit procedure is held in abeyance in accordance with**

*Article 9 of Council Regulation (EC) No 1467/97<sup>43</sup> or the Council has decided in accordance with Article 126(12) TFEU to abrogate the decision on the existence of an excessive deficit;*

*(b) where the Council has endorsed the corrective action plan submitted by the Member State concerned in accordance with Article 8(2) of Regulation (EU) No 1176/2011 or the excessive imbalance procedure is placed in a position of abeyance in accordance with Article 10(5) of that Regulation or the Council has closed the excessive imbalance procedure in accordance with Article 11 of that Regulation;*

*(c) where the Commission has concluded that a Member State has taken appropriate measures as referred to in Regulation (EC) No 332/2002;*

*(d) where the Commission has concluded that the Member State concerned has taken appropriate measures to implement the adjustment programme referred to in Article 7 of Regulation (EU) No 472/2013 or the measures requested by a decision of the Council in accordance with Article 136(1) TFEU.*

*After the Council has lifted the suspension of commitments, the Commission shall re-budget the suspended commitments in accordance with Article [8] of Council Regulation (EU, Euratom) [...] (MFF regulation)].*

*Suspended commitments may not be re-budgeted beyond the year 2027.*

*The decommitment time limit for the re-budgeted amount in accordance with Article 99 shall start from the year in which the suspended commitment has been re-budgeted.*

*A decision concerning the lifting of the suspension of payments shall be taken by the Council on a proposal by the Commission where the applicable conditions set out in in the first sub-*

*paragraph are fulfilled.*

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<sup>43</sup> *Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure (OJ L 209, 2.8.1997, p. 6).*

## Amendment 22

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point a – point iii

*Text proposed by the Commission*

(iii) challenges identified in relevant country-specific recommendations **and other relevant Union recommendations** addressed to the Member State;

*Amendment*

(iii) challenges identified in relevant country-specific recommendations addressed to the Member State;

## Amendment 23

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point iv

*Text proposed by the Commission*

(iv) specific territories targeted, including the planned use of integrated territorial investment, community-led local development or other territorial tools;

*Amendment*

(iv) specific territories targeted, including **arrangements to address key challenges of insular and peripheral regions** and the planned use of integrated territorial investment, community-led local development or other territorial tools;

## Amendment 24

### Proposal for a regulation

#### Article 18 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its

*Amendment*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as **if applicable**, its consistency with the Partnership

assessment, the Commission shall, in particular, take into account relevant country-specific recommendations.

Agreement. In its assessment, the Commission shall, in particular, take into account relevant country-specific recommendations, ***challenges identified in national and regional development strategies and, where applicable, findings and recommendations of ex-ante evaluations.***

## Amendment 25

### Proposal for a regulation Article 21 – paragraph 1

*Text proposed by the Commission*

1. Member ***States may*** request the transfer of up to 5 % of programme financial allocations from any of the ***Funds to any other Fund under shared management or to any instrument under direct or indirect management.***

*Amendment*

1. ***A Member State may voluntarily*** request the transfer of up to 5 % of programme financial allocations from ***instruments of ERDF, CF or ESF+ to any of the instruments of ERDF, CF or ESF+.***

## Amendment 26

### Proposal for a regulation Article 23 – paragraph 5

*Text proposed by the Commission*

5. Support may be provided for the preparation and design of territorial strategies.

*Amendment*

5. Support may be provided for the preparation and design of territorial strategies, ***especially as regards technical assistance towards geographical areas which suffer from permanent natural or demographic handicaps as referred to in Article 174 TFEU;***

## Amendment 27

### Proposal for a regulation Article 25 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the

*Amendment*

1. The ERDF, the ESF+ , ***the EAFRD***



EMFF may support community-led local development.

*as referred to in Regulation XX/XXX and the EMFF may support community-led local development.*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 25 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1 a. The EAFRD shall support community-led local development. In that case it shall be referred to as "LEADER".**

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 53 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

7. The managing authority, in managing the financial instrument pursuant to paragraph 2, or the body implementing the financial instrument, in managing the financial instrument pursuant to paragraph 3, shall keep separate accounts or maintain an accounting code per priority and per each category of region **or by type of interventions for the EARDF** for each programme contribution and separately for resources referred to in Articles 54 and 56 respectively.

## **Amendment 30**

### **Proposal for a regulation**

#### **Article 70 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(c a) certifying the completeness, accuracy and veracity of the accounts and that the expenditure entered in the accounts complies with applicable law**

*and has been incurred in respect of operations selected for funding in accordance with the criteria applicable to the operational programme and complying with applicable law;*

### **Amendment 31**

#### **Proposal for a regulation Article 70 – paragraph 1 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(c b) ensuring, for the purposes of drawing up and submitting payment applications, that it has received adequate information from the managing authority on the procedures and verifications carried out in relation to expenditure;*

### **Amendment 32**

#### **Proposal for a regulation Article 70 – paragraph 1 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

*(c c) taking account when drawing up and submitting payment applications of the results of all audits carried out by, or under the responsibility of, the audit authority;*

### **Amendment 33**

#### **Proposal for a regulation Article 70 – paragraph 1 – point c d (new)**

*Text proposed by the Commission*

*Amendment*

*(c d) maintaining, in a computerised form, accounting records of expenditure declared to the Commission and of the corresponding public contribution paid to beneficiaries;*

## Amendment 34

### Proposal for a regulation

#### Article 71 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

Where programmes are grouped for the purpose of audits of operations pursuant to Article 73(2), the information required under paragraph (3)(b) *may be* grouped in a single report.

*Amendment*

Where programmes are grouped for the purpose of audits of operations pursuant to Article 73(2), the information required under paragraph (3)(b) *is* grouped in a single report.

*Justification*

*My view is that grouping of programmes and reports makes processes significantly simpler.*

## Amendment 35

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) 2022: *0.5* %;

*Amendment*

(b) 2022: *0.7* %;

## Amendment 36

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point c

*Text proposed by the Commission*

(c) 2023: *0.5* %;

*Amendment*

(c) 2023: *1* %;

## Amendment 37

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point d

*Text proposed by the Commission*

(d) 2024: *0.5* %;

*Amendment*

(d) 2024: *1.5* %;

## Amendment 38

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point e

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5 %**;

(e) 2025: **2 %**;

## Amendment 39

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point f

*Text proposed by the Commission*

*Amendment*

(f) 2026: **0.5 %**

(f) 2026: **2 %**

## Amendment 40

### Proposal for a regulation

#### Article 91 – paragraph 1 – point e

*Text proposed by the Commission*

*Amendment*

***(e) the Member State has failed to take the necessary action in accordance with Article 15(6).***

***deleted***

## Amendment 41

### Proposal for a regulation

#### Article 99 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3 a. Any amount unequivocally decommitted following the procedure set out in Article 101 will be made available again in the Union budget through the Global Margin for Commitments (Union Reserve) in accordance with Article 12(1)(b) of the Council Regulation (EU, Euratom) No XXXX/20XX of {date} laying down the multiannual financial framework for the years 2021-2027. It will***

*subsequently be mobilised by the European Parliament and the Council in the framework of the annual budgetary procedure.*

#### **Amendment 42**

##### **Proposal for a regulation**

##### **Article 100 – paragraph 1 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(b a) in exceptional and duly justified cases, the Commission has concluded that it has not been possible to make a payment application due to procedural delays related to the late adoption and implementation of programming documents and relevant legislation at Union level.*

#### **Amendment 43**

##### **Proposal for a regulation**

##### **Article 103 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **330 624 388 630** in 2018 prices.

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be **EUR 378 097 000 000 in 2018 prices (EUR 426 534 000 000 in current prices)**.

#### *Justification*

*In line with the decision of the Conference of Presidents of 13 September 2018, the compromise amendment reflects the latest breakdown of the MFF per programme as proposed for adoption by the MFF Rapporteurs in view of the vote on the draft interim report on the proposal for a Council regulation on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement.*

#### **Amendment 44**

##### **Proposal for a regulation**

##### **Article 104 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Resources for the Investment for jobs and growth goal shall amount to **97.5 %** of the global resources (*i.e., a total of **EUR 322 194 388 630***) and shall be allocated as follows:

1. Resources for the Investment for jobs and growth goal shall amount to **97 %** of the global resources and shall be allocated as follows:

*Justification*

*In line with the increase to reach 3% for the European territorial cooperation in article 104 paragraph 7*

**Amendment 45**

**Proposal for a regulation**  
**Article 104 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) 61.6 % (*i.e a total of **EUR 198 621 593 157***) for less developed regions;

(a) 61.6 % for less developed regions;

**Amendment 46**

**Proposal for a regulation**  
**Article 104 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 14.3 % (*i.e a total of **EUR 45 934 516 595***) for transition regions;

(b) 14.3 % for transition regions;

**Amendment 47**

**Proposal for a regulation**  
**Article 104 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 10.8 % (*i.e., a total of **EUR 34 842 689 000***) for more developed regions;

(c) 10.8 % for more developed regions;

## Amendment 48

### Proposal for a regulation

#### Article 104 – paragraph 1 – point d

*Text proposed by the Commission*

(d) 12.8 % (*i.e., a total of EUR 41 348 556 877*) for Member States supported by the Cohesion Fund;

*Amendment*

(d) 12.8 % for Member States supported by the Cohesion Fund;

## Amendment 49

### Proposal for a regulation

#### Article 104 – paragraph 1 – point e

*Text proposed by the Commission*

(e) 0.4 % (*i.e., a total of EUR 1 447 034 001*) as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

*Amendment*

(e) 0.4 % as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

## Amendment 50

### Proposal for a regulation

#### Article 104 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

The amount of resources available for the ESF+ under the Investment for jobs and growth goal shall be EUR **88 646 194 590**.

*Amendment*

The amount of resources available for the ESF+ under the Investment for jobs and growth goal shall be **EUR 105 686 000 000 in 2018 prices (EUR 119 222 000 000 in current prices)**.

#### *Justification*

*In line with the decision of the Conference of Presidents of 13 September 2018, the compromise amendment reflects the latest breakdown of the MFF per programme as proposed for adoption by the MFF Rapporteurs in view of the vote on the draft interim report on the proposal for a Council regulation on the Multiannual Financial Framework 2021-2027 – Parliament's position with a view to an agreement.*

## Amendment 51

### Proposal for a regulation

#### Article 104 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The amount of additional funding for the outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall be EUR **376 928 934**.

*Amendment*

The amount of additional funding for the outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall be EUR **424 296 054 in 2018 prices**.

## Amendment 52

### Proposal for a regulation

#### Article 104 – paragraph 4 – subparagraph 5

*Text proposed by the Commission*

**30% of the resources transferred to the CEF shall be available immediately after the transfer to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].**

*Amendment*

*deleted*

## Amendment 53

### Proposal for a regulation

#### Article 104 – paragraph 4 – subparagraph 6

*Text proposed by the Commission*

**Rules applicable for the transport sector under Regulation (EU) [new CEF Regulation] shall apply to the specific calls referred to in the first subparagraph. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70% of the resources transferred to the CEF.**

*Amendment*

*deleted*

## Amendment 54



**Proposal for a regulation**  
**Article 104 – paragraph 4 – subparagraph 7**

*Text proposed by the Commission*

*Amendment*

*As of 1 January 2024, resources transferred to the CEF which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].*

*deleted*

**Amendment 55**

**Proposal for a regulation**  
**Article 104 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. EUR **500 000 000** of the resources for the Investment for jobs and growth goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

5. EUR **560 000 000 in 2018 prices** of the resources for the Investment for jobs and growth goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

**Amendment 56**

**Proposal for a regulation**  
**Article 104 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. EUR **175 000 000** of the ESF+ resources for the Investment for jobs and growth goal shall be allocated for transnational cooperation supporting innovative solutions under direct or indirect management.

6. EUR **196 000 000 in 2018 prices** of the ESF+ resources for the Investment for jobs and growth goal shall be allocated for transnational cooperation supporting innovative solutions under direct or indirect management.

**Amendment 57**

**Proposal for a regulation**  
**Article 104 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **2.5** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027 (*i.e. a total of EUR 8 430 000 000*).

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **3** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027.

**Amendment 58**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) **70** % for the less developed regions;

(a) **85** % for the less developed regions;

**Amendment 59**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) **55** % for the transition regions;

(b) **60** % for the transition regions;

**Amendment 60**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) **40** % for the more developed regions.

(c) **50** % for the more developed regions.

**Amendment 61**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **70** %.

*Amendment*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **85** %.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	BUDG 11.6.2018
<b>Rapporteur</b> Date appointed	Siegfried Mureşan 28.6.2018
<b>Discussed in committee</b>	24.9.2018
<b>Date adopted</b>	10.12.2018
<b>Result of final vote</b>	+: 23 -: 3 0: 2

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

23	+
ALDE	Nedzhmi Ali, Jean Arthuis
PPE	Richard Ashworth, Lefteris Christoforou, José Manuel Fernandes, Ingeborg Gräble, Siegfried Mureşan, Jan Olbrycht, Paul Rübig, Petri Sarvamaa, Claudia Schmidt, Patricija Šulin, Inese Vaidere
S&D	Clara Eugenia Aguilera García, Eider Gardiazabal Rubial, Jens Geier, Karine Gloanec Maurin, John Howarth, Pina Picierno, Manuel dos Santos
Verts/ALE	Jordi Solé, Indrek Tarand, Monika Vana

3	-
EFDD	Marco Valli
ENF	André Elissen, Marco Zanni

2	0
GUE/NGL	Xabier Benito Ziluaga, Liadh Ní Riada

Key to symbols:

+ : in favour

- : against

0 : abstention

11.10.2018

## **POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON BUDGETARY CONTROL**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

On behalf of the Committee on Budgetary Control: Iris Hoffmann (rapporteur)

### **AMENDMENTS**

The Committee on Budgetary Control presents the following amendments to the Committee on Regional Development, as the committee responsible:

#### **Amendment 1**

##### **Proposal for a regulation Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) When selecting projects, it is necessary to ensure a result-driven approach; to this end, Member States should make a comparison of the applications for funding and evaluate the results on the basis of the relevant indicators included in the project. The selection of projects should be based on a direct comparison of applications, avoiding the use of the 'first come, first***

*served' concept.*

## Amendment 2

### Proposal for a regulation Recital 20

*Text proposed by the Commission*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

*Amendment*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal **and after consulting the European Parliament**. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

## Amendment 3

### Proposal for a regulation Recital 27

*Text proposed by the Commission*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the

*Amendment*

(27) In order to examine the performance of the programmes, the Member State should, **in a transparent manner**, set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured

latest information and data on programme implementation made available by the Member State.

policy dialogue based on the latest information and data on programme implementation made available by the Member State.

#### **Amendment 4**

##### **Proposal for a regulation**

##### **Recital 35**

*Text proposed by the Commission*

(35) To enable immediate implementation of flat-rates, any flat rate established by Member States in the 2014-2020 period based on a fair, equitable and verifiable calculation method should continue to be applied for similar operations supported under this Regulation without requiring a new calculation method.

*Amendment*

(35) To enable immediate implementation of flat-rates, any flat rate established by Member States in the 2014-2020 period based on a fair, equitable and verifiable calculation method should continue to be applied for similar operations supported under this Regulation without requiring a new calculation method, ***albeit with due allowance made for inflation.***

#### **Amendment 5**

##### **Proposal for a regulation**

##### **Recital 45 a (new)**

*Text proposed by the Commission*

*Amendment*

***(45a) For the purposes of fighting transnational fraud with respect to the programmes, a fast and efficient system should be established for exchanging information by means of mutual administrative assistance between competent authorities that will make it possible to cross-check accounting records for transactions between two or more Member States, thereby ensuring a horizontal and comprehensive approach to protecting the financial interests of Member States.***

#### **Amendment 6**



**Proposal for a regulation**  
**Recital 52**

*Text proposed by the Commission*

(52) A reduction of verifications and audit requirements should be possible where there is assurance that the programme has functioned effectively for the latest two consecutive years since this demonstrates that the Funds are being implemented effectively and efficiently over a prolonged period of time.

*Amendment*

(52) A reduction of verifications and audit requirements should be possible where there is assurance that the programme has functioned effectively for the latest two consecutive years since this demonstrates that the Funds are being implemented effectively and efficiently over a prolonged period of time, **while retaining the possibility of random and unannounced checks.**

**Amendment 7**

**Proposal for a regulation**  
**Recital 58**

*Text proposed by the Commission*

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other **illegal** activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully

*Amendment*

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other **irregular** activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully

cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should report to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations.

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<sup>18</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>20</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>21</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should report to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations.

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<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

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<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

## Amendment 8

### Proposal for a regulation

#### Recital 70

##### *Text proposed by the Commission*

(70) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

##### *Amendment*

(70) It is of particular importance that the Commission carry out **transparent and** appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

## Amendment 9

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 12

##### *Text proposed by the Commission*

(12) 'output indicator' means **an** indicator to measure the specific deliverables of the intervention;

##### *Amendment*

(12) 'output indicator' means **a qualitative or quantitative** indicator to measure the specific deliverables of the intervention;

## Amendment 10

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 13

##### *Text proposed by the Commission*

(13) 'result indicator' means an indicator to measure the short term effects of the

##### *Amendment*

(13) 'result indicator' means an **qualitative or quantitative** indicator to

interventions supported, with particular reference to the direct addressees, population targeted or users of infrastructure;

measure the short term effects of the interventions supported, with particular reference to the direct addressees, population targeted or users of infrastructure;

## Amendment 11

### Proposal for a regulation Article 6 – paragraph 2

*Text proposed by the Commission*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation and implementation of programmes including through participation in monitoring committees in accordance with Article 34.

*Amendment*

2. In accordance with the multi-level governance principle, the Member State shall involve **and respect** those partners in the preparation of Partnership Agreements and throughout the preparation and implementation of programmes including through participation in monitoring committees in accordance with Article 34.

## Amendment 12

### Proposal for a regulation Article 6 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3a. The Commission shall notify the delegated act, referred to in paragraph 3 of this Article, on the European code of conduct on partnership, simultaneously to the European Parliament and to the Council by 31 July 2020. That delegated act shall not specify a date of application that is earlier than the date of its adoption.**

## Amendment 13

### Proposal for a regulation Article 6 – paragraph 3 b (new)

*Text proposed by the Commission*

*Amendment*

**3b. An infringement of any obligation imposed on Member States either by this Article or by Delegated Regulation (EU) No 240/2014 shall not constitute an irregularity leading to a financial correction pursuant to Article 98.**

## **Amendment 14**

### **Proposal for a regulation Article 6 – paragraph 4**

*Text proposed by the Commission*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes.

*Amendment*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes, **and shall report to the European Parliament and Council on the outcome.**

## **Amendment 15**

### **Proposal for a regulation Article 8 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) the amounts to be contributed to InvestEU by Fund and by category of regions;

*Amendment*

(e) **where justified**, the amounts to be contributed to InvestEU by Fund and by category of regions;

## **Amendment 16**

### **Proposal for a regulation Article 9 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, in particular, take into account relevant country-specific

*Amendment*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, in particular, take into account relevant country-specific recommendations **and respect the**

recommendations.

*partnership and multi-level governance principles.*

#### **Amendment 17**

##### **Proposal for a regulation Article 11 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a. In the event of a disagreement between the Commission and a Member State on the applicability of an enabling condition to the specific objective or the priorities of a programme or its fulfilment, the Commission shall bear the burden of proving the applicability or the non-fulfilment by means of a reasoned opinion.**

#### **Amendment 18**

##### **Proposal for a regulation Article 11 – paragraph 6 b (new)**

*Text proposed by the Commission*

*Amendment*

**6b. The Commission shall without delay lift the suspension of interim payments for a priority where a Member State has completed the actions related to the fulfilment of the enabling conditions applicable to the programme concerned which had not been fulfilled at the time of the decision of the Commission on the suspension. It shall also without delay lift the suspension where, following amendment of the programme related to the priority concerned, the enabling condition concerned is no longer applicable.**

#### **Amendment 19**

##### **Proposal for a regulation Article 14 – paragraph 1 – point c a (new)**

PE626.671v02-00

198/408

RR1175395EN.docx

*Text proposed by the Commission*

*Amendment*

**(ca) the relevance of indicators which have been applied as yet.**

## **Amendment 20**

### **Proposal for a regulation Article 15 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. Where the Member State fails to take effective action in response to a request made in accordance with paragraph 1, within the deadlines set out in paragraphs 3 and 4, the Commission may suspend all or part of the payments for the programmes or priorities concerned in accordance with Article 91.**

**deleted**

## **Amendment 21**

### **Proposal for a regulation Article 15 – paragraph 7 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall make a proposal to the Council to suspend all or part of the commitments **or payments** for one or more of the programmes of a Member State in the following cases:

The Commission shall make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of a Member State in the following cases:

## **Amendment 22**

### **Proposal for a regulation Article 15 – paragraph 7 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

**Priority shall be given to the suspension of commitments; payments shall be suspended only when immediate action is sought and in the case of significant non-**

**deleted**

*compliance. The suspension of payments shall apply to payment applications submitted for the programmes concerned after the date of the decision to suspend.*

#### **Amendment 23**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 8 – subparagraph 1**

*Text proposed by the Commission*

A proposal by the Commission for the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within **one month** of the submission of the Commission proposal.

*Amendment*

A proposal by the Commission for the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within **three months** of the submission of the Commission proposal.

#### **Amendment 24**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 8 – subparagraph 3**

*Text proposed by the Commission*

***The Council shall adopt a decision, by means of an implementing act, on a proposal by the Commission referred to in paragraph 7 in relation to the suspension of payments.***

*Amendment*

***deleted***

#### **Amendment 25**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 9**

*Text proposed by the Commission*

9. The scope and level of the suspension of commitments **or payments** to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account

*Amendment*

9. The scope and level of the suspension of commitments to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the



the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.

economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.

#### **Amendment 26**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 10 – subparagraph 2**

*Text proposed by the Commission*

In case of persistent non-compliance, the suspension of commitments *may exceed* the maximum percentages set out in the first sub-paragraph.

*Amendment*

In case of persistent non-compliance, the suspension of commitments *is subject to a ceiling of twice* the maximum percentages set out in the first sub-paragraph.

#### **Amendment 27**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 11 – subparagraph 5**

*Text proposed by the Commission*

*A decision concerning the lifting of the suspension of payments shall be taken by the Council on a proposal by the Commission where the applicable conditions set out in in the first subparagraph are fulfilled.*

*Amendment*

*deleted*

#### **Amendment 28**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 11 a (new)**

*Text proposed by the Commission*

*Amendment*

**11a. The procedure set out in paragraphs 7 to 11 shall be applied only where:**

**(a) economic governance tools have already been deployed,**

**(b) those tools have proven insufficient to improve macroeconomic and fiscal stability, and**

**(c) one of the cases referred to in points (a) to (e) of paragraph 7 is putting cohesion policy expenditure in that Member State at risk.**

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 15 – paragraph 12 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall keep the European Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide details of the Funds and programmes which could be subject to a suspension of commitments.

*Amendment*

The Commission shall keep the European Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide ***reasons for its proposal and*** details of the Funds and programmes which could be subject to a suspension of commitments, ***as well as the expected impact of that suspension on the Member State's economy, for the purposes of structured dialogue to ensure a meaningful debate and facilitate a transparent enforcement process. The Commission shall inform the European Parliament before it makes a proposal on suspension of commitments.***

## **Amendment 30**

### **Proposal for a regulation**

#### **Article 15 – paragraph 12 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***The European Parliament may invite the Commission for a structured dialogue on the application of this Article, having regard to the transmission of the information referred to in the first subparagraph.***

***deleted***

### **Amendment 31**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 12 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension, to the European Parliament and to the Council.

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension to the European Parliament and to the Council ***immediately after its adoption, stating the reasons for the proposal.***

### **Amendment 32**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 13**

*Text proposed by the Commission*

*Amendment*

13. Paragraphs 1 to 12 shall not apply to priorities or programmes under Article [4(c)(v)(ii)] of ESF+ Regulation.

13. Paragraphs 1 to 12 shall not apply to priorities or programmes under Article [4(1)(xi)] of ***the*** ESF+ Regulation.

### **Amendment 33**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 3 – subparagraph 1 – point a – point iii**

*Text proposed by the Commission*

*Amendment*

(iii) challenges identified in relevant country-specific recommendations ***and other relevant Union recommendations addressed to the Member State;***

(iii) challenges identified in relevant country-specific recommendations;

## Amendment 34

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

Points (c) and (d) of this paragraph shall not apply to the specific objective set out in Article [4(c)(vii)] of the ESF+Regulation.

*Amendment*

Points (c) and (d) of this paragraph shall not apply to the specific objective set out in Article [4(I)(xi)] of the ESF+Regulation.

## Amendment 35

### Proposal for a regulation

#### Article 20 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs *and* growth goal.

*Amendment*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs, growth *and social inclusion* goal.

## Amendment 36

### Proposal for a regulation

#### Article 29 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. *In order to avoid situations where payments are suspended, the Commission shall ensure that Member States and regions which face compliance concerns owing to a lack of administrative capacity receive adequate technical assistance to improve their administrative capacity.***

## Amendment 37

### Proposal for a regulation

#### Article 37 – paragraph 2 – point a

*Text proposed by the Commission*

(a) the number of selected operations, their total eligible cost, the contribution from the Funds and the total eligible expenditure declared by the beneficiaries to the managing authority, all broken down by types of intervention;

*Amendment*

(a) ***in the data transmissions due by 31 January, 31 March, 31 May, 31 July, 30 September and 30 November of each year***, the number of selected operations, their total eligible cost, the contribution from the Funds and the total eligible expenditure declared by the beneficiaries to the managing authority, all broken down by types of intervention;

**Amendment 38**

**Proposal for a regulation**

**Article 37 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) the values of output and result indicators for selected operations and values achieved by operations.

*Amendment*

(b) ***in the data transmissions due by 31 May and 30 November of each year only***, the values of output and result indicators for selected operations and values achieved by operations.

**Amendment 39**

**Proposal for a regulation**

**Article 63 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators.

*Amendment*

4. Member States shall ensure the quality, ***independence*** and reliability of the monitoring system and of data on indicators.

22.11.2018

## **OPINION OF THE COMMITTEE ON ECONOMIC AND MONETARY AFFAIRS**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Ivana Maletić

### **SHORT JUSTIFICATION**

The proposal for a regulation of the European parliament and of the Council laying down common provisions brings together seven European Funds delivered through shared management. The goal is to create a common set of simplified and consolidated rules, reducing the administrative burden for programme authorities and beneficiaries.

The rapporteur agrees that there is a need for a simplified approach, increased flexibility and reduced unnecessary administrative burden for beneficiaries and managing bodies while maintaining a high level of assurance of legality and regularity.

The rapporteur welcomes that aligning the programmes more closely with EU priorities and increase their effectiveness, especially forging a closer link with the European Semester process is one of the main objective of the proposed CPR. The rapporteur considers that the need for programme modifications to accommodate relevant CSRs adopted or modified since the start of the programming period and Commission request to a Member State to review and propose amendments to relevant programmes, where this is necessary to support the implementation of relevant Council Recommendations should be consider only if all funds available under the Reform Support Programme (RSP) for the Member State are absorbed, since the reform delivery tool within RSP covers reforms aimed at addressing challenges identified in the context of the European Semester including those identified in the CSRs and the funds will be allocated to MSs on the basis of the population of each MS in the first stage, and in the second stage through the calls for proposals based on concurrency.

Regarding the measures linking effectiveness of funds to sound economic governance, the

Commission and the Council can take decisions without a clear position from the European Parliament, only keeping it informed on measures' implementation. The rapporteur deems it necessary to strengthen the role of the Parliament in that manner, proposing that a proposal for suspension of commitments or the proposal to lift such a suspension should be deemed adopted by the Council after a structured dialogue with the European Parliament.

The rapporteur supports introduction of an “escape clause” allowing the Commission to recommend that the Council cancel the suspension in case of exceptional economic circumstances or following a reasoned request by the Member State concerned.

## AMENDMENTS

The Committee on Economic and Monetary Affairs calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation Recital 11

##### *Text proposed by the Commission*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) **No 240/2014**<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

##### *Amendment*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach **at local, regional and national level**, and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) **No 240/2014**<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

## Amendment 2

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner *and* to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.

##### *Amendment*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner, to maximise the added value of the financial support to be received notably from the Funds, *the Reform Support Programme*, the European Investment Stabilisation Function and InvestEU *and to help implement the priorities identified in the European Semester process*.

## Amendment 3

### Proposal for a regulation

#### Recital 13

##### *Text proposed by the Commission*

(13) Member States should *determine how relevant* country-specific recommendations adopted in accordance with Article 121(2) of the TFEU and *relevant* Council recommendations adopted in accordance with Article 148(4) of the TFEU ('CSR's) *are taken into account* in the preparation of programming documents. During *the 2021–2027* programming period ('programming period'), Member States should regularly

##### *Amendment*

(13) Member States should *take into account* country-specific recommendations adopted in accordance with Article 121(2) of the TFEU and Council recommendations adopted in accordance with Article 148(4) of the TFEU ('CSR's) in the preparation of programming documents. During *the 2021–2027* programming period ('programming period'), Member States should regularly present to the monitoring committee and to



present to the monitoring committee and to the Commission the progress in implementing the programmes in support of the CSRs. During a mid-term review, Member States should, among other elements, consider the need for programme modifications to accommodate relevant CSRs adopted or modified since the start of the programming period.

the Commission the progress in implementing the programmes in support of the CSRs. During a mid-term review, Member States should, among other elements, consider the need for programme modifications to accommodate relevant CSRs adopted or modified since the start of the programming period.

#### **Amendment 4**

##### **Proposal for a regulation Recital 15**

*Text proposed by the Commission*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, Partnership Agreements can be included as part of a programme.

*Amendment*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. ***Member States should take into account features and specificities pointed out from local and regional administrations.*** In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, Partnership Agreements can be included as part of a programme.

#### **Amendment 5**

##### **Proposal for a regulation Recital 20**

*Text proposed by the Commission*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union ***should*** be further ***refined***, allowing the Commission to make a proposal to the Council to suspend all or part of the

*Amendment*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union ***must*** be further ***strengthened***, allowing the Commission to make a proposal to the Council to suspend all or part of the

commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. ***In the case of significant non-compliance payments should be suspended automatically.*** In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used. ***Suspensions must not be cancelled due to political considerations.***

#### **Amendment 6**

##### **Proposal for a regulation Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20a) The Commission should have an obligation to notify the European Parliament about a proposal for suspension of commitments or a proposal to lift such a suspension, and prior to the final decision on suspension, the European Parliament's opinion on the proposals should be taken into consideration, as a conclusion of a structured dialogue.***

#### **Amendment 7**

##### **Proposal for a regulation Recital 27**

*Text proposed by the Commission*

*Amendment*

(27) In order to examine the

(27) In order to examine the

performance of the programmes, the Member State should **set up** monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation made available by the Member State.

performance of the programmes, the Member State should **setup** monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation made available by the Member State **with the information given by regional and local entities**.

## Amendment 8

### Proposal for a regulation

#### Article 4 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***a more competitive and economic resilient Europe***

## Amendment 9

### Proposal for a regulation

#### Article 6 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation and implementation of programmes including through participation in monitoring committees in accordance with Article 34.

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation and implementation of programmes, including through participation in monitoring committees in accordance with Article 34. ***If the programmes in question are cross-border programmes, the Member States involved shall include their partners from all participating Member States.***

## Amendment 10

### Proposal for a regulation

#### Article 7 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. The Partnership Agreement shall be developed by the Member States, in cooperation with the partners referred to in Article 6, in dialogue with the Commission and on the basis of procedures which are transparent for the public.**

## **Amendment 11**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, and where relevant, a justification for using the delivery mode of the InvestEU, taking into account relevant country-specific recommendations;

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, and where relevant, a justification for using **Reform Support Programme** and the delivery mode of the InvestEU, taking into account relevant country-specific recommendations;

## **Amendment 12**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) an analysis of disparities, development needs and growth potential with respect to the thematic objectives and territorial challenges and taking into account the National Reform Programme, where appropriate, and relevant country-specific recommendations;**

## Amendment 13

### Proposal for a regulation

#### Article 8 – paragraph 1 – point b – point i

##### *Text proposed by the Commission*

(i) a summary of the policy choices and the main results expected for each of the Funds, including where relevant, through the use of InvestEU;

##### *Amendment*

(i) a summary of the policy choices and the main results expected for each of the Funds, including where relevant, through the use of ***Reform Support Programme and*** InvestEU;

## Amendment 14

### Proposal for a regulation

#### Article 10 – paragraph 1

##### *Text proposed by the Commission*

1. Member States may allocate, in the Partnership Agreement or in the request for an amendment of a programme, the amount of ERDF, the ESF+, the Cohesion Fund and the EMFF to be contributed to InvestEU and delivered through budgetary guarantees. The amount to be contributed to InvestEU shall not exceed 5 % of the total allocation of each Fund, ***except in duly justified cases***. Such contributions shall not constitute transfers of resources under Article 21.

##### *Amendment*

1. Member States may allocate, in the Partnership Agreement or in the request for an amendment of a programme, the amount of ERDF, the ESF+, the Cohesion Fund and the EMFF to be contributed to InvestEU and delivered through budgetary guarantees. The amount to be contributed to InvestEU shall not exceed 5 % of the total allocation of each Fund. Such contributions shall not constitute transfers of resources under Article 21. ***While fully respecting the principle of territoriality in the redistribution of resources, these contributions shall also be managed in a shared way with the competent national and regional authorities.***

## Amendment 15

### Proposal for a regulation

#### Article 13 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) the criteria applied by the Member State to select indicators;

##### *Amendment*

(a) the criteria applied by the Member State to select indicators ***also given by***

*regional and local entities;*

## Amendment 16

### Proposal for a regulation Article 15 – paragraph 1

*Text proposed by the Commission*

1. The Commission may request a Member State to review and propose amendments to relevant programmes, where this is necessary to support the implementation of relevant Council Recommendations.

*Amendment*

1. The Commission may request a Member State to review and propose amendments to relevant programmes, where this is necessary to support the implementation of relevant Council Recommendations, ***if all funds available under the Reform Support Programme for the Member State are absorbed.***

## Amendment 17

### Proposal for a regulation Article 15 – paragraph 6

*Text proposed by the Commission*

6. Where the Member State fails to take effective action in response to a request made in accordance with paragraph 1, within the deadlines set out in paragraphs 3 and 4, the Commission may suspend all or part of the ***payments*** for the programmes or priorities concerned in accordance with Article 91.

*Amendment*

6. Where the Member State fails to take effective action in response to a request made in accordance with paragraph 1, within the deadlines set out in paragraphs 3 and 4, the Commission may suspend all or part of the ***commitments*** for the programmes or priorities concerned in accordance with Article 91.

## Amendment 18

### Proposal for a regulation Article 15 – paragraph 7 – subparagraph 1 – introductory part

*Text proposed by the Commission*

***The*** Commission shall make a proposal to the Council to suspend all or part of the

*Amendment*

***After taking into account economic and social circumstances of the Member State***

commitments *or payments* for one or more of the programmes of a Member State in the following cases:

*concerned and the impact of the envisaged suspension on the economy, the Commission shall make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of a Member State in the following cases:*

#### **Amendment 19**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 7 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Priority shall be given to the suspension of commitments; payments shall be suspended only when immediate action is sought and in the case of significant non-compliance. The suspension of payments shall apply to payment applications submitted for the programmes concerned after the date of the decision to suspend.*

*deleted*

#### **Amendment 20**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 10 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The suspension of commitments shall be subject to a maximum of **25** % of the commitments relating to the next calendar year for the Funds or **0,25** % of nominal GDP whichever is lower, in any of the following cases:

The suspension of commitments shall be subject to a maximum of **50** % of the commitments relating to the next calendar year for the Funds or **0,5** % of nominal GDP whichever is lower, in any of the following cases:

#### **Amendment 21**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 12 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall keep the European Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide details of the Funds and programmes which could be subject to a suspension of commitments.

*Amendment*

The Commission shall keep the European Parliament informed of the implementation of this Article. In particular, the Commission shall, when one of the conditions set out in paragraph 7 is fulfilled for a Member State, immediately inform the European Parliament and provide details of the Funds and programmes which could be subject to a suspension of commitments ***and the impact of the envisaged suspension on the economy.***

**Amendment 22**

**Proposal for a regulation**

**Article 15 – paragraph 12 – subparagraph 3**

*Text proposed by the Commission*

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension, to the European Parliament and to the Council.

*Amendment*

The Commission shall transmit the proposal for suspension of commitments or the proposal to lift such a suspension, to the European Parliament ***for opinion*** and to the Council ***for decision***.

**Amendment 23**

**Proposal for a regulation**

**Article 32 – paragraph 1**

*Text proposed by the Commission*

In addition to Article 31, the Member State may propose to undertake additional technical assistance actions to reinforce the capacity of Member State authorities, beneficiaries and relevant partners necessary for the effective administration and use of the Funds.

*Amendment*

In addition to Article 31, the Member State may propose to undertake additional technical assistance actions to reinforce the ***institutional capacity and efficiency of public authorities and public services and the*** capacity of Member State authorities, beneficiaries and relevant partners necessary for the effective administration and use of the Funds.



## Amendment 24

### Proposal for a regulation

#### Article 43 – paragraph 2

*Text proposed by the Commission*

2. Each managing authority shall identify a communication officer for each programme ('programme communication officer').

*Amendment*

2. Each managing authority shall identify a communication officer for each programme ('programme communication officer'). ***The communication officer shall take into account all the official and co-official languages of the Member State, or the official languages of the regional and/or local entity or entities, where the programme is to be implemented.***

## Amendment 25

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) 2022: **0.5** %;

*Amendment*

(b) 2022: **0.7** %;

## Amendment 26

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point c

*Text proposed by the Commission*

(c) 2023: **0.5** %;

*Amendment*

(c) 2023: **1** %;

## Amendment 27

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point d

*Text proposed by the Commission*

(d) 2024: **0.5** %;

*Amendment*

(d) 2024: **1.5** %;

## Amendment 28

**Proposal for a regulation**

**Article 84 – paragraph 2 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5** %;

(e) 2025: **2** %;

**Amendment 29**

**Proposal for a regulation**

**Article 84 – paragraph 2 – subparagraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

(f) **2026: 0.5** %

(f) 2026: **2** %

**Amendment 30**

**Proposal for a regulation**

**Article 106.<sup>o</sup> – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) **70** % for the less developed regions;

(a) **85** % for the less developed regions;

**Amendment 31**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) **55** % for the transition regions;

(b) **65** % for the transition regions;

**Amendment 32**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) **40** % for the more developed regions.

(c) **50** % for the more developed regions.

### **Amendment 33**

#### **Proposal for a regulation**

#### **Article 106 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **70** %.

*Amendment*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **85** %.

### **Amendment 34**

#### **Proposal for a regulation**

#### **Article 106 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The co-financing rate for Interreg programmes shall be no higher than **70** %.

*Amendment*

The co-financing rate for Interreg programmes shall be no higher than **85** %.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument	
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)	
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018	
<b>Opinion by</b> Date announced in plenary	ECON 11.6.2018	
<b>Rapporteur</b> Date appointed	Ivana Maletić 20.6.2018	
<b>Discussed in committee</b>	1.10.2018	12.11.2018
<b>Date adopted</b>	20.11.2018	
<b>Result of final vote</b>	+	28
	-	24
	0:	0
<b>Members present for the final vote</b>	Hugues Bayet, Pervenche Berès, David Coburn, Thierry Cornillet, Esther de Lange, Markus Ferber, Jonás Fernández, Giuseppe Ferrandino, Stefan Gehrold, Sven Giegold, Roberto Gualtieri, Brian Hayes, Gunnar Hökmark, Danuta Maria Hübner, Petr Ježek, Barbara Kappel, Wolf Klinz, Georgios Kyrtsos, Philippe Lamberts, Werner Langen, Bernd Lucke, Olle Ludvigsson, Ivana Maletić, Marisa Matias, Costas Mavrides, Alex Mayer, Luděk Niedermayer, Stanisław Ożóg, Sirpa Pietikäinen, Dariusz Rosati, Pirkko Ruohonen-Lerner, Anne Sander, Alfred Sant, Pedro Silva Pereira, Peter Simon, Paul Tang, Ramon Tremosa i Balcells, Ernest Urtasun, Marco Valli, Tom Vandenkendelaere, Miguel Viegas, Jakob von Weizsäcker	
<b>Substitutes present for the final vote</b>	Andrea Cozzolino, Ashley Fox, Jeppe Kofod, Paloma López Bermejo, Michel Reimon, Joachim Starbatty, Lieve Wierinck	
<b>Substitutes under Rule 200(2) present for the final vote</b>	Pilar Ayuso, Elmar Brok, Helga Stevens	

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

28	+
ALDE	Thierry Cornillet, Petr Ježek, Wolf Klinz, Ramon Tremosa i Balcells, Lieve Wierinck
ECR	Ashley Fox, Bernd Lucke, Stanisław Ożóg, Pirkko Ruohonen-Lerner, Joachim Starbatty, Helga Stevens
ENF	Barbara Kappel
PPE	Pilar Ayuso, Elmar Brok, Markus Ferber, Stefan Gehroid, Brian Hayes, Gunnar Hökmark, Danuta Maria Hübner, Georgios Kyrtos, Esther de Lange, Werner Langen, Ivana Maletić, Luděk Niedermayer, Sirpa Pietikäinen, Dariusz Rosati, Anne Sander, Tom Vandenkendelaere

  

24	-
EFDD	David Coburn, Marco Valli
GUE/NGL	Paloma López Bermejo, Marisa Matias, Miguel Viegas
S&D	Hugues Bayet, Pervenche Berès, Andrea Cozzolino, Jonás Fernández, Giuseppe Ferrandino, Roberto Gualtieri, Jeppe Kofod, Olle Ludvigsson, Costas Mavrides, Alex Mayer, Alfred Sant, Pedro Silva Pereira, Peter Simon, Paul Tang, Jakob von Weizsäcker
VERTS/ALE	Sven Giegold, Philippe Lamberts, Michel Reimon, Ernest Urtasun

  

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

27.11.2018

## **OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Agnes Jongerius

### **SHORT JUSTIFICATION**

The Commission's proposed Regulation sets out common provisions for seven shared management funds.

[1] In the view of the rapporteur, these funds are a symbol of European solidarity and an expression of our co

While the Rapporteur embraces the policy objective of "a more social Europe implementing the European Pillar of Social Rights", she finds the policy pursuit of "jobs and growth" too restrictive and is not convinced it would sufficiently contribute to achieving the social 'triple A' rating Commission President Jean-Claude Juncker has promised European citizens. It is clear the Funds pursue more than jobs and growth, which is why a 'social inclusion' goal has been added.

Consequently, programmes supported by the Funds should take into account challenges as identified in the Social Scoreboard Supporting the European Pillar of Social Rights and in the Joint Employment Report, and be amended to reflect this where necessary. In cases where 'corrective' action is being considered, these two reports should be taken into account also.

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<sup>[1]</sup> CF, EMFF, ERDF, ESF+, AMIF, BMVI and ISF.

The rapporteur believes that in order to genuinely boost greater convergence between East and West, North and South, and to better anticipate technological changes amongst others, an increase in the overall Cohesion budget is of vital importance. She has amended the Regulation accordingly. In addition, she believes a greater share within that budget is required for the ESF+ and that this social earmarking should be ensured at Member State level also.

To better support the less developed and transition regions, and in order not to hamper the conception or execution of programmes at Member State level, the rapporteur has increased both the pre-financing and co-financing rates.

The Rapporteur believes that better accessibility of the Funds is important to ensure better absorption and in this regard, welcomes the reduced administrative burden and increased flexibility as proposed by the Commission. A reduced administrative burden should not however, hamper the inclusion of the social partners and civil society in the conception and execution of the programmes.

## AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 1

###### *Text proposed by the Commission*

(1) Article 174 of the Treaty on the Functioning of the European Union ('TFEU') provides that, in order to strengthen its economic, social and territorial cohesion, the Union is to aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, and that particular attention is to be paid to rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps. Article 175 of the TFEU requires that the Union is to support the achievement of these objectives by the action it takes through the European Agricultural Guidance and Guarantee Fund, Guidance Section, the European Social Fund, the European Regional

###### *Amendment*

(1) Article 174 of the Treaty on the Functioning of the European Union ('TFEU') provides that, in order to strengthen its economic, social and territorial cohesion, the Union is to aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, and that particular attention is to be paid to rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps, ***such as those regions suffering depopulation or population dispersion problems***. Article 175 of the TFEU requires that the Union is to support the achievement of these objectives by the action it takes through the European Agricultural Guidance and

Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.

Guarantee Fund, Guidance Section, the European Social Fund, the European Regional Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.

## Amendment 2

### Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the **European Social Fund Plus ('ESF+')**, the Cohesion Fund, measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the **ESF+**, the Cohesion Fund and the EMFF.

*Amendment*

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the Cohesion Fund, measures financed under shared management in **the European Social Fund Plus ('ESF+')**, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the Cohesion Fund and the **shared management parts of the ESF+ and the EMFF**.

## Amendment 3

### Proposal for a regulation

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## Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) In accordance with Article 174 of the TFEU, the Member States and the Commission should ensure that the ERDF, the ESF and the Cohesion Fund pay particular attention to these regions by making strategic investments with a view to improving their territorial structure, industrial fabric, provision of public services and competitiveness, thus contributing ultimately to retaining their populations.***

## Amendment 4

### Proposal for a regulation

#### Recital 5

*Text proposed by the Commission*

*Amendment*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States ***should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States*** and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States and the Commission should aim at eliminating inequalities, ***combating poverty*** and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation, ***social exclusion or territorial isolation***. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment

objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

**and combating climate change** as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

## Amendment 5

### Proposal for a regulation Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

**(5a) Member States and the Commission should respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. The accessibility of persons with disabilities should be guaranteed in all new infrastructure projects financed from the Funds.**

## Amendment 6

### Proposal for a regulation Recital 5 b (new)

*Text proposed by the Commission*

*Amendment*

**(5b) The objectives of the Funds should be pursued in the framework of the objectives set out in the European Pillar of Social Rights as proclaimed by the EU institutions.**

## Amendment 7

### Proposal for a regulation

#### Recital 9

*Text proposed by the Commission*

(9) Reflecting the importance of tackling climate change in **line with** the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds **will** contribute to mainstream climate actions and to the achievement of an overall target of **25 %** of the EU budget expenditure supporting climate objectives.

*Amendment*

(9) Reflecting the importance of tackling climate change in **view of contributing to the financing of necessary actions to fulfil** the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds **should** contribute to mainstream climate actions and to the achievement of an overall target of **at least 30 %** of the EU budget expenditure supporting climate objectives. **Following the recommendations of the European Court of Auditors, climate mainstreaming and climate proofing mechanisms should be an integral part of programming and implementation, in particular project selection, and materialized ex-ante.**

## Amendment 8

### Proposal for a regulation

#### Recital 11

*Text proposed by the Commission*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014<sup>13</sup> should continue to apply.

*Amendment*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of **competent local, regional urban and other public authorities, relevant bodies representing** civil society, **including non-governmental organisations, environmental partners and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality, non-discrimination and economic** and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated

Regulation (EU) No 240/2014<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

## Amendment 9

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.

##### *Amendment*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU. ***In general, Member States and, where appropriate, the Commission should foster synergies and ensure coordination, complementarity and coherence between these specific priorities and the European Pillar of Social Rights.***

##### *Justification*

*The European Pillar of Social Rights proclaimed on 17 November 2017 represented a decisive step towards a more social Europe, providing an important set of principles for improving European citizens' well-being and daily lives. Furthermore, the 20 principles*

*complement the European Semester's economic and social objectives very well.*

## **Amendment 10**

### **Proposal for a regulation Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) The successful deployment of the Funds should build on the Reform Support Programme, which supports priority reforms in all EU Member States that enable the well-targeted and efficient use of the Funds.***

## **Amendment 11**

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

*Text proposed by the Commission*

*Amendment*

(14) Member States should ***take account of the contents of*** their draft National Energy and Climate Plan, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the outcome of the process resulting in Union recommendations regarding these plans, for their programmes, as well as for the financial needs allocated for ***low-carbon*** investments.

(14) Member States should ***deliver on objectives laid down in*** their draft ***Integrated*** National Energy and Climate Plan, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the outcome of the process resulting in Union recommendations regarding these plans, for their programmes, as well as for the financial needs allocated for ***zero-carbon*** investments.

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD))].

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD))].

## Amendment 12

### Proposal for a regulation Recital 14 a (new)

*Text proposed by the Commission*

*Amendment*

***(14a) Member States should take account of the contents of their National Roma Integration Strategies in the development of their programmes.***

## Amendment 13

### Proposal for a regulation Recital 16

*Text proposed by the Commission*

*Amendment*

***(16) Each Member State should have the flexibility to contribute to InvestEU for the provision of budgetary guarantees for investments in that Member State.***

***deleted***

## Amendment 14

### Proposal for a regulation Recital 19

*Text proposed by the Commission*

*Amendment*

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the Cohesion Fund. That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs **and** growth goal of

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the Cohesion Fund. That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs, growth, **social**

cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

***inclusion and upward convergence*** goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

## **Amendment 15**

### **Proposal for a regulation Recital 28 a (new)**

*Text proposed by the Commission*

*Amendment*

***(28a) There ought to be provision for use to be made of regional indicators so that subregional disparities can be taken into account more effectively.***

## **Amendment 16**

### **Proposal for a regulation Recital 29**

*Text proposed by the Commission*

*Amendment*

(29) To ensure availability of comprehensive up-to-date information on programme implementation, ***more frequent*** electronic reporting on quantitative data should be required.

(29) To ensure availability of comprehensive up-to-date information on programme implementation, ***effective and timely*** electronic reporting on quantitative data should be required.

## **Amendment 17**

### **Proposal for a regulation Recital 34**

*Text proposed by the Commission*

*Amendment*

(34) As regards grants provided to beneficiaries, Member States should increasingly make use of simplified cost options. The threshold linked to the

(34) As regards grants provided to beneficiaries, Member States should increasingly make use of simplified cost options. The threshold linked to the

obligatory use of simplified cost options should be linked to the total costs of the operation in order to ensure the same treatment of all operations below the threshold, regardless of whether the support is public or private.

obligatory use of simplified cost options should be linked to the total costs of the operation in order to ensure the same treatment of all operations below the threshold, regardless of whether the support is public or private. ***Member States should consult the monitoring committee as regards preparing simplified cost options.***

## **Amendment 18**

### **Proposal for a regulation Recital 39**

*Text proposed by the Commission*

(39) With a view to improving complementarities and simplifying implementation, it should be possible to combine support from the Cohesion Fund and the ERDF with support from the ESF+ in joint programmes under the Investment for jobs ***and*** growth goal.

*Amendment*

(39) With a view to improving complementarities and simplifying implementation, it should be possible to combine support from the Cohesion Fund and the ERDF with support from the ESF+ in joint programmes under the Investment for jobs, growth, ***social inclusion and upward convergence*** goal.

## **Amendment 19**

### **Proposal for a regulation Recital 50**

*Text proposed by the Commission*

(50) To ensure an appropriate balance between the effective and efficient implementation of the Funds and the related administrative costs and burdens, the frequency, scope and coverage of management verifications should be based on a risk assessment that takes account of factors such as the type of operations implemented, the beneficiaries as well as the level of risk identified by previous management verifications and audits.

*Amendment*

(50) To ensure an appropriate balance between the effective and efficient implementation of the Funds and the related administrative costs and burdens, the frequency, scope and coverage of management verifications should be based on a risk assessment that takes account of factors such as the type of operations implemented, the beneficiaries as well as the level of risk identified by previous management verifications and audits. ***Management and control of the Funds should be governed by the principle of***



*proportionality in relation to the level of risk to the budget of the Union.*

## Amendment 20

### Proposal for a regulation

#### Recital 60

*Text proposed by the Commission*

(60) In order to promote the objectives of the TFEU related to economic, social and territorial cohesion, the Investment for jobs **and** growth goal should support all regions. To provide balanced and gradual support and reflect the level of economic and social development, resources under that goal should be allocated from the ERDF and the ESF+ on the basis of an allocation key which is predominantly based on GDP per capita. Member States whose per capita gross national income ('GNI') is less than 90 % of that of the Union average should benefit under the Investment for jobs **and** growth goal from the Cohesion Fund.

*Amendment*

(60) In order to promote the objectives of the TFEU related to economic, social and territorial cohesion, the Investment for jobs, growth, **social inclusion and upward convergence** goal should support all regions **and help to ensure that adequate public services are provided, improving personal and professional perspectives in the area**. To provide balanced and gradual support and reflect the level of economic and social development, resources under that goal should be allocated from the ERDF and the ESF+ on the basis of an allocation key which is predominantly based on GDP per capita. Member States whose per capita gross national income ('GNI') is less than 90 % of that of the Union average should benefit under the Investment for jobs, growth, **social inclusion and upward convergence** goal from the Cohesion Fund.

## Amendment 21

### Proposal for a regulation

#### Recital 60 a (new)

*Text proposed by the Commission*

*Amendment*

**(60 a) The European Pillar of social rights, which sets out obligations for the Member States as regards social protection, social inclusion, decent working conditions, equal opportunities and access to the labour market has been proclaimed by the European institutions. The goals of Investment for jobs and**

***growth and social inclusion as laid down in this Regulation should contribute to the rights and principles of the Pillar.***

## **Amendment 22**

### **Proposal for a regulation Recital 61**

#### *Text proposed by the Commission*

(61) Objective criteria should be established for designating eligible regions and areas for support from the Funds. To this end, the identification of the regions and areas at Union level should be based on the common system of classification of the regions established by Regulation (EC) No 1059/2003 of the European Parliament and the Council<sup>23</sup>, as amended by Commission Regulation (EU) **No 868/2014**<sup>24</sup>.

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<sup>23</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

<sup>24</sup> Commission Regulation (EU) No 868/2014 of 8 August 2014 amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 241, 13.8.2014, p. 1).

#### *Amendment*

(61) Objective criteria should be established for designating eligible regions and areas for support from the Funds. To this end, the identification of the regions and areas at Union level should be based on the common system of classification of the regions established by Regulation (EC) No 1059/2003 of the European Parliament and the Council<sup>23</sup>, as amended by Commission Regulations (EU) **No 868/2014**<sup>24</sup> **and (EU) No 2016/2066**<sup>24a</sup>.

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<sup>23</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

<sup>24</sup> Commission Regulation (EU) No 868/2014 of 8 August 2014 amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 241, 13.8.2014, p. 1).

<sup>24a</sup> ***Commission Regulation (EU) No 2016/2066 of 21 November 2016 amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS)(OJ L 322, 29.11.2016, p. 1***

## Amendment 23

### Proposal for a regulation

#### Recital 62

*Text proposed by the Commission*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+ and the Cohesion Fund, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs **and** growth goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the Commission should review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

*Amendment*

(62) In order to set out an appropriate financial framework for the ERDF, the ESF+ and the Cohesion Fund, the Commission should set out the annual breakdown of available allocations per Member State under the Investment for jobs, growth, **social inclusion and upward convergence** goal together with the list of eligible regions, as well as the allocations for the European territorial cooperation goal (Interreg). Taking into account that the national allocations of Member States should be established on the basis of the statistical data and forecasts available in 2018 and given the forecasting uncertainties, the Commission should review the total allocations of all Member States in 2024 on the basis of the most recent statistics available at the time and, where there is a cumulative divergence of more than +/- 5 %, it should adjust those allocations for the years 2025 to 2027 in order for the outcomes of the mid-term review and the technical adjustment exercise to be reflected in programme amendments at the same time.

## Amendment 24

### Proposal for a regulation

#### Recital 73

*Text proposed by the Commission*

(73) The objectives of this Regulation, namely to strengthen economic, social and territorial cohesion and to lay down common financial rules for part of the budget of the Union implemented under shared management, cannot be sufficiently achieved by the Member States by reason

*Amendment*

(73) The objectives of this Regulation, namely to strengthen economic, social and territorial cohesion and to lay down common financial rules for part of the budget of the Union implemented under shared management, cannot be sufficiently achieved by the Member States by reason

on the one hand due to the extent of the disparities between the levels of development of the various regions and the **backwardness of** the least favoured regions, as well as the limit on the financial resources of the Member States and regions and on the other hand due to the need for a coherent implementation framework covering several Union funds under shared management. Since those objectives can therefore rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

on the one hand due to the extent of the disparities between the levels of development of the various regions and the **specific challenges faced by** the least favoured regions, as well as the limit on the financial resources of the Member States and regions and on the other hand due to the need for a coherent implementation framework covering several Union funds under shared management. Since those objectives can therefore rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

## **Amendment 25**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 37**

##### *Text proposed by the Commission*

(37) ‘climate proofing’ means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with national rules and guidance, where available, or internationally recognised standards.

##### *Amendment*

(37) ‘climate proofing’ means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with national rules and guidance, where available, or internationally recognised standards, **and that investments in infrastructure apply the Energy Efficiency First-principle;**

## **Amendment 26**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 37 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

**(37a) ‘environment and biodiversity proofing’ means a structured process of ensuring the effective application of tools to avoid harmful impacts of EU spending**

*and to maximise its benefits on the state of the EU's environment and biodiversity, based on the Commission's "Common Framework for Biodiversity Proofing of the EU Budget", and in accordance with national rules and guidance, where available, or internationally recognised standards.*

## Amendment 27

### Proposal for a regulation

#### Article 4 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The ERDF, the ESF+, the Cohesion Fund and the EMFF shall support the following policy objectives:

*Amendment*

1. The ERDF, the ESF+, the Cohesion Fund and the EMFF shall support ***upward convergence, solidarity and cohesion in the EU, in line with the EU 2020 Strategy, the European Pillar of Social Rights and the UN 2030 Agenda for Sustainable Development.*** It shall do this via the following policy objectives:

## Amendment 28

### Proposal for a regulation

#### Article 4 – paragraph 1 – point c

*Text proposed by the Commission*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity;

*Amendment*

(c) a more connected Europe by enhancing ***sustainable*** mobility and regional ICT connectivity;

## Amendment 29

### Proposal for a regulation

#### Article 4 – paragraph 1 – point d

*Text proposed by the Commission*

(d) a more ***social*** Europe implementing the European Pillar of Social Rights;

*Amendment*

(d) ***a fairer, more inclusive and a more skilled*** Europe ***of equal opportunities,*** implementing ***the rights and principles***

*laid down and envisaged by the European Pillar of Social Rights, the European Social Charter, the Charter of Fundamental Rights of the European Union, in particular Title III (Equality) and Title IV (Solidarity);*

### **Amendment 30**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas and local initiatives.

*Amendment*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas, ***urban-rural partnerships*** and local initiatives.

### **Amendment 31**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) Support Member States to improve access to quality employment for all jobseekers, in particular youth, long-term unemployed, women, persons with disabilities and migrants.***

*Justification*

*New point f*

### **Amendment 32**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) Investment for jobs ***and*** growth in Member States and regions, to be

*Amendment*

(a) ***Investment for jobs, growth, social inclusion and upward convergence,***

supported by the ERDF, the ESF+ and the Cohesion Fund; and

***including strategic investment in infrastructure in the worst affected*** Member States and regions, to be supported by the ERDF, the ESF+ and the Cohesion Fund; and

### Amendment 33

#### Proposal for a regulation Article 5 – paragraph 2

*Text proposed by the Commission*

2. However, the Commission shall implement the amount of support from the Cohesion Fund transferred to the Connecting Europe Facility ('CEF'), the European Urban Initiative, Interregional Innovative Investments, the amount of support transferred from the ESF+ to transnational cooperation, ***the amounts contributed to InvestEU<sup>37</sup>*** and technical assistance at the initiative of the Commission under direct or indirect management in accordance with [points (a) and (c) of Article 62(1)] of the Financial Regulation.

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<sup>37</sup> [Regulation (EU) No [...] on [...] (OJ L [...], [...], p. [...])].

### Amendment 34

#### Proposal for a regulation Article 6 – paragraph 1

*Text proposed by the Commission*

1. ***Each*** Member State shall organise a partnership with the competent regional and local authorities. That partnership shall include at least the following partners:

*Amendment*

2. However, the Commission shall implement the amount of support from the Cohesion Fund transferred to the Connecting Europe Facility ('CEF'), the European Urban Initiative, Interregional Innovative Investments, the amount of support transferred from the ESF+ to transnational cooperation, and technical assistance at the initiative of the Commission under direct or indirect management in accordance with [points (a) and (c) of Article 62(1)] of the Financial Regulation.

*Amendment*

1. ***For each Partnership Agreement, each*** Member State shall organise a partnership with the competent regional and local authorities. ***In the case of cross-border programmes, participating Member States shall involve those partners from all participating Member States. In both cases, the*** partnership shall

- (a) urban and other public authorities;
- (b) economic and social partners;
- (c) relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality **and** non-discrimination.

include at least the following partners:

- (a) **local, regional**, urban and other public authorities;
- (b) economic and social partners;
- (c) relevant bodies representing civil society, **including** environmental partners, **non-governmental organisations** and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality, non-discrimination **and those designated as the beneficiaries**.

## Amendment 35

### Proposal for a regulation Article 6 – paragraph 2

*Text proposed by the Commission*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation **and** implementation of programmes including through participation in monitoring committees in accordance with Article 34.

*Amendment*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation, implementation **and evaluation** of programmes including through participation in monitoring committees in accordance with Article 34.

## Amendment 36

### Proposal for a regulation Article 8 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, **and where relevant, a justification for using the delivery mode of the InvestEU**, taking into account relevant country-specific recommendations;

*Amendment*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, taking into account relevant country-specific recommendations;



## Amendment 37

### Proposal for a regulation

#### Article 8 – paragraph 1 – point b – point i

*Text proposed by the Commission*

(i) a summary of the policy choices and the main results expected for each of the Funds, ***including where relevant, through the use of InvestEU***;

*Amendment*

(i) a summary of the policy choices and the main results expected for each of the Funds;

## Amendment 38

### Proposal for a regulation

#### Article 8 – paragraph 1 – point b – point iii

*Text proposed by the Commission*

(iii) complementarities between the Funds and other Union instruments, including LIFE strategic integrated projects and strategic nature projects;

*Amendment*

(iii) complementarities between the Funds and other Union instruments, ***funds and programmes***, including LIFE strategic integrated projects and strategic nature projects;

## Amendment 39

### Proposal for a regulation

#### Article 8 – paragraph 1 – point e

*Text proposed by the Commission*

(e) ***the amounts to be contributed to InvestEU by Fund and by category of regions***;

*Amendment*

***deleted***

## Amendment 40

### Proposal for a regulation

#### Article 10

*Text proposed by the Commission*

***[...]***

*Amendment*

***deleted***

## Amendment 41

### Proposal for a regulation Article 12 – paragraph 2

*Text proposed by the Commission*

2. Milestones and targets shall be established in relation to each specific objective within a programme, with the exception of technical assistance and of the specific objective addressing material deprivation set out in Article [4(c)(vii)] of the ESF+ Regulation.

*Amendment*

2. Milestones and targets shall be established in relation to each specific objective within a programme, with the exception of technical assistance and of the specific objective addressing material deprivation set out in Article [4(1)(xi)] of the ESF+ Regulation.

## Amendment 42

### Proposal for a regulation Article 14 – paragraph 1 – point a

*Text proposed by the Commission*

(a) *the* challenges identified in relevant country-specific recommendations adopted in 2024;

*Amendment*

(a) *the new* challenges identified in relevant country-specific recommendations adopted in 2024;

## Amendment 43

### Proposal for a regulation Article 14 – paragraph 1 – point b

*Text proposed by the Commission*

(b) the socio-economic situation of the Member State or region concerned;

*Amendment*

(b) the socio-economic situation of the Member State or region concerned, ***including the challenges for the Member State as identified in the Social Scoreboard and the Joint Employment Report, taking the European Pillar of Social Rights as a reference point.***

## Amendment 44

### Proposal for a regulation Article 14 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

*(da) any major negative financial or economic developments, which require an adjustment of the programmes;*

#### **Amendment 45**

##### **Proposal for a regulation Article 15**

*Text proposed by the Commission*

*Amendment*

*[...]*

*deleted*

#### **Amendment 46**

##### **Proposal for a regulation Article 17 – paragraph 3 – subparagraph 1 – point d – point vi**

*Text proposed by the Commission*

*Amendment*

(vi) the planned use of financial instruments;

(vi) the planned use of financial instruments *if applicable*;

#### **Amendment 47**

##### **Proposal for a regulation Article 18 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than *six* months after the date of submission of the programme by the Member State.

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than *four* months after the date of submission of the programme by the Member State.

#### **Amendment 48**

##### **Proposal for a regulation Article 19 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall approve the amendment of a programme no later than **six** months after its submission by the Member State.

*Amendment*

4. The Commission shall approve the amendment of a programme no later than **four** months after its submission by the Member State.

**Amendment 49**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs **and** growth goal.

*Amendment*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs, growth, **social inclusion and upward convergence** goal.

**Amendment 50**

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

1. Member States may request the transfer of up to 5 % of programme financial allocations from any of the Funds to **any other Fund under shared management or to any instrument under direct or indirect management**.

*Amendment*

1. Member States may request the transfer of up to 5 % of programme financial allocations from any of the Funds to **the European Regional Development Fund, the European Social Fund Plus or the Cohesion Fund**.

**Amendment 51**

**Proposal for a regulation**  
**Article 25 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group controls the

*Amendment*

(b) led by local **or regional** action groups composed of **representatives of civil society, social partners, as well as** representatives of public and private local

decision-making;

socio-economic interests, in which no single interest group controls the decision-making;

## Amendment 52

### Proposal for a regulation Article 31 – paragraph 2 – point a

*Text proposed by the Commission*

(a) for the ERDF support under the Investment for jobs **and** growth goal, and for the Cohesion Fund support: 2,5 %;

*Amendment*

(a) for the ERDF support under the Investment for jobs, growth, **social inclusion and upward convergence** goal, and for the Cohesion Fund support: 2,5 %;

## Amendment 53

### Proposal for a regulation Article 31 – paragraph 2 – point b

*Text proposed by the Commission*

(b) for the ESF+ **support: 4% and for programmes under Article 4(1)(c)(vii) of the ESF+ Regulation: 5 %**;

*Amendment*

(b) for the ESF+: 5 %;

## Amendment 54

### Proposal for a regulation Article 35 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(c a) In case of premature exhaustion of (financial) resources the way in which the programme objectives still can be realised within the period 2021-2027;**

## Amendment 55

### Proposal for a regulation Article 35 – paragraph 1 – point i a (new)

*Text proposed by the Commission*

*Amendment*

**(ia) measures relating to simplified cost options.**

## **Amendment 56**

**Proposal for a regulation**

**Article 35 – paragraph 1 – point i b (new)**

*Text proposed by the Commission*

*Amendment*

**(i b) the specific impact of the programme on persons at the highest risk of poverty or social exclusion as well as persons with disabilities, the long-term unemployed and young people not in employment.**

## **Amendment 57**

**Proposal for a regulation**

**Article 35 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) the measures linked to ensure simplified cost option for beneficiaries**

## **Amendment 58**

**Proposal for a regulation**

**Article 67 – paragraph 3 – point j a (new)**

*Text proposed by the Commission*

*Amendment*

**(ja) ensure environment and biodiversity proofing of all investment**

## **Amendment 59**

**Proposal for a regulation**

**Article 84 – paragraph 2**

*Text proposed by the Commission*

2. The pre-financing for each Fund shall be paid in yearly instalments before 1 July of each year, subject to availability of funds, as follows:

- (a) 2021: **0.5** %;
- (b) 2022: **0.5** %;
- (c) 2023: **0.5** %;
- (d) 2024: **0.5** %;
- (e) 2025: **0.5** %;
- (f) 2026: **0.5** % %

Where a programme is adopted after 1 July 2021, the earlier instalments shall be paid in the year of adoption.

*Amendment*

2. The pre-financing for each Fund shall be paid in yearly instalments before 1 July of each year, subject to availability of funds, as follows:

- (a) 2021: **1** %;
- (b) 2022: **1** %;
- (c) 2023: **1.5** %;
- (d) 2024: **2** %;
- (e) 2025: **2** %;
- (f) 2026: **2.5** %

Where a programme is adopted after 1 July 2021, the earlier instalments shall be paid in the year of adoption.

**Amendment 60**

**Proposal for a regulation  
Article 91 – paragraph 1 – point e**

*Text proposed by the Commission*

***(e) the Member State has failed to take the necessary action in accordance with Article 15(6).***

*Amendment*

***deleted***

**Amendment 61**

**Proposal for a regulation  
Article 99 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall decommit any amount in a programme which has not been used for pre-financing in accordance with Article 84 or for which a payment application has not been submitted in accordance with Articles 85 and 86 by 26 December of the **second** calendar year following the year of the budget

*Amendment*

1. The Commission shall decommit any amount in a programme which has not been used for pre-financing in accordance with Article 84 or for which a payment application has not been submitted in accordance with Articles 85 and 86 by 26 December of the **third** calendar year following the year of the budget

commitments for the years 2021 to 2026.

commitments for the years 2021 to 2026.

## Amendment 62

### Proposal for a regulation Article 102 – title

*Text proposed by the Commission*

Geographical coverage of support for the Investment for jobs **and** growth goal

*Amendment*

Geographical coverage of support for the Investment for jobs, growth, **social inclusion and upward convergence** goal

## Amendment 63

### Proposal for a regulation Article 102 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund shall support the Investment for jobs **and** growth goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions') established by Regulation (EC) No 1059/2003 as amended by Commission Regulation (EC) No 868/2014.

*Amendment*

1. The ERDF, the ESF + and the Cohesion Fund shall support the Investment for jobs, growth, **social inclusion and upward convergence** goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions') established by Regulation (EC)No 1059/2003 as amended by Commission Regulations (EU) No 868/2014 **and (EU) 2016/2066**.

## Amendment 64

### Proposal for a regulation Article 102 – paragraph 2 – subparagraph 1 – introductory part

*Text proposed by the Commission*

Resources from the ERDF and ESF+ for the Investment for jobs **and** growth goal shall be allocated among the following three categories of NUTS level 2 regions:

*Amendment*

Resources from the ERDF and ESF+ for the Investment for jobs, growth, **social inclusion and upward convergence** goal shall be allocated among the following three categories of NUTS level 2 regions:



## Amendment 65

### Proposal for a regulation

#### Article 103 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **330 624 388 630 in** 2018 prices.

*Amendment*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **378 097 000 000 in constant** 2018 prices.

## Amendment 66

### Proposal for a regulation

#### Article 103 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

The Commission shall adopt a decision, by means of implementing act, setting out the annual breakdown of the global resources per Member State under the Investment for jobs **and** growth goal, per category of regions, together with the list of eligible regions in accordance with the methodology set out in Annex XXII.

*Amendment*

The Commission shall adopt a decision, by means of implementing act, setting out the annual breakdown of the global resources per Member State under the Investment for jobs, growth, **social inclusion and upward convergence** goal, per category of regions, together with the list of eligible regions in accordance with the methodology set out in Annex XXII.

## Amendment 67

### Proposal for a regulation

#### Article 104 – title

*Text proposed by the Commission*

Resources for the Investment for jobs **and** growth goal and for the European territorial cooperation goal (Interreg)

*Amendment*

Resources for the Investment for jobs, growth, **social inclusion and upward convergence** goal and for the European territorial cooperation goal (Interreg)

## Amendment 68

### Proposal for a regulation

#### Article 104 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Resources for the Investment for jobs **and** growth goal shall amount to **97.5** % of the global resources (i.e., a total of EUR **322 194 388 630**) **and** shall be allocated as follows:

1. Resources for the Investment for jobs, growth, **social inclusion and upward convergence** goal shall amount to **97.5%** of the global resources i.e., a total of EUR **366 754 090 000 in constant 2018 prices** shall be allocated as follows:

**Amendment 69**

**Proposal for a regulation**

**Article 104 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) 61.6 % (**i.e a total of EUR 198 621 593 157**) for less developed regions;

(a) 61.6 % for less developed regions;

**Amendment 70**

**Proposal for a regulation**

**Article 104 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 14.3 % (**i.e a total of EUR 45 934 516 595**) for transition regions;

(b) 14.3 % for transition regions;

**Amendment 71**

**Proposal for a regulation**

**Article 104 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 10.8 % (**i.e., a total of EUR 34 842 689 000**) for more developed regions;

(c) 10.8 % for more developed regions;

**Amendment 72**

**Proposal for a regulation**

**Article 104 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 12.8 % (*i.e., a total of EUR 41 348 556 877*) for Member States supported by the Cohesion Fund;

(d) 12.8 % for Member States supported by the Cohesion Fund;

**Amendment 73**

**Proposal for a regulation**

**Article 104 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 0.4 % (*i.e., a total of EUR 1 447 034 001*) as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

(e) 0.4 % as additional funding for the outermost regions identified in Article 349 of the TFEU and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the 1994 Act of Accession.

**Amendment 74**

**Proposal for a regulation**

**Article 104 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

In 2024, the Commission shall, in its technical adjustment for the year 2025 in accordance with Article [6] of Regulation (EU, Euratom) [...] (MFF Regulation)], review the total allocations under the Investment for jobs *and* growth goal of each Member State for 2025 to 2027.

In 2024, the Commission shall, in its technical adjustment for the year 2025 in accordance with Article [6] of Regulation (EU, Euratom) [...] (MFF Regulation)], review the total allocations under the Investment for jobs, growth, **social inclusion and upward convergence** goal of each Member State for 2025 to 2027.

**Amendment 75**

**Proposal for a regulation**

**Article 104 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The amount of resources available for the

The amount of resources available for the

ESF+ under the Investment for jobs *and* growth goal shall be **EUR 88 646 194 590**.

ESF+ under the Investment for jobs, growth, **social inclusion and upward convergence** goal shall be **105 686 000 000 in 2018 constant prices**. Member States shall ensure that out of the total combined cohesion policy resources that they receive, not less than 27.5 % is used for projects under the ESF+.

## Amendment 76

### Proposal for a regulation

#### Article 104 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The amount of additional funding for the outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall be **EUR 376 928 934**.

*Amendment*

The amount of additional funding for the outermost regions referred to in point (e) in paragraph 1 allocated to the ESF+ shall be **EUR 424 296 054 in 2018 prices**.

## Amendment 77

### Proposal for a regulation

#### Article 104 – paragraph 5

*Text proposed by the Commission*

5. EUR **500 000 000** of the resources for the Investment for jobs *and* growth goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

*Amendment*

5. EUR **560 000 000** of the resources for the Investment for jobs, growth, **social inclusion and upward convergence** goal shall be allocated to the European Urban Initiative under direct or indirect management by the Commission.

## Amendment 78

### Proposal for a regulation

#### Article 104 – paragraph 6

*Text proposed by the Commission*

6. EUR **175 000 000** of the ESF+ resources for the Investment for jobs *and* growth goal shall be allocated for transnational cooperation supporting

*Amendment*

6. EUR **196 000 000** of the ESF+ resources for the Investment for jobs, growth, **social inclusion and upward convergence** goal shall be allocated for

innovative solutions under direct or indirect management.

transnational cooperation supporting innovative solutions under direct or indirect management.

## **Amendment 79**

### **Proposal for a regulation Article 105 – paragraph 2**

*Text proposed by the Commission*

2. The total allocations to each Member State in respect of the Investment for jobs *and* growth goal and the European territorial cooperation goal (Interreg) shall not be transferable between those goals.

*Amendment*

2. The total allocations to each Member State in respect of the Investment for jobs, growth, *social inclusion and upward convergence* goal and the European territorial cooperation goal (Interreg) shall not be transferable between those goals.

## **Amendment 80**

### **Proposal for a regulation Article 106 – paragraph 3 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

The co-financing rate for the Investment for jobs *and* growth goal at the level of each priority shall not be higher than:

*Amendment*

The co-financing rate for the Investment for jobs, growth, *social inclusion and upward convergence* goal at the level of each priority shall not be higher than:

## **Amendment 81**

### **Proposal for a regulation Article 106 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) **70** % for the less developed regions;

*Amendment*

(a) **85** % for the less developed regions;

## **Amendment 82**

### **Proposal for a regulation Article 106 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 55 % for the transition regions;

(b) 60 % for the transition regions;

### **Amendment 83**

#### **Proposal for a regulation**

#### **Article 106 – paragraph 3 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 40 % for the more developed regions.

(c) 50 % for the more developed regions.

### **Amendment 84**

#### **Proposal for a regulation**

#### **Article 106 – paragraph 3 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*The co-financing rates laid down in point (a) shall also apply to the outermost regions and those regions which have depopulation problems (less than 12.5 inhabitants per square kilometre at NUTS 3 level) and/or population dispersion problems.*

### **Amendment 85**

#### **Proposal for a regulation**

#### **Article 106 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than 70 %.

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than 85 %.

### **Amendment 86**

#### **Proposal for a regulation**

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## Article 106 – paragraph 3 – subparagraph 4

*Text proposed by the Commission*

The ESF+ Regulation may establish higher co-financing rates for priorities supporting innovative actions in accordance with Article [14] of that Regulation.

*Amendment*

The ESF+ Regulation may establish higher co-financing rates for priorities ***or programmes addressing material deprivation in accordance with Article [9], supporting youth unemployment in accordance with Article [10], a European Child Guarantee in accordance with Article [10a] and*** innovative actions in accordance with Article [13] of that Regulation.

## Amendment 87

### Proposal for a regulation

#### Article 106 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The co-financing rate for Interreg programmes shall be no higher than **70 %**.

*Amendment*

The co-financing rate for Interreg programmes shall be no higher than **85%**.

## Amendment 88

### Proposal for a regulation

#### Annex I – Table 3 – row 12 – column Integrated territorial investment (ITI)

*Text proposed by the Commission*

Cities, towns **and** suburbs

*Amendment*

Cities, towns, suburbs **and connected rural areas**

## Amendment 89

### Proposal for a regulation

#### Annex I – Table 3 – row 16 – column Integrated territorial investment (ITI)

*Text proposed by the Commission*

Sparsely populated areas

*Amendment*

**Rural and** sparsely populated areas

## Amendment 90

**Proposal for a regulation**  
**Annex I – Table 3 – row 22 – column Community led local development (CLLD)**

*Text proposed by the Commission*

*Amendment*

Cities, towns *and* suburbs

Cities, towns, suburbs *and connected rural areas*

**Amendment 91**

**Proposal for a regulation**  
**Annex I – Table 3 – row 26 – column Community led local development (CLLD)**

*Text proposed by the Commission*

*Amendment*

Sparsely populated areas

*Rural and* sparsely populated areas

**Amendment 92**

**Proposal for a regulation**  
**Annex I – Table 3 – row 32 – column – Other type of territorial tool under Policy Objective 5**

*Text proposed by the Commission*

*Amendment*

Cities, towns *and* suburbs

Cities, towns, suburbs *and connected rural areas*

**Amendment 93**

**Proposal for a regulation**  
**Annex I – Table 3 – row 36 – column – Other type of territorial tool under Policy Objective 5**

*Text proposed by the Commission*

*Amendment*

Sparsely populated areas

*Rural and* sparsely populated areas

**Amendment 94**

**Proposal for a regulation**  
**Annex III – table – row 6 – column 2: fulfilment criteria**



*Text proposed by the Commission*

*Amendment*

A national framework for implementing the UNCRPD is in place that includes:

1. Objectives with measurable goals, data collection and monitoring mechanism.
2. Arrangements to ensure that the accessibility policy, legislation and standards are properly reflected in the preparation and implementation of the programmes.

A national framework for implementing the UNCRPD is in place that includes:

1. Objectives with measurable goals, data collection and monitoring mechanism.
2. Arrangements to ensure that the accessibility policy, legislation and standards are properly reflected in the preparation implementation of the programmes ***and included in the project selection criteria and obligations.***

**Amendment 95**

**Proposal for a regulation**

**ANNEX IV – row 4.2.1 – column 2: Specific objective**

*Text proposed by the Commission*

*Amendment*

4.2.1 Improving the quality, effectiveness and labour market relevance of education and training systems;

4.2.1 Improving the quality, ***inclusiveness and*** effectiveness of education and training systems, ***to facilitate the transition between education and work;***

**Amendment 96**

**Proposal for a regulation**

**ANNEX IV – row 4.2.2 – column 2: Specific objective**

*Text proposed by the Commission*

*Amendment*

4.2.2 Promoting flexible upskilling and reskilling opportunities for all, including by facilitating career transitions and promoting professional mobility;

4.2.2 Promoting ***lifelong learning as well as informal and non-formal learning,*** flexible upskilling and reskilling opportunities for all, including by facilitating career transitions and promoting professional mobility;

**Amendment 97**

**Proposal for a regulation**

**ANNEX IV – row 4.2 - column 4: Fulfilment criteria for the enabling condition – point**

1

*Text proposed by the Commission*

1. Evidence-based systems for skills anticipation and forecasting as well as graduate tracking mechanisms and services for quality and effective guidance for learners of all ages

*Amendment*

1. Evidence-based systems for skills anticipation and forecasting as well as ***follow-up*** tracking mechanisms and services for quality and effective guidance for learners of all ages ***including learner-centred approaches***

## **Amendment 98**

### **Proposal for a regulation**

**ANNEX IV – row 4.2 - column 4: Fulfilment criteria for the enabling condition – point 2**

*Text proposed by the Commission*

2. Measures to ensure equal access to, participation in and completion of quality, relevant and inclusive education and training and acquisition of key competences at all levels, including higher education

*Amendment*

2. Measures to ensure equal access to, participation in and completion of quality, ***affordable*** relevant, ***non-segregated*** and inclusive education and training and acquisition of key competences at all levels, including tertiary education

## **Amendment 99**

### **Proposal for a regulation**

**ANNEX IV – row 4.2 - column 4: Fulfilment criteria for the enabling condition – point 3**

*Text proposed by the Commission*

3. Coordination mechanism across all levels of education and training, including tertiary education, and clear assignment of responsibilities between the relevant national and/or regional bodies

*Amendment*

3. Coordination mechanism across all levels of education and training, including tertiary education ***and non-formal and informal learning providers***, and clear assignment of responsibilities between the relevant national and/or regional bodies

## **Amendment 100**

### **Proposal for a regulation**

**Annex IV – Row 4.3 – column 4 – fulfilment criteria for the enabling condition – point 3**

*Text proposed by the Commission*

*Amendment*

3. Measures for the shift from institutional to community-based care;

3. Measures for the shift from institutional to community-based care ***based on a national deinstitutionalisation strategy and an action plan***;

#### **Amendment 101**

##### **Proposal for a regulation**

**ANNEX IV – row 4.3 - column 4: Fulfilment criteria for the enabling condition – introductory part**

*Text proposed by the Commission*

*Amendment*

A national strategic policy framework for social inclusion and poverty reduction is in place that includes:

A national strategic policy framework ***and action plan*** for social inclusion and poverty reduction is in place that includes:

#### **Amendment 102**

##### **Proposal for a regulation**

**ANNEX IV – row 4.3 - column 4: Fulfilment criteria for the enabling condition – point 2**

*Text proposed by the Commission*

*Amendment*

2. Measures to prevent and combat segregation in all fields, including through providing adequate income support, inclusive labour markets and access to quality services for vulnerable people, including migrants

2. Measures to prevent and combat segregation in all fields, including through providing adequate income support ***and social security protection***, inclusive labour markets and access to quality services for vulnerable people, including third country nationals

#### **Amendment 103**

##### **Proposal for a regulation**

**ANNEX IV – row 4.3 - column 4: Fulfilment criteria for the enabling condition – point 3**

*Text proposed by the Commission*

*Amendment*

3. Measures for the shift from institutional to community-based care

3. Measures for the **transition** from institutional to **family- and** community-based care

#### **Amendment 104**

##### **Proposal for a regulation**

##### **ANNEX IV – row 4.3.2 – column 2: Specific objective**

*Text proposed by the Commission*

*Amendment*

4.3.2 Promoting socio-economic **integration** of marginalised communities such as the Roma;

4.3.2 Promoting socio-economic **inclusion** of third country nationals and marginalised communities such as the Roma;

#### **Amendment 105**

##### **Proposal for a regulation**

##### **Annex IV – row 4.4 column 4: Fulfilment criteria for the enabling condition – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. Measures to ensure the efficiency, sustainability, accessibility and affordability of social protection systems**

#### **Amendment 106**

##### **Proposal for a regulation**

##### **Annex V – subheading 1**

*Text proposed by the Commission*

*Amendment*

Template for programmes supported from the ERDF (Investment for Jobs **and** growth goal), ESF+, the Cohesion Fund and the EMFF – Article 16(3)

Template for programmes supported from the ERDF (Investment for Jobs, growth, **social inclusion and upward convergence** goal), ESF+, the Cohesion Fund and the EMFF– Article 16(3)

#### **Amendment 107**

PE626.671v02-00

260/408

RR1175395EN.docx

**Proposal for a regulation**  
**Annex V – point 1 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

For Jobs *and* growth goal:

***Investment*** for Jobs, growth, ***social inclusion and upward convergence*** goal:

**Amendment 108**

**Proposal for a regulation**  
**Annex V – point 2 – Table 1T – Programme structure**

*Text proposed by the Commission*

ID	Title [300]	TA	Basis for calculation	Fund	Category of region supported	Specific Objective selected
1	Priority 1	No		ERDF	More Transition Less developed Outermost and sparsely populated	SO 1  SO 2
2	Priority 2	No		ESF+	More Transition Less developed Outermost	SO 3 SO 4 SO 5
3	Priority 3	No		CF	N/A	
3	Priority technical assistance	Yes				NA
..	Dedicated priority youth employment)	No		ESF+		
..	Dedicated priority CSRs	No		ESF+		
..	Dedicated priority Innovative actions	No		ESF+		SO 8
	Dedicated priority Material deprivation	No		ESF+		SO 9

*Amendment*

ID	Title [300]	TA	Basis for calculation	Fund	Category of region supported	Specific Objective selected
1	Priority 1	No		ERDF	More Transition Less developed	SO 1  SO 2

				Outermost and sparsely populated	
				More	SO 3
2	Priority 2	No	ESF+	More	SO 4
				Transition	
				Less developed	SO 5
				Outermost	
3	Priority 3	No	CF	N/A	
3	Priority technical assistance	Yes			NA
..	Dedicated priority youth employment)	No	ESF+		
	<b><i>Dedicated priority Child Guarantee</i></b>	<b><i>No</i></b>	<b><i>ESF+</i></b>		
..	Dedicated priority CSRs	No	ESF+		
..	Dedicated priority Innovative actions	No	ESF+		SO 8
	Dedicated priority Material deprivation	No	ESF+		SO 9

## Amendment 109

### Proposal for a regulation Annex V –point 2.1 - table

#### *Text proposed by the Commission*

- This is a priority dedicated to a relevant country-specific recommendation
- This is a priority dedicated to youth employment
- This is a priority dedicated to innovative actions
- This is a priority dedicated to addressing material deprivation

#### *Amendment*

- This is a priority dedicated to a relevant country-specific recommendation
- This is a priority dedicated to youth employment
- This is a priority dedicated to Child Guarantee***
- This is a priority dedicated to innovative actions
- This is a priority dedicated to addressing material deprivation

## Amendment 110

**Proposal for a regulation**

**Annex V – point 2 – paragraph 3 – point 2.1 – point 2.1.1 – introductory part**

*Text proposed by the Commission*

2.1.1. Specific objective<sup>54</sup> (***Jobs and growth goal***) or Area of support (EMFF) – repeated for each selected specific objective or area of support, for priorities other than technical assistance

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<sup>54</sup> Except for a specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation.

*Amendment*

2.1.1. Specific objective<sup>54</sup> (***Investment for jobs, growth, social inclusion and upward convergence goal***) or Area of support (EMFF) – repeated for each selected specific objective or area of support, for priorities other than technical assistance

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<sup>54</sup> Except for a specific objective set out in Article 4(1)(c)(vii) of the ESF+ Regulation.

**Amendment 111**

**Proposal for a regulation**

**Annex V – point 3 – table 15**

*Text proposed by the Commission*

	Category of regions	Window 1 (a)	Window 2 (b)	Window 3 (c)	Window 4 (d)	Window 5 (e)	amount (f)=(a)+(b)+(c)+(d)+(e))
ERDF	More developed						
	Less developed						
	Transition						
	Outermost and northern sparsely populated						
<b>ESF+</b>	<b><i>More developed</i></b>						
	<b><i>Less developed</i></b>						
	<b><i>Transition</i></b>						
	<b><i>Outermost</i></b>						
CF							
EMFF							
Total							

*Amendment*

		Category of regions	Window 1 (a)	Window 2 (b)	Window 3 (c)	Window 4 (d)	Window 5 (e)	amount (f)=(a)+(b)+(c)+(d)+(e))
ERDF		More developed						
		Less developed						
		Transition						
		Outermost and northern sparsely populated						
CF								
EMFF								
Total								

**Amendment 112**

**Proposal for a regulation**

**Annex V – point 3 – point 3.2 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

For Jobs *and* growth goal:

***Investment*** for jobs, growth, ***social inclusion and upward convergence*** goal:

**Amendment 113**

**Proposal for a regulation**

**Annex XXIV – subheading 2**

*Text proposed by the Commission*

*Amendment*

Allocation method for the less developed regions eligible under the Investment for jobs *and* growth goal - Article 102(2)(a)

Allocation method for the less developed regions eligible under the Investment for jobs, growth, ***social inclusion and upward convergence*** goal -Article 102(2)(a)

**Amendment 114**

**Proposal for a regulation**



### **Annex XXIV – subheading 3**

*Text proposed by the Commission*

Allocation method for transition regions eligible under the Investment for jobs **and** growth goal - Article 102(2)(b)

*Amendment*

Allocation method for transition regions eligible under the Investment for jobs, growth, **social inclusion and upward convergence** goal -Article 102(2)(b)

### **Amendment 115**

#### **Proposal for a regulation Annex XXIV – subheading 4**

*Text proposed by the Commission*

Allocation method for the more developed regions eligible under the Investment for jobs **and** growth goal - Article 102(2)(c)

*Amendment*

Allocation method for the more developed regions eligible under the Investment for jobs, growth, **social inclusion and upward convergence** goal - Article 102(2)(c)

### **Amendment 116**

#### **Proposal for a regulation Annex XXIV – point 14**

*Text proposed by the Commission*

14. For all regions that were classified as less developed regions for the 2014-2020 programming period, but whose GDP per capita is above 75% of the EU-27 average, the minimum yearly level of support under the Investment for jobs **and** growth goal will correspond to 60% of their former indicative average annual allocation under the Investment for jobs and growth goal, calculated by the Commission within the multiannual financial framework 2014-2020.

*Amendment*

14. For all regions that were classified as less developed regions for the 2014-2020 programming period, but whose GDP per capita is above 75% of the EU-27 average, the minimum yearly level of support under the Investment for jobs, growth, **social inclusion and upward convergence** goal will correspond to 60% of their former indicative average annual allocation under the Investment for jobs and growth goal, calculated by the Commission within the multiannual financial framework 2014-2020.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	EMPL 11.6.2018
<b>Rapporteur</b> Date appointed	Agnes Jongerius 28.6.2018
<b>Discussed in committee</b>	24.9.2018
<b>Date adopted</b>	27.11.2018
<b>Result of final vote</b>	+ :22 - :18 0 :1
<b>Members present for the final vote</b>	David Casa, Ole Christensen, Michael Detjen, Elena Gentile, Lampros Fountoulis, Marian Harkin, Czesław Hoc, Danuta Jazłowiecka, Agnes Jongerius, Jan Keller, Adam Kósa, Jean Lambert, Jérôme Lavrilleux, Jeroen Lenaers, Patrick Le Hyaric, Verónica Lope Fontagné, Javi López, Joëlle Mélin, Dominique Martin, Miroslavs Mitrofanovs, Elisabeth Morin-Chartier, Emilian Pavel, Georgi Pirinski, Sofia Ribeiro, Robert Rochefort, Claude Rolin, Siôn Simon, Yana Toom, Romana Tomc, Renate Weber, Marita Ulvskog
<b>Substitutes present for the final vote</b>	Tania González Peñas, Georges Bach, Tom Vandenkendelaere, Maria Arena, Flavio Zanonato, Tamás Meszerics, António Marinho e Pinto, Amjad Bashir, Krzysztof Hetman, Michaela Šojdrová
<b>Substitutes under Rule 200(2) present for the final vote</b>	

27  
23  
1

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

22	+
GUE/NGL	Tania González Peñas, Patrick Le Hyaric
PPE	Georges Bach, Jérôme Lavrilleux, Elisabeth Morin-Chartier, Claude Rolin, Tom Vandenkendelaere
S&D	Maria Arena, Ole Christensen, Michael Detjen, Elena Gentile, Agnes Jongerius, Jan Keller, Javi López, Emilian Pavel, Georgi Pirinski, Siôn Simon, Marita Ulvskog, Flavio Zanonato
VERTS/ALE	Jean Lambert, Tamás Meszerics, Miroslavs Mitrofanovs

18	-
ALDE	Marian Harkin, António Marinho e Pinto, Robert Rochefort, Yana Toom, Renate Weber
ECR	Amjad Bashir
ENF	Joëlle Mélin, Dominique Martin
NI	Lampros Fountoulis
PPE	David Casa, Krzysztof Hetman, Danuta Jazłowiecka, Ádám Kósa, Jeroen Lenaers, Verónica Lope Fontagné, Sofia Ribeiro, Michaela Šojdrová, Romana Tomc

1	0
ECR	Czesław Hoc

Key to symbols:

+ : in favour

- : against

0 : abstention

12.10.2018

## OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Adina-Ioana Vălean

### AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

#### Amendment 1

##### Proposal for a regulation

##### Recital 9

*Text proposed by the Commission*

(9) Reflecting the importance of tackling climate change ***in line with*** the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to mainstream climate actions and to the achievement of an overall target of **25 %** of the EU budget expenditure supporting climate objectives.

*Amendment*

(9) Reflecting the importance of tackling climate change ***and in order to contribute to the financing of necessary actions to be taken at Union, national and local level to fulfil*** the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to mainstream climate actions and to the achievement of an

overall target of **at least 30** % of the EU budget expenditure supporting climate objectives.

## Amendment 2

### Proposal for a regulation

#### Recital 12

*Text proposed by the Commission*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.

*Amendment*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding, **and to avoid any contradiction with the priorities of the Union, including the Union's commitments to implement the Paris Agreement**. They should also serve to use Union funding in a coherent manner, **to phase-out environmentally harmful subsidies** and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.

## Amendment 3

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) Member States should **take account of** the contents of their **draft National Energy and Climate Plan**, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the outcome of

*Amendment*

(14) Member States should **demonstrate how** the contents of their **integrated national energy and climate plan**, to be developed under the Regulation on the Governance of the Energy Union<sup>14</sup>, and the

the process resulting in Union recommendations regarding these plans, **for** their programmes, **as well as for** the financial needs allocated for low-carbon investments.

outcome of the process resulting in Union recommendations regarding these plans, **are taken into account in** their programmes, **in particular with regards to** the financial needs allocated for low-carbon investments **needed to achieve the Paris Agreement objectives. During the 2021-2027 programming period, Member States should regularly present to the monitoring committee and to the Commission the progress in implementing the programmes in relation to their integrated national energy and climate plans. During a mid-term review, Member States should, among other elements, consider the need for programme modifications to address eventual delivery gaps and increase the contribution of the Funds towards the implementation of policies and measures set out in their integrated national energy and climate plans.**

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD)].

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<sup>14</sup> [Regulation on the Governance of the Energy Union, amending Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) No 663/2009, Regulation (EC) No 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repealing Regulation (EU) No 525/2013 (COM/2016/0759 final/2 - 2016/0375 (COD)].

#### **Amendment 4**

##### **Proposal for a regulation** **Recital 19**

*Text proposed by the Commission*

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the Cohesion Fund. That review should

*Amendment*

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the Cohesion Fund. That review should

provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024, ***including the 2024 State of the Energy Union report***. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

## Amendment 5

### Proposal for a regulation

#### Recital 36

##### *Text proposed by the Commission*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects.

##### *Amendment*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects. ***The Union should ensure that support from the LIFE programme is consistent with the policies and priorities of the Union and complementary to other financial instruments of the Union, while also ensuring that simplification measures are implemented.***

## Amendment 6

### Proposal for a regulation

#### Recital 36 a (new)

*Text proposed by the Commission*

*Amendment*

***(36a) The success of strategic integrated projects is dependent on close cooperation between national, regional and local authorities and the non-state actors concerned. The principles of transparency and disclosure of decisions concerning the development, implementation, assessment and monitoring of projects should therefore be applied.***

## **Amendment 7**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 37**

*Text proposed by the Commission*

*Amendment*

(37) 'climate proofing' means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with national rules and guidance, where available, or internationally recognised standards.

(37) 'climate proofing' means a process to ensure that infrastructure is resilient to the adverse impacts of the climate in accordance with national rules and guidance, where available, or internationally recognised standards, ***and that investments in infrastructure apply the “energy efficiency first principle”, as referred to in Article 1(1) of Directive 2012/27/EU;***

## **Amendment 8**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 37 a (new)**

*Text proposed by the Commission*

*Amendment*

***(37a) 'environment and biodiversity proofing' means a structured process of ensuring the effective application of tools to avoid harmful impacts of Union spending and to maximise its benefits on the state of the Union's environment and biodiversity, based on the Commission's "Common Framework for Biodiversity Proofing of the EU Budget", and in***



*accordance with national rules and guidance, where available, or with internationally recognised standards.*

## **Amendment 9**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity;

*Amendment*

(c) a more connected Europe by enhancing **zero-emission** mobility and regional ICT connectivity;

## **Amendment 10**

### **Proposal for a regulation**

#### **Article 4 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Carbon-dependent regions affected by the transition of jobs due to the necessary structural transition to a low-carbon economy shall have access to additional support for the PO2 objectives in order to facilitate a just transition. The aim is to support such regions, in particular those which are not already qualified for support under the Modernisation Fund under Directive 2003/87/EC, by promoting the redeployment, re-skilling and up-skilling of workers, education, job-seeking initiatives as well as development of new jobs, for example through start-ups, in close dialogue and coordination with the social partners. To finance this, the Structural Reform Support Programme (SRSP) shall transfer 25 % of its budget to the Structural Funds.**

## **Amendment 11**

### **Proposal for a regulation**

## Article 4 – paragraph 3

*Text proposed by the Commission*

3. Member States shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

*Amendment*

3. Member States ***shall ensure climate, environmental and biodiversity proofing of their operations through all planning and implementation processes.*** ***They*** shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

## Amendment 12

### Proposal for a regulation

#### Article 8 – paragraph 1 – point b – point iii a (new)

*Text proposed by the Commission*

*Amendment*

***(iiia) an explanation of how the Funds are aligned and contribute to the achievement of the targets, policies and measures contained in their integrated national energy and climate plans under the Regulation on the Governance of the Energy Union;***

## Amendment 13

### Proposal for a regulation

#### Article 14 – paragraph 2 – subparagraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) the allocations of the financial resources by priority including the amounts

(a) the allocations of the financial resources by priority including the amounts

for the years 2026 and 2027;

for the years 2026 and 2027, ***in particular taking into account the update of integrated national energy and climate plans under Article 14 of the Regulation on the Governance of the Energy Union;***

#### **Amendment 14**

##### **Proposal for a regulation Article 18 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, in particular, ***take into account*** relevant country-specific recommendations.

*Amendment*

1. The Commission shall assess the programme and its compliance with this Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, in particular, ***review whether*** relevant country-specific recommendations ***are properly addressed***.

#### **Amendment 15**

##### **Proposal for a regulation Article 35 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. All decisions and supporting documents of the monitoring committee shall be published on the website referred to in Article 44(1).***

#### **Amendment 16**

##### **Proposal for a regulation Article 35 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 35a  
One-stop shop for citizens***

*1. Each Member State shall set up a one-stop shop to respond to any questions or requests from Union citizens, including beneficiaries, on the implementation of each programme within three months of the date of notification to the Member State concerned of the decision approving the relevant programme.*

*Member States may set up a single one-stop shop to cover more than one programme.*

*2. The one-stop shop shall provide holistic advice to Union citizens with regards the implementation of each programme, including calls for projects, and handle any complaint about its implementation, in particular with regards to its coherence with other Union policies and requirements, such as environment and climate policies.*

## **Amendment 17**

### **Proposal for a regulation**

#### **Article 67 – paragraph 3 – point j**

*Text proposed by the Commission*

(j) ensure the climate proofing of investments in infrastructure with an expected lifespan of at least five years.

*Amendment*

(j) ensure the climate, ***environment and biodiversity*** proofing of investments in infrastructure with an expected lifespan of at least five years.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	ENVI 11.6.2018
<b>Rapporteur</b> Date appointed	Adina-Ioana Vălean 21.6.2018
<b>Date adopted</b>	10.10.2018
<b>Result of final vote</b>	+: 53 –: 1 0: 8
<b>Members present for the final vote</b>	Marco Affronte, Margrete Auken, Pilar Ayuso, Catherine Bearder, Ivo Belet, Biljana Borzan, Lynn Boylan, Paul Brannen, Soledad Cabezón Ruiz, Miriam Dalli, Seb Dance, Angélique Delahaye, Mark Demesmaecker, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Arne Gericke, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, György Hölvényi, Anneli Jäätteenmäki, Karin Kadenbach, Kateřina Konečná, Urszula Krupa, Giovanni La Via, Jo Leinen, Peter Liese, Valentinas Mazuronis, Susanne Melior, Miroslav Mikolášik, Joëlle Mélin, Rory Palmer, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, Julia Reid, Frédérique Ries, Michèle Rivasi, Annie Schreijer-Pierik, Renate Sommer, Nils Torvalds, Claudiu Ciprian Tănăsescu, Adina-Ioana Vălean
<b>Substitutes present for the final vote</b>	Cristian-Silviu Buşoi, Nicola Caputo, Jørn Dohrmann, Christofer Fjellner, Christophe Hansen, Danilo Oscar Lancini, Tilly Metz, Younous Omarjee, Aldo Patriciello, Carolina Punset, Christel Schaldemose, Bart Staes, Carlos Zorrinho
<b>Substitutes under Rule 200(2) present for the final vote</b>	Kati Piri

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

53	+
ALDE	Catherine Bearder, Anneli Jäätteenmäki, Valentinas Mazuronis, Carolina Punset, Frédérique Ries, Nils Torvalds
EFDD	Piernicola Pedicini
GUE/NGL	Lynn Boylan, Kateřina Konečná, Younous Omarjee
PPE	Pilar Ayuso, Ivo Belet, Cristian-Silviu Buşoi, Angélique Delahaye, José Inácio Faria, Christofer Fjellner, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Jens Gieseke, Julie Girling, Françoise Grossetête, Andrzej Grzyb, Christophe Hansen, György Hölvényi, Giovanni La Via, Peter Liese, Miroslav Mikolášik, Aldo Patriciello, Annie Schreijer-Pierik, Renate Sommer Adina-Ioana Vălean
S&D:	Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nicola Caputo, Miriam Dalli, Seb Dance, Jytte Guteland, Karin Kadenbach, Jo Leinen, Susanne Melior, Rory Palmer, Kati Piri, Pavel Poc, Christel Schaldemose, Claudiu Ciprian Tănăsescu, Carlos Zorrinho
VERTS/ALE	Marco Affronte, Margrete Auken, Tilly Metz, Michèle Rivasi, Bart Staes

1	-
EFDD	Julia Reid

8	0
ECR	Mark Demesmaecker, Jørn Dohrmann, Arne Gericke, Urszula Krupa, Bolesław G. Piecha
ENF	Sylvie Goddyn, Danilo Oscar Lancini Joëlle Mélin

Key to symbols:

+ : in favour

- : against

0 : abstention

19.11.2018

## **OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur: Kosma Złotowski

### **SHORT JUSTIFICATION**

#### **General information**

The impact of Cohesion Policy on the development of transport infrastructure to date, and thus on the socio-economic development of European Union countries, has clearly been positive. EU funds have a strong impact on economic growth, investment activity and labour markets, as well as the development of a single European transport area and on the internal and external balance of the economies of the Member States. The implementation of Cohesion Policy contributes to reducing not only the distance between individual Member States, but also disparities in development between regions.

Research clearly shows that structural and investment funds significantly increased GDP growth and accelerated the convergence of Member States' economies. European funds also promote a significant increase in employment in the least developed regions and a fall in unemployment at national level.

Cohesion Policy provides effective support for the process of creating new jobs and finances programmes for improving the skills of employees, thereby facilitating the adaptation to changing employment conditions on the labour market. Cohesion Policy and its instruments are still the most important factors in increasing development in many EU Member States. The Cohesion Fund is the most effective of the financial instruments in contributing to achieving convergence objectives through the implementation of strategic projects in the areas of environmental protection and TEN-T networks.

On 29 May 2018, the Commission published a draft Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund (CF), and the European Maritime and Fisheries Fund (EMFF) as well as financial rules for those and for the Asylum and Migration Fund (AMF), the Internal Security Fund (ISF) and the Border Management and Visa Instrument (BMVI), hereinafter referred to as the 'Framework Regulation'. The main purpose of this act is to streamline and unify the rules for using funds under shared management in the years 2021-2027.

The draft regulation sets out a budget for economic, social and territorial cohesion in the amount of EUR 330.6 billion. This includes EUR 41.394 billion for the Cohesion Fund, of which EUR 10 billion is reserved for use under the Connecting Europe Facility.

### **Rapporteur's position**

Due to the highly technical and detailed nature of the new proposal, the Rapporteur focused mainly on aspects directly affecting transport investments.

The Rapporteur agrees with the key objective that led to the preparation of the draft Framework Regulation, i.e. the need to significantly reduce unnecessary administrative burdens while ensuring a high level of certainty as to the legality and regularity of the expenditure. In the Rapporteur's view, it is necessary to make the procedures more flexible in order to adapt the rules for using existing programmes to changing needs and economic conditions, as well as to better match these programmes to EU priorities.

The Rapporteur believes that there are still opportunities to simplify and rationalise implementation, which the Commission has not yet made use of. For example, some solutions developed during the latest amendments to Regulation No 1303/2013 (the so-called Omnibus) were not included by the Commission in the proposal it submitted. Additionally, not all the solutions proposed by the Commission will serve to simplify and rationalise implementation.

Regarding the funds transferred from the Cohesion Fund to the Connecting Europe Facility, 30% of these amounts are immediately made available to all cohesion countries on a competitive basis, while 70% are allocated to national envelopes, whereas in the period 2014-2020 all CF funds were allocated to national envelopes, with a three-year period for use within those envelopes, and then made available on a competitive basis.

The Rapporteur does not support the proposal to immediately transfer 30% of the resources from the Cohesion Fund allocation to the Connecting Europe Facility for all Member States eligible for CF support. The Rapporteur believes that the entire transfer of EUR 10 billion from the Cohesion Fund to the Connecting Europe Facility should be divided into national envelopes (with a restricted period for use) in proportion to the contribution of the individual Member States. This solution works in the current Financial Perspective and there is no substantive or practical justification for reducing the national envelopes to 70%.

The Commission also proposes reducing the co-financing rate from the current 85% to 70% for less developed regions, which will necessitate a much greater involvement of national resources in the implementation of programmes carried out using funds transferred from the Cohesion Fund.

This means that large transport infrastructure investments implemented with funds transferred



from the Cohesion Fund will require a larger contribution from the national budget. This solution will make implementation of many investments at the same time impossible and will have a negative impact primarily on investments in the transport sector, which are highly capital-intensive and most of them would not have been carried out without the co-financing applied so far. The proposed reduction in the level of co-financing from the CF and the increase in national co-financing will not only not increase the sense of responsibility of the Member States, but will also block the implementation of many infrastructure projects.

The Commission proposes replacing the ‘n+3’ rule currently in force with the ‘n+2’ rule. The ‘n+3’ rule is particularly beneficial for complex, large-scale investment projects generating high expenditures and provides for the time frame necessary for all phases of the project life cycle. Such projects include transport projects. The ‘n+2’ rule does not guarantee the acceleration of the investment process, but only increases sanctions for Member States that do not certify funds at the appropriate pace. As a result, it may not be possible to maintain the programme implementation pace set by the ‘n+2’ rule and countries will lose a significant part of the allocation.

The Rapporteur is also concerned about the planned reduction in Cohesion Fund resources, as well as the abandoning of the principle of the CF providing one-third of the total allocation. The proposed allocation for the Cohesion Fund in the 2021-2027 period is EUR 41.4 billion, compared with EUR 75.8 billion in the current perspective, which is a reduction of 45% in real terms. At the same time, the per capita Gross National Income of Cohesion Fund beneficiary countries has not increased on the same scale. Such a significant reduction in the Cohesion Fund will limit the ability to meet large investment needs in the basic transport infrastructure in cohesion countries.

The Rapporteur also raises objections to the list of basic conditions proposed in the Annex to the Regulation, in particular with regard to the transport sector. The need to include in the Comprehensive Transport Planning Document information on budgetary resources necessary to cover operation and maintenance costs of existing and planned infrastructure is particularly questionable.

The Rapporteur also expresses doubts about the link between the spending of EU funds and the rule of law. Only objective, non-politicised and non-discriminatory criteria will achieve the expected results in this regard. At the same time, the Rapporteur points out that the draft Regulation on the protection of the Union’s Budget in case of generalised deficiencies as regards the rule of law in the Member States, as presented by the Commission, does not meet the above criteria.

## **AMENDMENTS**

The Committee on Transport and Tourism calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

### **Amendment 1**

#### **Proposal for a regulation**

#### **Recital 1 a (new)**

**(1a) Cohesion policy financing for the period 2021-2027 should be increased as described in the resolution adopted by the European Parliament or at least remain at the same level as under the current multiannual financial framework.**

**Amendment 2 Proposal for a regulation  
Recital 6**

*Text proposed by the Commission*

*Amendment*

(6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU **also concern the** protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect **for** the rule of law is an essential precondition for sound financial management **and effective** EU funding.

(6) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU concern **measures linking effectiveness of Funds to sound economic governance and** protection of the Union's budget, in case of generalised deficiencies as regards the rule of law in the Member States, as the respect **of sound economic governance and of** the rule of law is an essential precondition for sound **and effective** financial management **of the** EU funding.

**Amendment 3**

**Proposal for a regulation  
Recital 9**

*Text proposed by the Commission*

*Amendment*

(9) Reflecting the importance of tackling climate change in line with the

(9) Reflecting the importance of tackling climate change in line with the

Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to mainstream climate actions **and to the achievement of** an overall target of 25 % of the EU budget expenditure supporting climate **objectives**.

Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Funds will contribute to mainstream **fair energy transition and** climate actions **to achieve** an overall target of **at least** 25 % of the EU budget expenditure supporting climate **change, over the MFF 2021-2027 period, and 30 % as soon as possible and at the latest by 2027. Inter alia, through the restructuring of coal mining regions, inter alia, through the Just Energy Transition Fund**

#### Amendment 4

##### Proposal for a regulation Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

**(9a) Cohesion policy funding in the years 2021-2027 should be maintained at least at the level of the 2014-2020 budget, to ensure the achievement of basic policy objectives, the implementation of large investment projects and a reduction in development disparities between regions.**

#### Amendment 5

##### Proposal for a regulation Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) a smarter Europe by promoting innovative and smart economic transformation;

(a) a **competitive**, smarter **and sustainable** Europe by **strengthening its economic, social and territorial cohesion, by reducing the national and regional socio-economic asymmetries and** promoting innovative and smart economic transformation

#### Amendment 6

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) a greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

*Amendment*

(b) a greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, **structural and** climate adaptation and risk prevention and management;

**Amendment 7**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) a more connected Europe by enhancing mobility **and** regional ICT connectivity;

*Amendment*

(c) a more **and better** connected Europe by enhancing **sustainable transport, safe and intelligent** mobility, **intermodality, interoperability, specifically in the transport sector, as well as** regional ICT connectivity, **including reducing the isolation of the outermost regions by investing in their accessibility and betting in green mobility.**

**Amendment 8**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

**(ea) a more cohesive Europe by supporting the integration of people with disabilities.**

**Amendment 9**

**Proposal for a regulation**  
**Article 5 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The Commission may implement outermost regions' cooperation under the European territorial cooperation goal (Interreg) under indirect management.

3. The Commission may implement outermost regions' cooperation under the European territorial cooperation goal (Interreg) under indirect management, ***with the prior agreement of the parties.***

*Justification*

*Clarification in line with Article 60 of proposal for a regulation EU COM(2018) 374 on the European territorial cooperation goal (Interreg).*

**Amendment 10**

**Proposal for a regulation  
Article 6 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes.

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes, ***and shall report the outcome to the European Parliament and to the Council.***

**Amendment 11**

**Proposal for a regulation  
Article 7 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Member State shall submit the Partnership Agreement to the Commission before or at the same time as the submission of the first programme.

2. The Member State shall submit the Partnership Agreement to the Commission before or at the same time as the submission of the first programme, ***but not later than December 31, 2021.***

**Amendment 12**

**Proposal for a regulation  
Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, and where relevant, a justification for using the delivery mode of the InvestEU, taking into account relevant country-specific recommendations;

*Amendment*

(a) the selected policy objectives indicating by which of the Funds and programmes they will be pursued and a justification thereto, and where relevant, a justification for using the delivery mode of the InvestEU, taking into account, **among others**, relevant country-specific recommendations;

### **Amendment 13**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, **in particular**, take into account relevant country-specific recommendations.

*Amendment*

1. The Commission shall assess the Partnership Agreement and its compliance with this Regulation and with the Fund-specific rules. In its assessment, the Commission shall, take into account **the provisions of Articles 4 and 8 and, if the case**, relevant country-specific recommendations.

### **Amendment 14**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 2**

*Text proposed by the Commission*

2. The Commission may make observations within **three** months of the date of submission by the Member State of the Partnership Agreement.

*Amendment*

2. The Commission may make observations within **two** months of the date of submission by the Member State of the Partnership Agreement.

### **Amendment 15**

#### **Proposal for a regulation**

##### **Article 9 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The Member State shall review the Partnership Agreement taking into account the observations *made by* the Commission.

3. ***Within one month*** the Member State shall review the Partnership Agreement taking into account the observations ***received from*** the Commission.

#### Amendment 16

##### Proposal for a regulation Article 9 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall adopt a decision by means of an implementing act approving the Partnership Agreement no later than four months after the date of submission of that Partnership Agreement by the Member State concerned. The Partnership Agreement shall not be amended.

*Amendment*

4. The Commission shall adopt a decision by means of an implementing act approving the Partnership Agreement no later than four months after the date of ***first*** submission of that Partnership Agreement by the Member State concerned. The Partnership Agreement shall not be amended.

#### Amendment 17

##### Proposal for a regulation Article 10 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. The amounts referred to in paragraph 1 shall be used, under the appropriate InvestEU window, for projects implemented by the respective Member State***

#### Amendment 18

##### Proposal for a regulation Article 15 – paragraph 9

*Text proposed by the Commission*

9. The scope and level of the suspension of commitments or payments to be imposed shall be proportionate, shall respect the equality of treatment between

*Amendment*

9. The scope and level of the suspension of commitments or payments to be imposed shall be proportionate, shall respect the equality of treatment between

Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.

Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State concerned. The impact of suspensions on programmes of critical importance to address adverse **structural**, economic or social conditions, **such as those in the outermost regions**, shall be a specific factor to be taken into account.

#### *Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. Linking cohesion policy to the European Semester cannot give rise to a suspension of commitments or payments in the regions when there is a breach of obligations by the State rather than by the regions.*

#### **Amendment 19**

##### **Proposal for a regulation**

##### **Article 17 – paragraph 3 – subparagraph 1 – point d – point i**

###### *Text proposed by the Commission*

(i) the related types of actions, including a list of planned operations of strategic importance, and their expected contribution to those specific objectives and to macro-regional strategies and sea-basin strategies, where appropriate;

###### *Amendment*

(i) the related types of actions, including a list of planned operations of strategic importance, and their expected contribution to those specific objectives and to macro-regional strategies and sea-basin strategies, where appropriate, **and a time-table**;

#### **Amendment 20**

##### **Proposal for a regulation**

##### **Article 18 – paragraph 1**

###### *Text proposed by the Commission*

1. The Commission shall assess the programme and its compliance with this

###### *Amendment*

1. The Commission shall assess the programme and its compliance with this



Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, **in particular**, take into account relevant country-specific recommendations.

Regulation and with the Fund-specific Regulations, as well as its consistency with the Partnership Agreement. In its assessment, the Commission shall, take into account **the provisions of Articles 4 and 8 and, if the case**, relevant country-specific recommendations.

## Amendment 21

### Proposal for a regulation Article 18 – paragraph 2

*Text proposed by the Commission*

2. The Commission may make observations within **three** months of the date of submission of the programme by the Member State.

*Amendment*

2. The Commission may make observations within **two** months of the date of submission of the programme by the Member State.

## Amendment 22

### Proposal for a regulation Article 18 – paragraph 3

*Text proposed by the Commission*

3. The Member State shall review the programme taking into account the observations **made by** the Commission.

*Amendment*

3. The Member State shall review the programme taking into account the observations **received from** the Commission.

## Amendment 23

### Proposal for a regulation Article 18 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than **six** months after the date of submission of the programme by the Member State.

*Amendment*

4. The Commission shall adopt a decision by means of an implementing act approving the programme no later than **four** months after the date of **first** submission of the programme by the Member State.

## Amendment 24

### Proposal for a regulation Article 19 – paragraph 2

*Text proposed by the Commission*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within **three** months of the submission of the amended programme.

*Amendment*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within **two** months of the submission of the amended programme.

## Amendment 25

### Proposal for a regulation Article 19 – paragraph 3

*Text proposed by the Commission*

3. The Member State shall review the amended programme and take into account the observations **made by** the Commission.

*Amendment*

3. **Within one month** the Member State shall review the amended programme and take into account the observations **received from** the Commission.

## Amendment 26

### Proposal for a regulation Article 19 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall approve the amendment of a programme no later than **six** months after its submission by the Member State.

*Amendment*

4. The Commission shall approve the amendment of a programme no later than **four** months after its **first** submission by the Member State.

## Amendment 27

### Proposal for a regulation Article 19 – paragraph 5 a (new)

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*Text proposed by the Commission*

*Amendment*

**5a. For the outermost regions, the Member State may, during the programming period, transfer up to 10% of the initial allocation of a priority and no more than 5% of the programme budget to another priority of the same Fund from the same programme.**

*Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. For that reason, more flexibility for the outermost regions is needed with regard to the transfer of funds from one priority to another within the same programme, making it possible to address structural and unexpected constraints, particularly disasters caused by climate change.*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 31 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) for the ERDF support under the Investment for jobs and growth goal, and for the Cohesion Fund support: 2.5 %;

(a) for the ERDF support under the Investment for jobs and growth goal, and for the Cohesion Fund support: 2.5 %; **for the outermost regions, 4 %;**

*Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. Those additional costs also have an impact on the management, control and monitoring of programmes.*

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 31 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) for the ESF+ support: 4 % and for

(b) for the ESF+ support: 4 % **and 5 %**

programmes under Article 4(1)(c)(vii) of the ESF+ Regulation: 5 %;

**for the outermost regions** and for programmes under Article 4(1)(c)(vii) of the ESF+ Regulation: 5 %;

*Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. Those additional costs also have an impact on the management, control and monitoring of programmes.*

**Amendment 30**

**Proposal for a regulation**

**Article 31 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) for the EMFF support: 6 %;

(c) for the EMFF support: 6 %; **for the outermost regions, 7 %;**

*Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. Those additional costs also have an impact on the management, control and monitoring of the programmes.*

**Amendment 31**

**Proposal for a regulation**

**Article 37 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The managing authority shall electronically transmit to the Commission cumulative data for each programme by **31 January, 31 March, 31 May, 31 July, 30 September and 30 November** of each year in accordance with the template set out in Annex VII.

The managing authority shall electronically transmit to the Commission cumulative data for each programme by 31 May and 30 November of each year in accordance with the template set out in Annex VII.

*Justification*

*Programme management is quite complex and deleting some data would make it easier to implement programmes.*

## Amendment 32

### Proposal for a regulation

#### Article 37 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The first transmission shall be due by 31 **January** 2022 and the last one by 31 January 2030.

*Amendment*

The first transmission shall be due by 31 **May** 2022 and the last one by 31 January 2030.

*Justification*

*Programme management is quite complex and deleting some data would make it easier to implement programmes.*

## Amendment 33

### Proposal for a regulation

#### Article 44 – paragraph 1

*Text proposed by the Commission*

1. The managing authority shall ensure that, within six months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, available funding opportunities and achievements.

*Amendment*

1. The managing authority shall ensure that, within six months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, ***call for proposals time-table***, available funding opportunities and achievements.

## Amendment 34

### Proposal for a regulation

#### Article 57 – paragraph 6

*Text proposed by the Commission*

6. Operations shall not be selected for support by the Funds where they have been physically completed or fully implemented before the application for funding under the programme is submitted to the managing authority, irrespective of

*Amendment*

6. Operations shall not be selected for support by the Funds where they have been physically completed or fully implemented before the application for funding under the programme is submitted to the managing authority, irrespective of

whether all related payments have been made.

whether all related payments have been made. ***This paragraph shall not apply to the aid provided for in Article 21 of Regulation (EU) No XXX (on the European Maritime and Fisheries Fund) regarding compensation for additional fishery and aquaculture product costs in the outermost regions and operations relating to the specific additional allocation for the outermost regions in Regulation (EU) XXXX (ERDF and Cohesion Fund).***

#### *Justification*

*Clarification that this paragraph does not apply to the EMFF in accordance with Article 21 of the Commission proposal or the ERDF or Cohesion Fund, particularly the specific additional allocation for the outermost regions.*

#### **Amendment 35**

##### **Proposal for a regulation**

##### **Article 57 – paragraph 7 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Undertakings from third countries shall only be allowed to participate in public tenders for EU funded projects if EU undertakings are able to participate in public tenders in the countries of origin of these undertakings.***

#### **Amendment 36**

##### **Proposal for a regulation**

##### **Article 61 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 61a***

***State aid***

***Operations financed under the programmes covered in this Regulation shall be considered to be complying with EU state aid rules.***

*Justification*

*Automatic compatibility will help to make management of the programmes more effective.*

**Amendment 37**

**Proposal for a regulation  
Article 63 – paragraph 11**

*Text proposed by the Commission*

(11) The Commission shall adopt an implementing act setting out the format to be used for reporting of irregularities in accordance with the advisory procedure referred to in Article 109(2) in order to ensure uniform conditions for the implementation of this Article.

*Amendment*

(11) The Commission shall adopt an implementing act setting out the format to be used for reporting of irregularities in accordance with the advisory procedure referred to in Article 109(2) in order to ensure uniform conditions **and rules** for the implementation of this Article.

**Amendment 38**

**Proposal for a regulation  
Article 67 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***The procedures at all stages shall be implemented through electronic services and fully transparent.***

**Amendment 39**

**Proposal for a regulation  
Article 84 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) 2021: **0.5** %;

(a) 2021: **1** %;

**Amendment 40**

**Proposal for a regulation  
Article 84 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 2022: **0.5** %;

(b) 2022: **1.0** %;

#### **Amendment 41**

##### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 2023: **0.5** %;

(c) 2023: **2** %;

#### **Amendment 42**

##### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 2024: **0.5** %;

(d) 2024: **2.5** %;

#### **Amendment 43**

##### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5** %;

(e) 2025: **2.5** %;

#### **Amendment 44**

##### **Proposal for a regulation**

##### **Article 84 – paragraph 2 – subparagraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

(f) 2026: **0.5** %

(f) 2026: **2.5** %

#### **Amendment 45**

##### **Proposal for a regulation**

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## Article 84 – paragraph 2 – subparagraph 1 – point f a (new)

*Text proposed by the Commission*

*Amendment*

**(fa) 2027-2029: 3%**

*Justification*

*In view of the outermost regions' structural social and economic situation, which results in additional constraints and costs for their development, Article 349 TFEU gives them a specific status. Maintenance of the current pre-financing rates as provided for in Article 134 of Regulation (EU) No 1303/2013 is essential to the implementation of the programmes.*

## Amendment 46

### Proposal for a regulation

#### Article 103 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **330 624 388 630** in 2018 prices.

The resources for economic, social and territorial cohesion available for budgetary commitment for the period 2021-2027 shall be EUR **372 197 000 000** in 2018 prices.

## Amendment 47

### Proposal for a regulation

#### Article 104 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Resources for the Investment for jobs and growth goal shall amount to 97.5 % of the global resources (*i.e., a total of EUR 322 194 388 630*) and shall be allocated as follows:

1. Resources for the Investment for jobs and growth goal shall amount to 97.5 % of the global resources and shall be allocated as follows:

## Amendment 48

### Proposal for a regulation

#### Article 104 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) 61.6 % (*i.e a total of EUR 198 621*

(a) 61.6 % for less developed regions;

593 157) for less developed regions;

#### Amendment 49

##### Proposal for a regulation

##### Article 104 – paragraph 1 – point b

*Text proposed by the Commission*

(b) 14.3 % (*i.e. a total of EUR 45 934 516 595*) for transition regions;

*Amendment*

(b) 14.3 % for transition regions;

#### Amendment 50

##### Proposal for a regulation

##### Article 104 – paragraph 1 – point c

*Text proposed by the Commission*

(c) 10.8 % (*i.e., a total of EUR 34 842 689 000*) for more developed regions;

*Amendment*

(c) 10.8 % for more developed regions;

#### Amendment 51

##### Proposal for a regulation

##### Article 104 – paragraph 1 – point d

*Text proposed by the Commission*

(d) 12.8 % (*i.e., a total of EUR 41 348 556 877*) for Member States supported by the Cohesion Fund;

*Amendment*

(d) 12.8 % for Member States supported by the Cohesion Fund;

#### Amendment 52

##### Proposal for a regulation

##### Article 104 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The amount of additional funding for the outermost regions referred to in point (e) in paragraph 1 *allocated to the ESF+ shall be EUR 376 928 934.*

*Amendment*

*EUR 376 928 934 shall be added from the ESF+ to the amount of additional funding for the outermost regions referred to in point (e) in paragraph 1.*

*Justification*

*Clarification in line with Article 5(2) of the proposal for a regulation on the European Social Fund +.*

**Amendment 53**

**Proposal for a regulation**

**Article 104 – paragraph 4 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall inform Parliament and the Member States of the amount and of the criteria at the latest 2 years before any CEF call.***

**Amendment 54**

**Proposal for a regulation**

**Article 104 – paragraph 4 – subparagraph 5**

*Text proposed by the Commission*

*Amendment*

***30% of the resources transferred to the CEF shall be available immediately after the transfer to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].***

***deleted***

**Amendment 55**

**Proposal for a regulation**

**Article 104 – paragraph 4 – subparagraph 6**

*Text proposed by the Commission*

*Amendment*

Rules applicable for the transport sector under Regulation (EU) [new CEF Regulation] shall apply to the specific calls referred to in the first subparagraph. Until 31 December **2023**, the selection of projects eligible for financing shall respect the national allocations under the Cohesion

Rules applicable for the transport sector under Regulation (EU) [new CEF Regulation] shall apply to the specific calls referred to in the first subparagraph. Until 31 December **2022**, the selection of projects eligible for financing shall respect the national allocations under the Cohesion

Fund *with regard to 70% of the resources transferred to the CEF.*

Fund.

## **Amendment 56**

### **Proposal for a regulation**

#### **Article 104 – paragraph 4 – subparagraph 7**

*Text proposed by the Commission*

As of 1 January **2024**, resources transferred to the CEF which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].

*Amendment*

As of 1 January **2023** resources transferred to the CEF which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 104 – paragraph 7**

*Text proposed by the Commission*

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **2.5** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027 (i.e. a total of EUR **8 430 000 000**).

*Amendment*

7. Resources for the European territorial cooperation goal (Interreg) shall amount to **3** % of the global resources available for budgetary commitment from the Funds for the period 2021-2027 (i.e. a total of EUR **10 116 000 000**).

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 105 – paragraph 1 – point a**

*Text proposed by the Commission*

**(a) of not more than 15 % of the total allocations for less developed regions to transition regions or more developed regions and from transition regions to more developed regions;**

*Amendment*

*deleted*

*Justification*

*A reallocation of resources from less developed regions to highly developed regions is not in line with the spirit of cohesion policy.*

**Amendment 59**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) **70** % for the less developed regions;

(a) **85** % for the less developed regions;

**Amendment 60**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) **55** % for the transition regions;

(b) **60%** for the transition regions;

**Amendment 61**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) **40** % for the more developed regions.

(c) **50** % for the more developed regions.

**Amendment 62**

**Proposal for a regulation**

**Article 106 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **70** %.

The co-financing rate for the Cohesion Fund at the level of each priority shall not be higher than **85** %.

## Amendment 63

### Proposal for a regulation

#### Article 106 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The co-financing rate for Interreg programmes shall be no higher than **70** %.

*Amendment*

The co-financing rate for Interreg programmes shall be no higher than **85** %.

## Amendment 64

### Proposal for a regulation

#### Annex I – Table 1: Codes for the intervention field dimension – Policy objectives 2

*Text proposed by the Commission*

Policy objective 2: A greener, low carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management

024	Energy efficiency and demonstration projects in SMEs and supporting measures	100 %	40 %
025	Energy efficiency renovation of existing housing stock, demonstration projects and supporting measures	100 %	40 %
026	Energy efficiency renovation of public infrastructure, demonstration projects and supporting measures	100 %	40 %
027	Support to enterprises that provide services contributing to the low carbon economy and to resilience to climate change	100 %	40 %
028	Renewable energy: wind	100 %	40 %
029	Renewable energy: solar	100 %	40 %
030	Renewable energy: biomass	100 %	40 %
031	Renewable energy: marine	100 %	40 %
032	Other renewable energy (including geothermal energy)	100 %	40 %
033	Smart Energy Distribution Systems at medium and low voltage levels (including smart grids and ICT systems) and related storage	100 %	40 %
034	High efficiency co-generation, district heating and cooling	100 %	40 %
035	Adaptation to climate change measures and prevention and management of climate related risks: floods (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
036	Adaptation to climate change measures and prevention and management of climate related risks: fires (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %

037	Adaptation to climate change measures and prevention and management of climate related risks: others, e.g. storms and drought (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
038	Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents), including awareness raising, civil protection and disaster management systems and infrastructures	0 %	100 %
039	Provision of water for human consumption (extraction, treatment, storage and distribution infrastructure, efficiency measures, drinking water supply)	0 %	100 %
040	Water management and water resource conservation (including river basin management, specific climate change adaptation measures, reuse, leakage reduction)	40 %	100 %
041	Waste water collection and treatment	0 %	100 %
042	Household waste management: prevention, minimisation, sorting, recycling measures	0 %	100 %
043	Household waste management: mechanical biological treatment, thermal treatment	0 %	100 %
044	Commercial, industrial or hazardous waste management	0 %	100 %
045	Promoting the use of recycled materials as raw materials	0 %	100 %
046	Rehabilitation of industrial sites and contaminated land	0 %	100 %
047	Support to environmentally-friendly production processes and resource efficiency in SMEs	40 %	40 %
048	Air quality and noise reduction measures	40 %	100 %
049	Protection, restoration and sustainable use of Natura 2000 sites	40 %	100 %
050	Nature and biodiversity protection, green infrastructure	40 %	100 %

*Amendment*

Policy objective 2: A greener, low carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management

024	Energy efficiency and demonstration projects in SMEs and supporting measures	100 %	40 %
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025	Energy efficiency renovation of existing housing stock, demonstration projects and supporting measures	100 %	40 %
026	Energy efficiency renovation of public infrastructure, demonstration projects and supporting measures	100 %	40 %
027	Support to enterprises that provide services contributing to the low carbon economy and to resilience to climate change	100 %	40 %
<b>027a</b>	<b><i>Support to enterprises that undergo structural changes to foster a low carbon economy and low carbon energy generation</i></b>	<b>100%</b>	<b>40%</b>
028	Renewable energy: wind	100 %	40 %
029	Renewable energy: solar	100 %	40 %
030	Renewable energy: biomass	100 %	40 %
031	Renewable energy: marine	100 %	40 %
032	Other renewable energy (including geothermal energy)	100 %	40 %
033	Smart Energy Distribution Systems at medium and low voltage levels (including smart grids and ICT systems) and related storage	100 %	40 %
034	High efficiency co-generation, district heating and cooling	100 %	40 %
035	Adaptation to climate change measures and prevention and management of climate related risks: floods (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
036	Adaptation to climate change measures and prevention and management of climate related risks: fires (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
037	Adaptation to climate change measures and prevention and management of climate related risks: others, e.g. storms and drought (including awareness raising, civil protection and disaster management systems and infrastructures)	100 %	100 %
038	Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents), including awareness raising, civil protection and disaster management systems and infrastructures	0 %	100 %
039	Provision of water for human consumption (extraction, treatment, storage and distribution infrastructure, efficiency measures, drinking water supply)	0 %	100 %
040	Water management and water resource conservation (including river basin management, specific climate change adaptation measures, reuse, leakage reduction)	40 %	100 %
041	Waste water collection and treatment	0 %	100 %
042	Household waste management: prevention, minimisation, sorting, recycling measures	0 %	100 %



043	Household waste management: mechanical biological treatment, thermal treatment	0 %	100 %
044	Commercial, industrial or hazardous waste management	0 %	100 %
045	Promoting the use of recycled materials as raw materials	0 %	100 %
046	Rehabilitation of industrial sites and contaminated land	0 %	100 %
<b>046 a</b>	<b><i>Rehabilitation of coal regions</i></b>	<b>0 %</b>	<b>100 %</b>
047	Support to environmentally-friendly production processes and resource efficiency in SMEs	40 %	40 %
048	Air quality and noise reduction measures	40 %	100 %
049	Protection, restoration and sustainable use of Natura 2000 sites	40 %	100 %
050	Nature and biodiversity protection, green infrastructure	40 %	100 %

## **Amendment 65**

### **Proposal for a regulation**

#### **Annex I – Table 1: Codes for the intervention field dimension – Policy objectives 3**

*Text proposed by the Commission*

Policy objective 3: A more connected Europe by enhancing mobility and regional ICT connectivity

051	ICT: Very High-Capacity broadband network (backbone/backhaul network)	0 %	0 %
052	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for multi-dwelling premises)	0 %	0 %
053	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for homes and business premises)	0 %	0 %
054	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the base station for advanced wireless communication)	0 %	0 %
055	ICT: Other types of ICT infrastructure (including large-scale computer resources/equipment, data centres, sensors and other wireless)	0 %	0 %

	equipment)		
056	Newly built motorways and roads - TEN-T core network	0 %	0 %
057	Newly built motorways and roads - TEN-T comprehensive network	0 %	0 %
058	Newly built secondary road links to TEN-T road network and nodes	0 %	0 %
059	Newly built other national, regional and local access roads	0 %	0 %
060	Reconstructed or improved motorways and roads - TEN-T core network	0 %	0 %
061	Reconstructed or improved motorways and roads - TEN-T comprehensive network	0 %	0 %
062	Other reconstructed or improved roads (motorway, national, regional or local)	0 %	0 %
063	Digitalisation of transport: road	40 %	0 %
064	Newly built railways - TEN-T core network	100 %	40 %
065	Newly built railways - TEN-T comprehensive network	100 %	40 %
066	Other newly built railways	100 %	40 %
067	Reconstructed or improved railways - TEN-T core network	0 %	40 %
068	Reconstructed or improved railways - TEN-T comprehensive network	0 %	40 %
069	Other reconstructed or improved railways	0 %	40 %
070	Digitalisation of transport: rail	40 %	0 %
071	European Rail Traffic Management System (ERTMS)	0 %	40 %
072	Mobile rail assets	40 %	40 %
073	Clean urban transport infrastructure	100 %	40 %
074	Clean urban transport rolling stock	100 %	40 %
075	Cycling infrastructure	100 %	100 %
076	Digitalisation of urban transport	40 %	0 %
077	Alternative fuels infrastructure	100 %	40 %
078	Multimodal transport (TEN-T)	40 %	40 %
079	Multimodal transport (not urban)	40 %	40 %
080	Seaports (TEN-T)	40 %	0 %
081	Other seaports	40 %	0 %
082	Inland waterways and ports (TEN-T)	40 %	0 %
083	Inland waterways and ports (regional and local)	40 %	0 %
084	Digitising transport: other transport modes	40 %	0 %

*Amendment*

Policy objective 3: A more connected Europe by enhancing mobility and regional ICT connectivity

051	ICT: Very High-Capacity broadband network (backbone/backhaul network)	<b>100 %</b>	0 %
052	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for multi-dwelling premises)	<b>100 %</b>	0 %
053	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the distribution point at the serving location for homes and business premises)	<b>100 %</b>	0 %
054	ICT: Very High-Capacity broadband network (access/local loop with a performance equivalent to an optical fibre installation up to the base station for advanced wireless communication)	<b>100 %</b>	0 %
055	ICT: Other types of ICT infrastructure (including large-scale computer resources/equipment, data centres, sensors and other wireless equipment)	<b>100 %</b>	0 %
056	Newly built motorways, <b>bridges</b> and roads - TEN-T core network	<b>50 %</b>	0 %
057	Newly built motorways, , <b>bridges</b> and roads - TEN-T comprehensive network	<b>50 %</b>	0 %
058	Newly built secondary road links to TEN-T road network and nodes	<b>50 %</b>	0 %
059	Newly built other national, regional and local access roads	0 %	0 %
<b>059a</b>	<b><i>Controlling and upgrading of existing road bridges and tunnels for the sake of safety</i></b>	<b>0 %</b>	<b>0 %</b>
060	Reconstructed or improved motorways, <b>bridges</b> and roads - TEN-T core network	0 %	0 %
061	Reconstructed or improved motorways, <b>bridges</b> and roads - TEN-T comprehensive network	0 %	0 %
062	Other reconstructed or improved roads (motorway, national, regional or local)	0 %	0 %
063	Digitalisation of transport: road	<b>100 %</b>	0 %
064	Newly built railways - TEN-T core network	100 %	40 %
065	Newly built railways - TEN-T comprehensive network	100 %	40 %
066	Other newly built railways	100 %	40 %
067	Reconstructed or improved railways - TEN-T core network	<b>100 %</b>	40 %
068	Reconstructed or improved railways - TEN-T comprehensive network	<b>100 %</b>	40 %

<b>068 a</b>	<b><i>Reestablishing of regional cross-border rail connections that were abandoned or dismantled (missing links)</i></b>	<b>0 %</b>	<b>0 %</b>
069	Other reconstructed or improved railways	<b>100 %</b>	40 %
<b>069 a</b>	<b><i>Reconstructed or improved airports</i></b>		
<b>069 b</b>	<b><i>Controlling and upgrading of existing rail bridges and tunnels for the sake of safety</i></b>	<b>0 %</b>	<b>0 %</b>
070	Digitalisation of transport: rail	<b>100 %</b>	0 %
071	European Rail Traffic Management System (ERTMS)	<b>100 %</b>	40 %
<b>071 a</b>	<b><i>River Information System ( RIS )</i></b>		
072	Mobile rail assets	40 %	40 %
073	Clean urban transport infrastructure	100 %	40 %
074	Clean urban transport rolling stock	100 %	40 %
075	Cycling <b><i>and walking</i></b> infrastructure	100 %	100 %
076	Digitalisation of urban transport	<b>100 %</b>	<b>100 %</b>
077	Alternative fuels infrastructure	100 %	<b>100 %</b>
078	Multimodal transport (TEN-T)	<b>100 %</b>	<b>100 %</b>
079	Multimodal transport (not urban)	<b>100 %</b>	<b>100 %</b>
<b>079 a</b>	<b><i>Shared mobility systems interconnected with public transport in rural areas (SMARTAs)</i></b>	<b>0 %</b>	<b>0 %</b>
080	Seaports (TEN-T)	40 %	0 %
081	Other seaports	40 %	0 %
<b>081 a</b>	<b><i>Cross-border short sea shipping within the Motorways of the Sea</i></b>	<b>0 %</b>	<b>0 %</b>
082	Inland waterways and ports (TEN-T)	40 %	0 %
083	Inland waterways and ports (regional and local)	40 %	0 %
084	Digitising transport: other transport modes	<b>100 %</b>	<b>100 %</b>

## Amendment 66

### Proposal for a regulation

#### Annex IV – Table – point 2 – row 4

*Text proposed by the Commission*

2.	A greener, low	ERDF and Cohesion	Effective disaster risk	A national or regional
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<p>carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management</p>	<p>Fund: 2.4. Promoting climate change adaptation, risk prevention and disaster resilience</p>	<p>management framework.</p>	<p>disaster risk management plan, consistent with the existing climate adaptation strategies is in place and includes:</p> <ol style="list-style-type: none"> <li>1. A description of key risks, assessed in accordance with the provisions of Article 6 (a) of Decision No 1313/2013/EU, reflecting current and long term threats (25-35 years). The assessment shall build, for climate related risks, on climate change projections and scenarios</li> <li>2. Description of the disaster prevention, preparedness and response measures to address the key risks identified. The measures shall be prioritized in proportion to the risks and their economic impact, capacity gaps<sup>1</sup>, effectiveness and efficiency, taking into account possible alternatives</li> <li>3. Information on budgetary and financing resources and mechanisms available for covering the operation and maintenance costs related to prevention,</li> </ol>
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<sup>1</sup> As assessed in the risk management capabilities assessment required under Article 6 (c) of Decision 1313/2013

*Amendment*

<p>2. A greener, low carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management</p>	<p>ERDF and Cohesion Fund: 2.4. Promoting climate <i>and structural</i> change adaptation, risk prevention and disaster resilience</p>	<p>Effective disaster risk management framework.</p>	<p>A national or regional disaster risk management plan, consistent with the existing climate adaptation strategies is in place and includes:</p>
			<p>1. A description of key risks, assessed in accordance with the provisions of Article 6 (a) of Decision No 1313/2013/EU, reflecting current and long term threats (25-35 years). The assessment shall build, for climate related risks, on climate change projections and scenarios</p> <p>2. Description of the disaster prevention, preparedness and response measures to address the key risks identified. The measures shall be prioritized in proportion to the risks and their economic impact, capacity gaps<sup>1</sup>, effectiveness and efficiency, taking into account possible</p>

			<p>alternatives</p> <p>3. Information on budgetary and financing resources and mechanisms available for covering the operation and maintenance costs related to prevention, preparedness and response</p>
<p><sup>1</sup> As assessed in the risk management capabilities assessment required under Article 6 (c) of Decision 1313/2013</p>			

**Amendment 67**

**Proposal for a regulation**  
**Annex IV – Table – point 3 – row 2**

*Text proposed by the Commission*

<p>3. A more connected Europe by enhancing mobility and regional ICT connectivity</p>	<p>ERDF and Cohesion Fund:</p> <p>3.2 Developing a sustainable, climate resilient, intelligent, <b>secure</b> and intermodal TEN-T</p>	<p>Comprehensive transport planning at the appropriate level</p>	<p>Multimodal mapping of existing and planned infrastructures until 2030 is in place which:</p> <ol style="list-style-type: none"> <li>1. Includes economic justification of the planned investments, underpinned by robust demand analysis and traffic modelling, which should take into account the anticipated impact of <b>rail liberalisation</b></li> <li>2. Reflects air quality plans, taking into account in particular <b>national decarbonisation plans</b></li> <li>3. Includes investments in core TEN-T network</li> </ol>
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corridors, as defined by regulation (EU) 1316/2013, in line with the respective TEN-T work plans

4. For investments outside the core TEN-T, ensures complementarity by providing sufficient connectivity of the regions and local communities to the core TEN-T and its nodes

5. Ensures interoperability of the rail network, through the deployment of baseline-3 compliant ERTMS covering at least the European Deployment Plan

6. Promotes multimodality, identifying needs for multimodal or transshipment freight and passengers terminals and active modes

7. Includes measures aiming at promoting alternative fuels, in line with the relevant national policy frameworks

8. Includes assessment of road safety risks in line with existing national road safety strategies, together with a mapping of the affected roads and sections and providing



		<p>with a prioritisation of the corresponding investments</p> <p><b>9. Provides information on budgetary and financing resources corresponding to the planned investments and required to cover operation and maintenance costs of the existing and planned infrastructures</b></p>
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*Amendment*

3. A more connected Europe by enhancing mobility and regional ICT connectivity	<p>ERDF and Cohesion Fund:</p> <p>3.2 Developing a sustainable, climate resilient, intelligent, <b>safe</b> and intermodal TEN-T</p>	Comprehensive transport planning at the appropriate level	<p>Multimodal mapping of existing and planned infrastructures until 2030 is in place which:</p> <p><b>-1a. Requires social, economic and territorial cohesion to be ensured, and, to a greater extent, missing links to be completed and bottlenecks to be removed on the TEN-T network, which also means investment in hard infrastructure</b></p> <p>1. Includes economic justification of the planned investments, underpinned by robust demand analysis and traffic modelling, which should take into account the anticipated impact of <b>the opening of the rail services markets</b></p> <p>2. Reflects air quality plans, taking into account in particular <b>national emission reduction strategies for the transport sector</b></p> <p>3. Includes investments in core TEN-T network corridors, as defined by regulation (EU) 1316/2013, in line with the respective</p>
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		<p>TEN-T work plans <i>as well as pre-identified sections on the comprehensive network.</i></p> <p>4. For investments outside the core TEN-T, ensures complementarity by providing sufficient connectivity of the <b>urban networks</b>, regions and local communities to the core TEN-T and its nodes</p> <p>5. Ensures interoperability of the rail network, through the deployment of baseline-3 compliant ERTMS covering at least the European Deployment Plan</p> <p>6. Promotes multimodality, identifying needs for multimodal or transshipment freight and passengers terminals and active modes</p> <p>7. Includes measures aiming at promoting alternative fuels, in line with the relevant national policy frameworks</p> <p>8. Includes assessment of road safety risks in line with existing national road safety strategies, together with a mapping of the affected roads and sections and providing with a prioritisation of the corresponding investments</p> <p><b>9a. Promotes sustainable regional and cross-border tourism initiatives that lead to win-win situations for both the tourists and the inhabitants, such as interconnecting the EuroVelo network with the TRAN European Railway network.</b></p>
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## Amendment 68

### Proposal for a regulation Annex XXII – point 6

#### *Text proposed by the Commission*

6. To the amounts by NUTS level 2 region obtained in accordance with point (5) is added, an amount resulting from the allocation of a premium of EUR **400** per person per year, applied to the population share of the region of net migration from

#### *Amendment*

6. To the amounts by NUTS level 2 region obtained in accordance with point (5) is added, an amount resulting from the allocation of a premium of EUR **1000** per person per year, applied to the population share of the region of net migration from

outside the EU to the Member State since 1 January 2013.

outside the EU to the Member State since 1 January 2013.

*Justification*

*Together with the subject of migration, the subject of integration is crucial to successful regional development.*

**Amendment 69**

**Proposal for a regulation  
Annex XXII – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a. To the amount obtained pursuant to point 5 for NUTS level 2 regions in which coal is mined, an amount of EUR 500 shall be added for each job lost or restructured as a result of structural changes intended to achieve a CO<sub>2</sub>-free energy supply;**

*Justification*

*The decline in coal mining and the switch to alternative energy sources, which is partly required by European climate change policy, presents major challenges in certain regions where coal has hitherto been mined. Particularly for coal mining regions, the phasing-out of coal will be an economic burden and a threat to jobs. This structural change needs to be cushioned, supported and made tolerable in terms of employment.*

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	TRAN 5.7.2018
<b>Rapporteur</b> Date appointed	Kosma Złotowski 26.6.2018
<b>Date adopted</b>	15.11.2018
<b>Result of final vote</b>	+: 34 –: 9 0: 0
<b>Members present for the final vote</b>	Daniela Aiuto, Marie-Christine Arnautu, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Tania González Peñas, Dieter-Lebrecht Koch, Merja Kyllönen, Miltiadis Kyrkos, Innocenzo Leontini, Bogusław Liberadzki, Peter Lundgren, Marian-Jean Marinescu, Georg Mayer, Gesine Meissner, Renaud Muselier, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Dominique Riquet, Massimiliano Salini, Jill Seymour, Claudia Țapardel, Keith Taylor, István Ujhelyi, Kosma Złotowski
<b>Substitutes present for the final vote</b>	Francisco Assis, Stefan Gehrold, Maria Grapini, Kateřina Konečná, Bolesław G. Piecha, Inmaculada Rodríguez-Piñero Fernández, Anders Sellström, Matthijs van Miltenburg
<b>Substitutes under Rule 200(2) present for the final vote</b>	Heinz K. Becker, Edward Czesak, Theodor Dumitru Stolojan, Richard Sulík

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

34	+
ALDE	Izaskun Bilbao Barandica, Gesine Meissner, Dominique Riquet, Matthijs van Miltenburg
ECR	Edward Czesak, Bolesław G. Piecha, Richard Sulík, Kosma Złotowski
GUE/NGL	Tania González Peñas, Kateřina Konečná, Merja Kyllönen
PPE	Georges Bach, Heinz K. Becker, Andor Deli, Stefan Gehrold, Dieter-Lebrecht Koch, Innocenzo Leontini, Marian-Jean Marinescu, Renaud Muselier, Massimiliano Salini, Anders Sellström, Theodor Dumitru Stolojan, Luis de Grandes Pascual
S&D	Francisco Assis, Inés Ayala Sender, Isabella De Monte, Ismail Ertug, Maria Grapini, Miltiadis Kyrkos, Bogusław Liberadzki, Gabriele Preuß, Inmaculada Rodríguez-Piñero Fernández, Claudia Țapardel, István Ujhelyi

9	-
ECR	Peter Lundgren
EFDD	Daniela Aiuto, Jill Seymour
ENF	Marie-Christine Arnautu, Georg Mayer
S&D	Christine Revault d'Allonnes Bonnefoy
VERTS/ALE	Michael Cramer, Karima Delli, Keith Taylor

0	0

**Key to symbols:**

+ : in favour

- : against

0 : abstention

5.12.2018

## **OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Maria Gabriela Zoană

### **SHORT JUSTIFICATION**

The Rapporteur appreciates the effort put forth by the Commission in its drafting of the proposal for a regulation on common provisions, especially considering that it meets the need for continuity in the disbursement of funds, flexibility and simplification in its implementation.

This regulation is a basis for the synergy between the Structural Funds, whose main objective is to furnishing support to less developed regions to strengthen the economic and social cohesion in the European Union.

The European Agricultural Fund for Rural Development is a sustainable and efficient investment vehicle for the growth and development of rural areas, businesses and resources in the agricultural and forestry sector as well as in the rural economy. It can support a wide range of development goals, aimed to benefit an extended segment of recipients, with the potential to reuse funds for other investments.

The Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the Structural Funds is part of the new

Multiannual Financial Framework 2021-2027, and establishes common provisions for shared management thus providing a common set of basic rules for seven funds with the blaring exception of the European Agricultural Fund for Rural Development (EAFRD).

In the rapporteur's view, it is necessary to maintain the EAFRD in the Common Provisions Regulation of the future legislative framework. This opinion mainly amends this aspect of the Commission's proposal.

The proposed amendments aim to re-establish the linkage between funds, without creating additional administrative burden and duplication of the rules, while ensuring a coherent level of structural funds.

## AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation Title

*Text proposed by the Commission*

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, **and** the European Maritime and  
Fisheries Fund and financial rules for those  
and for the Asylum and Migration Fund,  
the Internal Security Fund and the Border  
Management and Visa Instrument

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, **the European Agricultural Fund  
for Rural Development**, the European  
Maritime and Fisheries Fund and financial  
rules for those and for the Asylum and  
Migration Fund, the Internal Security Fund  
and the Border Management and Visa  
Instrument

### Amendment 2

**Proposal for a regulation**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) Structural reforms can accelerate the process of increasing social and economic convergence among the Member States. The effects of such convergence and strengthening of resilience could lead to greater prosperity.***

**Amendment 3**

**Proposal for a regulation**  
**Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***(1b) The new Reform Support Programme, for which an overall budget of EUR 25 billion is proposed, is not projected to start before January 2021. In the meantime, it is important to lead the way with a similar tool to support structural reforms.***

**Amendment 4**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

*Amendment*

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, ***the European Agricultural Fund for Rural Development ('EARDF')***, measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), Internal Security



rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

## Amendment 5

### Proposal for a regulation Recital 2 a new

*Text proposed by the Commission*

*Amendment*

***(2 a) In view of the new model for implementing the Common Agricultural Policy and in order to ensure convergence of the rules and a much simpler procedure for final beneficiaries of the European Agricultural Funds that are 90% made up of farmers, most of the common rules in this Regulation will apply to the European Agricultural Fund for Rural Development. Nonetheless, certain rules in this Regulation that should apply to the territorial development, visibility and communication rules and financial instruments continue to apply to aid funded by the EAFRD as referred in sectorial specific regulations.***

## Amendment 6

### Proposal for a regulation Recital 4

*Text proposed by the Commission*

*Amendment*

(4) The outermost regions and the northern sparsely populated regions should

(4) The outermost regions, ***which are at a particular disadvantage due to their***

benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession.

***geographical location and are subject to frequent natural disasters***, and the northern sparsely populated regions should benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession.

## Amendment 7

### Proposal for a regulation

#### Recital 15

##### *Text proposed by the Commission*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, Partnership Agreements **can** be included as part of a programme.

##### *Amendment*

(15) The Partnership Agreement, prepared by each Member State, should be a strategic document guiding the negotiations between the Commission and the Member State concerned on the design of programmes. In order to reduce the administrative burden, it should not be necessary to amend Partnership Agreements during the programming period. To facilitate the programming and avoid overlapping content in programming documents, ***it should be possible for*** Partnership Agreements ***to*** be included as part of a programme.

## Amendment 8

### Proposal for a regulation

#### Recital 20

##### *Text proposed by the Commission*

***(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of***

##### *Amendment*

***deleted***

*the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.*

## Amendment 9

### Proposal for a regulation Recital 24

#### *Text proposed by the Commission*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

#### *Amendment*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD (*referred to as 'LEADER' under the EAFRD*). It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build *human capital and knowledge* community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. *Local action groups have achieved remarkable results to date, and should therefore receive more comprehensive financial support.* In order to facilitate coordinated support from different Funds, *including those not covered by this Regulation*, to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

## Amendment 10

### Proposal for a regulation

#### Recital 29

*Text proposed by the Commission*

(29) To ensure availability of comprehensive up-to-date information on programme implementation, more **frequent** electronic reporting on quantitative data should be required.

*Amendment*

(29) To ensure availability of comprehensive up-to-date information on programme implementation, more **regular** electronic reporting on quantitative data should be required.

## Amendment 11

### Proposal for a regulation

#### Recital 30

*Text proposed by the Commission*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term assessment of the Funds. At the end of the programming period, the Commission should carry out **retrospective** evaluations of the Funds, which should focus on the impact of the Funds.

*Amendment*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term assessment of the Funds. At the end of the programming period, the Commission should carry out **ex post** evaluations of the Funds, which should focus on the impact of the Funds.

## Amendment 12

### Proposal for a regulation

#### Recital 36

*Text proposed by the Commission*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects.

*Amendment*

(36) In order to optimise the uptake of co-financed environmental investments, synergies should be ensured with the LIFE programme for Environmental and Climate Action, in particular through LIFE strategic integrated projects and strategic nature projects, **as well as complementariness with other European Union funds and**

*instruments.*

## Amendment 13

### Proposal for a regulation Recital 36 a (new)

*Text proposed by the Commission*

*Amendment*

***(36a) The success of strategic integrated projects is dependent on close cooperation between national, regional and local authorities and the non-state actors concerned. The principles of transparency and disclosure of decisions concerning the development, implementation, assessment and monitoring of projects should therefore be applied.***

## Amendment 14

### Proposal for a regulation Recital 40

*Text proposed by the Commission*

*Amendment*

(40) In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the Funds and directly managed instruments, including the Reform Delivery Tool. Those synergies should be achieved through key mechanisms, namely the recognition of flat rates for eligible costs from Horizon Europe for a similar operation and the possibility of combining funding from different Union instruments in the same operation as long as double financing is avoided. This Regulation should therefore set out rules for complementary financing from the Funds.

(40) In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the Funds, ***including agricultural funds***, and directly managed instruments, including the Reform Delivery Tool. Those synergies should be achieved through key mechanisms, namely the recognition of flat rates for eligible costs from Horizon Europe for a similar operation and the possibility of combining funding from different Union instruments in the same operation as long as double financing is avoided. This Regulation should therefore set out rules for complementary financing from the Funds.

## Amendment 15

## Proposal for a regulation

### Recital 66

*Text proposed by the Commission*

(66) Within the context of the unique and specific circumstances on the island of Ireland, and with a view to supporting North-South cooperation under the Good Friday Agreement, a new 'PEACE PLUS' cross-border programme should continue and build on the work of previous programmes, Peace and INTERREG, between the border counties of Ireland and Northern Ireland. Taking into account its practical importance, this programme should be supported with a specific allocation to continue support for peace and reconciliation actions, and that an appropriate share of the Irish allocation under the European Territorial Cooperation goal (Interreg) should also be allocated to the programme.

*Amendment*

(66) Within the context of the unique and specific circumstances on the island of Ireland, and with a view to supporting North-South cooperation under the Good Friday Agreement, a new 'PEACE PLUS' cross-border programme should continue and build on the work of previous programmes, Peace and INTERREG, between the border counties of Ireland and Northern Ireland. Taking into account its practical importance, this programme should be supported with a specific allocation to continue support for peace and reconciliation actions, and that an appropriate share of the Irish allocation under the European Territorial Cooperation goal (Interreg) should also be allocated to the programme. ***In addition given its unique geographic location extra provision should be made to allocate resources to address connectivity and related issues which may arise post Brexit;***

## Amendment 16

### Proposal for a regulation

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

*Text proposé par la Commission*

(b) common provisions applicable to the ERDF, the ESF+, the Cohesion Fund and the EMFF.

*Amendment*

(b) common provisions applicable to the ERDF, the ESF+, the Cohesion Fund, the EMFF ***and to the EAFRD, only the provisions referred in point 5a of this Article.***

## Amendment 17

### Proposal for a regulation

## Article 1 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. Title III, Chapter II and Articles 41 and 43 shall apply to aid measures financed by the European Agricultural Fund for Rural Development ('the EAFRD'), and Articles 2, paragraph 15-17 and 22-25 as well as articles 52 to 56 shall apply to financial instruments provided for in Article 74 of Regulation (EU) [...] ('CAP Strategic Plans Regulation') and supported under the EAFRD.**

## Amendment 18

**Proposal for a regulation**

**Article 4 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) the NUTS 2 regions, newly created between 2016 and 2018;**

## Amendment 19

**Proposal for a regulation**

**Article 6 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Each Member State shall organise a partnership with the competent regional and local authorities. That partnership shall include at least the following partners:

1. Each Member State shall organise a partnership with the competent regional and local authorities ***in operation at that time***. That partnership shall include at least the following partners:

## Amendment 20

**Proposal for a regulation**

**Article 6 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) regional and local authorities or associations there of;**

## **Amendment 21**

### **Proposal for a regulation**

#### **Article 11 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Where the Commission disagrees with the assessment of the Member State, it shall inform the Member State accordingly and give it the opportunity to present its observations within one month.

Where the Commission disagrees with the assessment of the Member State, it shall inform the Member State accordingly and give it the opportunity to present its observations within one month. ***The deadline may be extended if the Member State presents an appropriate justification to the Commission.***

## **Amendment 22**

### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the socio-economic situation of the Member State ***or*** region concerned;

(b) the socio-economic situation of the Member State ***and*** region concerned;

## **Amendment 23**

### **Proposal for a regulation**

#### **Article 14 – paragraph 2 – subparagraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) the NUTS 2 regions, established between 2016 and 2018;**

## **Amendment 24**

### **Proposal for a regulation**



## Article 23 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

Selected operations shall comply with the territorial strategy.

*Amendment*

Selected operations ***that contribute towards achievement of the specific objectives for which funding is received*** shall comply with the territorial strategy.

## Amendment 25

### Proposal for a regulation

#### Article 25 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the EMFF ***may*** support community-led local development.

1. ***The EAFRD shall support community-led local development. In that case it shall be referred to as LEADER.*** The ERDF, the ESF+ and the EMFF ***in synergy with the European Agricultural Fund for Rural Development shall*** support community-led local development ***and each one shall allocate an earmarked amount of their funds to it.***

## Amendement 26

### Proposal for a regulation

#### Article 25 – paragraph 2

*Text proposed by the Commission*

2. The Member State shall ensure that community-led local development is:

(a) focused on subregional areas;

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group controls the decision-making;

*Amendment*

2. The Member State shall ensure that community-led local development is:

(a) focused on subregional areas ***and rural areas;***

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group ***nor the public authorities as defined in accordance with national rules*** controls the decision-making;

(c) carried out through integrated strategies in accordance with Article 26;

(d) supportive of networking, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

(c) carried out through integrated ***and multi-sectorial area-based local development*** strategies in accordance with Article 26;

(d) supportive of networking, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

## Amendment 27

### Proposal for a regulation Article 27 – paragraph 5

*Text proposed by the Commission*

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy.

*Amendment*

5. The local action group may be a beneficiary and may implement operations in accordance with the strategy, ***provided that there is separation of functions inside the local action group.***

## Amendment 28

### Proposal for a regulation Article 28 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) animation of the community-led local development strategy in order to facilitate exchange between stakeholders, to provide them with information and to support potential beneficiaries in their preparation of applications;***

*Justification*

*This series of amendments are intended to keep new legislation in line with the previous, as these activities currently benefit from support under Article 35 of the previous Common Provisions regulation. See also amendments on Article 25*

## Amendment 29

### Proposal for a regulation Article 29 – paragraph 2 a (new)

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*Text proposed by the Commission*

*Amendment*

**2a.** *In order to avoid situations where payments are suspended, the Commission shall ensure that Member States and regions which face compliance concerns owing to a lack of administrative capacity receive adequate technical assistance to improve their administrative capacity.*

### **Amendment 30**

#### **Proposal for a regulation Article 66 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Member State may entrust the accounting function referred to in Article 70 to the managing authority or to another body.

2. The Member State may entrust the accounting function referred to in Article 70 to the managing authority, ***to the certifying authority*** or to another body.

### **Amendment 31**

#### **Proposal for a regulation Article 67 – paragraph 5 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall draw up and adopt rules of procedure for providing such support in accordance with the institutional, legal and financial framework of the Member State concerned.***

*Justification*

*Art. 67 paragraph (5) needs clarification.*

### **Amendment 32**

#### **Proposal for a regulation Article 84 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) 2021: **0.5** %;

(a) 2021: **1,5** %;

### **Amendment 33**

#### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) 2022: **0.5** %;

(b) 2022: **1,5** %;

### **Amendment 34**

#### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) 2023: **0.5** %;

(c) 2023: **1,5** %;

### **Amendment 35**

#### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) 2024: **0.5** %;

(d) 2024: **1,5** %;

### **Amendment 36**

#### **Proposal for a regulation**

#### **Article 84 – paragraph 2 – subparagraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) 2025: **0.5** %;

(e) 2025: **1,5** %;

## Amendment 37

### Proposal for a regulation

#### Article 84 – paragraph 2 – subparagraph 1 – point f

*Text proposed by the Commission*

(f) 2026: **0.5** %

*Amendment*

(f) 2026: **1,5** %

## Amendment 38

### Proposal for a regulation

#### Article 102 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund shall support the Investment for jobs and growth goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions') established by Regulation (EC) *No 1059/2003* as amended by Commission Regulation (EC) *No 868/2014*.

*Amendment*

1. The ERDF, the ESF+ and the Cohesion Fund shall support the Investment for jobs and growth goal in all regions corresponding to level 2 of the common classification of territorial units for statistics ('NUTS level 2 regions', ***including those newly created between 2016 and 2018***) established by Regulation (EC) *No 1059/2003* as amended by Commission Regulation (EC) *No 868/2014*.

## Amendment 39

### Proposal for a regulation

#### Article 102 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

The classification of regions under one of the three categories of regions shall be determined on the basis of how the GDP per capita of each region, measured in purchasing power standards ('PPS') and calculated on the basis of Union figures for ***the period 2014-2016, relates to*** the average GDP of the EU-27 for the same reference period.

*Amendment*

The classification of regions under one of the three categories of regions shall be determined on the basis of how the GDP per capita of each region, measured in purchasing power standards ('PPS') and calculated on the basis of Union figures for ***2014-2016 and 2016-2018, as well as*** the average GDP of the EU-27 for the same reference period.

## Amendment 40

**Proposal for a regulation**  
**Article 104 – paragraph 4 – subparagraph 7**

*Text proposed by the Commission*

As of 1 January **2024**, resources transferred to the CEF which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].

*Amendment*

As of 1 January **2026**, resources transferred to the CEF which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with Regulation (EU) [the new CEF Regulation].

**Amendment 41**

**Proposal for a regulation**  
**Article 110 – paragraph 1**

*Text proposed by the Commission*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund and the EMFF under that period.

*Amendment*

Regulation (EC) No 1303/2013 or any other act applicable to the 2014–2020 programming period shall continue to apply to programmes and operations supported by the ERDF, the ESF+, the Cohesion Fund, **the EAFRD** and the EMFF under that period.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	AGRI 5.7.2018
<b>Rapporteur</b> Date appointed	Maria Gabriela Zoană 25.6.2018
<b>Date adopted</b>	3.12.2018
<b>Result of final vote</b>	+: 25 –: 3 0: 4
<b>Members present for the final vote</b>	Clara Eugenia Aguilera García, Eric Andrieu, Daniel Buda, Jacques Colombier, Michel Dantin, Paolo De Castro, Albert Deß, Jørn Dohrmann, Herbert Dorfmann, Norbert Erdős, Luke Ming Flanagan, Martin Häusling, Anja Hazekamp, Jan Huitema, Jaroslaw Kalinowski, Zbigniew Kuźmiuk, Philippe Loiseau, Mairead McGuinness, Nuno Melo, Ulrike Müller, James Nicholson, Maria Noichl, Marijana Petir, Bronis Ropè, Maria Lidia Senra Rodríguez, Maria Gabriela Zoană, Marco Zullo
<b>Substitutes present for the final vote</b>	Maria Heubuch, Karin Kadenbach, Sofia Ribeiro, Annie Schreijer-Pierik
<b>Substitutes under Rule 200(2) present for the final vote</b>	Birgit Collin-Langen, Renate Sommer

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

25	+
ALDE	Ulrike Müller
ECR	Jørn Dohrmann, Zbigniew Kuźmiuk, James Nicholson
EFDD	Marco Zullo
GUE/NGL	Luke Ming Flanagan, Anja Hazekamp
PPE	Daniel Buda, Birgit Collin-Langen, Michel Dantin, Herbert Dorfmann, Norbert Erdős, Jarosław Kalinowski, Mairead McGuinness, Nuno Melo, Marijana Petir, Sofia Ribeiro, Annie Schreijer-Pierik, Renate Sommer
S&D	Clara Eugenia Aguilera García, Eric Andrieu, Paolo De Castro, Karin Kadenbach, Maria Noichl, Maria Gabriela Zoană

3	-
ENF	Jacques Colombier, Philippe Loiseau
GUE/NGL	Maria Lidia Senra Rodríguez

4	0
PPE	Albert Deß
VERTS/ALE	Maria Heubuch, Martin Häusling, Bronis Ropè

Key to symbols:

+ : in favour

- : against

0 : abstention



23.11.2018

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

Rapporteur for opinion: Tomáš Zdechovský

### **SHORT JUSTIFICATION**

The rapporteur welcomes the proposal of the Commission to establish common rules for the ERDF, the ESF+, the Cohesion Fund, the EMFF, the AMIF, the ISF and the BMVI as this will simplify the programming at national level, create stronger synergies between the different funding instruments, and improve transparency of funding.

In line with the LIBE competences, the amendments of the rapporteur focus mainly on the provisions relating to the AMIF, ISF and BMVI ('the JHA funds'). Since the wording of the Commission proposal is not always clear with regard to its scope of application, the rapporteur has tabled amendments to clarify which parts of the text do or do not apply to the JHA funds. Moreover, he clarifies that provisions in the Fund-specific Regulations cannot only complement provisions of the CPR but take precedent in case of conflict ('lex specialis derogat lex generalis').

He furthermore introduces the following changes to the text:

- 'Integration' is reintroduced in the title of the Asylum and Migration Fund (Title of the Regulation, article 1) and the abbreviation was changed from 'AMF' into 'AMIF' throughout the text;
- a reference to the Charter of Fundamental Rights is added in the citations as it has to be respected by all EU bodies and institutions as well as national authorities when implementing EU law;

- a clarification in the recitals that technical support at the initiative of the Commission can be used for communication on the results and added value of actions financed by Union funds;
- evaluations under the Schengen evaluation and monitoring mechanism are included in the definition of ‘relevant country specific recommendations’ in article 2;
- the addition of regional authorities and a reporting requirement to the European Parliament and Council on the results of the consultation on the programme implementation in article 6;
- the requirement to justify emergency support and specific actions in the programme is removed in article 17, since these types of funding are disbursed on an ad-hoc basis and can therefore not be anticipated;
- the time limits for the Commission to assess and approve programme amendments (article 19) is reduced to align it with the current practice;
- the flat-rate for technical assistance in article 31 shall be set for each Member State by means of an agreement with the Commission, with a maximum rate of 7 %;
- with regard to JHA funds, a requirement to involve relevant decentralized EU agencies in the work of the monitoring committees is added in article 34;
- at least three meetings shall be held during the programming period to review the implementation of the AMIF, BMVI and ISF (article 36);
- to raise awareness about flagship projects financed by EU funds, Member States are required to include information on such projects in their single website portal (article 41);
- information exchange between beneficiaries and the programme authorities should be carried out electronically as of 2022 rather than 2023 (article 63);

## AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Regional Development, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Title

*Text proposed by the Commission*

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, and the European Maritime and  
Fisheries Fund and financial rules for those  
and for the Asylum *and* Migration Fund,  
the Internal Security Fund and the Border  
Management and Visa Instrument

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
laying down common provisions on the  
European Regional Development Fund, the  
European Social Fund Plus, the Cohesion  
Fund, and the European Maritime and  
Fisheries Fund and financial rules for those  
and for the Asylum, Migration *and*  
*Integration* Fund, the Internal Security  
Fund and the Border Management and  
Visa Instrument

### Amendment 2

#### Proposal for a regulation

##### Citation -1 (new)

*Text proposed by the Commission*

*Amendment*

*Having regard to Articles 3 and 5 of the  
Treaty on European Union,*

### Amendment 3

#### Proposal for a regulation

##### Citation 1 a (new)

*Text proposed by the Commission*

*Amendment*

*Having regard to the European  
Convention for the Protection of Human*

**Amendment 4**

**Proposal for a regulation  
Citation 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***Having regard to the Charter of  
Fundamental Rights of the European  
Union***

**Amendment 5**

**Proposal for a regulation  
Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) Demographic handicaps should be tackled in a coordinated manner through the action of all Union, national, regional and local authorities and by pursuing adaptation strategies reflecting local and regional realities and delivering effective multi-level governance both in the architecture of these specific policies targeted at particular regions and in their implementation. A more comprehensive approach to demographic handicaps and relevant changes should be ensured through a greater coordination of Union instruments, in particular the common agricultural policy (CAP), ESI Funds, including the Cohesion Fund, European Territorial Cooperation, the European Fund for Strategic Investments (EFSI) and the Connecting Europe Facility.***

**Amendment 6**

**Proposal for a regulation  
Recital 2**

*Text proposed by the Commission*

(2) In order to further develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum **and** Migration Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

*Amendment*

(2) In order to further **coordinate, harmonise and simplify**, develop a coordinated and harmonised implementation of Union Funds implemented under shared management namely the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, measures financed under shared management in the European Maritime and Fisheries Fund ('EMFF'), the Asylum, Migration **and Integration** Fund ('AMIF'), Internal Security Fund ('ISF') and Integrated Border Management Fund ('BMVI'), financial rules based on Article 322 of the TFEU should be established for all these Funds ('the Funds'), clearly specifying the scope of application of the relevant provisions. In addition, common provisions based on Article 177 of the TFEU should be established to cover policy specific rules for the ERDF, the ESF+, the Cohesion Fund and the EMFF.

**Amendment 7**

**Proposal for a regulation**

**Recital 3**

*Text proposed by the Commission*

(3) Due to the specificities of each Fund, specific rules applicable to each Fund and to the European territorial cooperation goal (Interreg) under the ERDF should be laid down in separate Regulations ('Fund-specific Regulations') to complement the provisions of this Regulation.

*Amendment*

(3) Due to the specificities of each Fund, specific rules applicable to each Fund and to the European territorial cooperation goal (Interreg) under the ERDF should be laid down in separate Regulations ('Fund-specific Regulations') to complement the provisions of this Regulation. ***In case of conflicting provisions, the Regulations specific to each Fund should take precedent over this Regulation.***

**Amendment 8**

## Proposal for a regulation

### Recital 4

*Text proposed by the Commission*

(4) The outermost regions and the northern sparsely populated regions should benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession.

*Amendment*

(4) The ***periphery and*** outermost regions and the northern sparsely populated regions should benefit from specific measures and from additional funding pursuant to Article 349 of the TFEU and Article 2 of Protocol No 6 to the 1994 Act of Accession, ***in order to increase social cohesion.***

## Amendment 9

### Proposal for a regulation

#### Recital 5

*Text proposed by the Commission*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. ***Member States and the Commission*** should ***aim at*** eliminating inequalities ***and at*** promoting equality between men and women ***and integrating the gender perspective***, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the Funds should be pursued in the framework of sustainable

*Amendment*

(5) Horizontal principles ***and values*** as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union (***'the Charter'***). Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. ***Operations financed by the Funds*** should ***contribute to*** eliminating inequalities, ***to*** promoting equality between men and women, as well as at combating discrimination based on ***any ground, including*** sex, racial or ethnic origin, ***colour or social origin, genetic features,*** religion or belief, ***political or any other opinion, membership of a national minority, property, birth,*** disability, age or sexual orientation. The Funds should not

development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

support actions that contribute to any form of segregation *or social exclusion*. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment *and combating climate change* as set out in Article **11** and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU. *To achieve a better and more sustainable future for all, it is necessary to target support of the Funds towards the principles set out in the European Pillar of Social Rights and the Sustainable Development Goals set out in the 2030 United Nations Agenda, to which the Union and its Member States have committed. The Funds should furthermore contribute to the eradication of poverty in the Union. When implementing the Funds, Member States should ensure consistency, coherence and synergies with the aforementioned principles and targets, taking into account local and regional challenges.*

## Amendment 10

### Proposal for a regulation Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

*(5a) The promotion of children's rights as set out in the UN Convention on the Rights of the Child (UNCRC) is an explicit objective of Union policies (Article 3 TEU). The Union and Member States should make appropriate use of the Funds to support actions promoting effective interventions that contribute to the realisation of children's rights.*

## Amendment 11

### Proposal for a regulation Recital 6 a (new)

*Text proposed by the Commission*

*Amendment*

**(6a) In accordance with Regulation xxx/xxx, the Union should take measures for the protection of its budget in case of generalised deficiencies as regards the rule of law in a Member State.**

## Amendment 12

### Proposal for a regulation Recital 10

*Text proposed by the Commission*

*Amendment*

(10) Part of the budget of the Union allocated to the Funds should be implemented by the Commission under shared management with Member States within the meaning of Regulation (EU, Euratom) [number of the new Financial Regulation] of the European Parliament and of the Council<sup>12</sup> (the 'Financial Regulation'). Therefore, when implementing the Funds under shared management, the Commission and the Member States should respect the principles referred to in the Financial Regulation, such as sound financial management, transparency and non-discrimination.

(10) Part of the budget of the Union allocated to the Funds should be implemented by the Commission under shared management with Member States within the meaning of Regulation (EU, Euratom) [number of the new Financial Regulation] of the European Parliament and of the Council<sup>12</sup> (the 'Financial Regulation'). Therefore, when implementing the Funds under shared management, the Commission and the Member States should respect the principles referred to in the Financial Regulation, such as **budgetary accuracy**, sound financial management, transparency and non-discrimination. **Member States should refrain from adding rules that complicate the use of the Funds for the beneficiary.**

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<sup>12</sup> OJ L [...], [...], p. [...].

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<sup>12</sup> OJ L [...], [...], p. [...].

## Amendment 13



**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

**Amendment 14**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National

*Amendment*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of ***competent regional and local authorities, relevant bodies representing civil society and non-governmental organisations and economic*** and social partners, ***as appropriate. For the purpose of the AMIF and the BMVI, Member States should furthermore ensure that the partnership includes relevant international organisations.*** In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

*Amendment*

(12) At Union level, the European Semester of economic policy coordination is the framework to identify national reform priorities and monitor their implementation. Member States develop their own national multiannual investment strategies in support of these reform priorities. These strategies should be presented alongside the yearly National

Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU.

Reform Programmes as a way to outline and coordinate priority investment projects to be supported by national and Union funding. They should also serve to use Union funding in a coherent manner and to maximise the added value of the financial support to be received notably from the Funds, the European Investment Stabilisation Function and InvestEU. ***These strategies should also be in line with other Union funds, programmes and instruments, such as the post-2020 EU Framework for National Roma Integration Strategies.***

## Amendment 15

### Proposal for a regulation

#### Recital 17

##### *Text proposed by the Commission*

(17) To ensure the necessary prerequisites for the effective **and** efficient use of Union support granted by the Funds, a limited list of enabling conditions as well as a concise and exhaustive set of objective criteria for their assessment should be established. Each enabling condition should be linked to a specific objective and should be automatically applicable where the specific objective is selected for support. Where those conditions are not fulfilled, expenditure related to operations under the related specific objectives should not be included in payment applications.. In order to maintain a favourable investment framework, the continued fulfilment of the enabling conditions should be monitored regularly. It is also important to ensure that operations selected for support are implemented consistently with the strategies and planning documents in place underlying the fulfilled enabling conditions, thus ensuring that all co-financed operations are in line with the Union policy framework.

##### *Amendment*

(17) To ensure the necessary prerequisites for the ***non-discriminatory, inclusive, effective, efficient and transparent*** use of Union support granted by the Funds, ***which can also contribute to re-building the trust of Union citizens concerning the Union and its workings***, a limited list of enabling conditions as well as a concise and exhaustive set of objective criteria for their assessment should be established. Each enabling condition should be linked to a specific objective and should be automatically applicable where the specific objective is selected for support. Where those conditions are not fulfilled, expenditure related to operations under the related specific objectives should not be included in payment applications.. In order to maintain a favourable investment framework, the continued fulfilment of the enabling conditions should be monitored regularly. It is also important to ensure that operations selected for support are implemented consistently with the strategies and planning documents in place underlying the fulfilled enabling

conditions, thus ensuring that all co-financed operations are in line with the Union policy framework.

## Amendment 16

### Proposal for a regulation Recital 21

*Text proposed by the Commission*

(21) It is necessary to **set** out common requirements as regards the content of the programmes taking into account the specific nature of each Fund. **Those** common requirements can be complemented by Fund-specific rules. Regulation (EU) [XXX] of the European Parliament and of the Council<sup>15</sup> (the ‘ETC Regulation’) should set out specific provisions on the content of programmes under the European territorial cooperation goal (Interreg).

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<sup>15</sup> Regulation (EU) [...] on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (OJ L [...], [...], p. [...]).

## Amendment 17

### Proposal for a regulation Recital 24

*Amendment*

(21) **To facilitate the preparation of the programmes at national level as well as to enhance transparency and accountability**, it is necessary to **harmonize the components of the programmes as much as possible. For this reason, this Regulation should set** out common requirements as regards the content of the programmes, taking into account the specific nature of each Fund, **and provide templates, notably for the programmes supported from the ERDF (Investment for Jobs and growth goal), ESF+, the Cohesion Fund and the EMFF as well as for programmes supported by the AMIF, the BMVI and the ISF.** The common requirements can be complemented by Fund-specific rules. Regulation (EU) [XXX] of the European Parliament and of the Council<sup>15</sup> (the ‘ETC Regulation’) should set out specific provisions on the content of programmes under the European territorial cooperation goal (Interreg).

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<sup>15</sup> Regulation (EU) [...] on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (OJ L [...], [...], p. [...]).

*Text proposed by the Commission*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

*Amendment*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation ***and research***. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

**Amendment 18**

**Proposal for a regulation**

**Recital 27**

*Text proposed by the Commission*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation made available by the Member State.

*Amendment*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees ***consisting of the relevant social partners, civil society, equality bodies, and independent human rights organisations. Transparency and balanced representation are key, therefore, gender balance and appropriate representation of minority and other excluded groups have to be safeguarded. The monitoring committees should be approved by the Commission.*** For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual structured policy dialogue based on the latest information and data on programme implementation

made available by the Member State.

## Amendment 19

### Proposal for a regulation Recital 29 a (new)

*Text proposed by the Commission*

*Amendment*

***(29a) Member States should carry out evaluations of their programmes with a view to improving the quality of the design and the implementation of the programmes. For this purpose, Member States should draw up an evaluation plan, which should include a mid-term evaluation for the AMIF, the BMVI and the ISF. Furthermore, Member States should carry out an evaluation of the impact of each programme by 30 June 2029.***

## Amendment 20

### Proposal for a regulation Recital 30

*Text proposed by the Commission*

*Amendment*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term ***assessment*** of the Funds. At the end of the programming period, the Commission should ***carry out retrospective evaluations of the Funds, which should focus on*** the impact of the Funds.

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term ***evaluation*** of the Funds. At the end of the programming period, the Commission should ***evaluate*** the impact of the Funds. ***The results of these evaluations should be published to ensure transparency and to increase citizens' trust in the Union and its institutions.***

## Amendment 21

### Proposal for a regulation Recital 32

*Text proposed by the Commission*

(32) Managing authorities should publish structured information on selected operations and beneficiaries on the website of the programme providing support to the operation, while ***taking account of*** requirements for ***data*** protection of personal data in ***accordance with*** Regulation (EU) 2016/679<sup>17</sup> of the European Parliament and of the Council.

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<sup>17</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) OJ L 119, 4.5.2016, p. 1.

*Amendment*

(32) Managing authorities should publish structured information on selected operations and beneficiaries on the website of the programme providing support to the operation, while ***fully respecting the*** requirements for ***the*** protection of personal data ***set out*** in Regulation (EU) 2016/679<sup>17</sup> of the European Parliament and of the Council.

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<sup>17</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) OJ L 119, 4.5.2016, p. 1.

## **Amendment 22**

### **Proposal for a regulation**

#### **Recital 38**

*Text proposed by the Commission*

(38) To ensure the effectiveness, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the requirement of durability as irregularities.

*Amendment*

(38) To ensure the ***inclusiveness, non-discrimination***, effectiveness, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are ***inclusive, non-discriminatory***, long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the requirement of durability as irregularities. ***Transparency throughout the process is key.***

## **Amendment 23**

**Proposal for a regulation**  
**Recital 38**

*Text proposed by the Commission*

(38) To ensure the effectiveness, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the requirement of durability as irregularities.

*Amendment*

(38) To ensure the effectiveness, ***efficiency***, fairness and sustainable impact of the Funds, there should be provisions guaranteeing that investments in infrastructure or productive investment are long-lasting and prevent the Funds from being used to undue advantage. Managing authorities should pay particular attention not to support relocation when selecting operations and to treat sums unduly paid to operations not complying with the requirement of durability as irregularities.

**Amendment 24**

**Proposal for a regulation**  
**Recital 39 a (new)**

*Text proposed by the Commission*

*Amendment*

***(39a) For the sake of an effective fight against anti-Gypsyism and in order to safeguard that the Roma can fulfil their true potential as Union citizens, an integrated approach and the programming and implementation of multi-fund programmes are needed. Therefore, the compatibility and complementarity of the ESF, the ERDF-CF are vital, similarly to those of other relevant funds, such as the EAFRD, the Erasmus programme, the Creative Europe programme, the Justice, Rights and Values Fund, etc.***

**Amendment 25**

**Proposal for a regulation**  
**Recital 44**

*Text proposed by the Commission*

*Amendment*

(44) In full respect of the applicable State aid and public procurement rules already clarified during the 2014-2020 programming period, the managing authorities should have the possibility to decide on the most appropriate implementation options for financial instruments in order to address the specific needs of target regions.

(44) In full respect of the applicable State aid and public procurement rules already clarified during the 2014-2020 programming period, the managing authorities should have the possibility to decide on the most appropriate implementation options for financial instruments in order to address the specific needs of target regions ***and to obtain maximum positive effects.***

## Amendment 26

### Proposal for a regulation Recital 45 a (new)

*Text proposed by the Commission*

*Amendment*

***(45a) In order to increase accountability and transparency, the Commission should provide for a complaints-handling system accessible to all citizens and stakeholders at all stages of preparation and implementation of programmes including monitoring and evaluation.***

## Amendment 27

### Proposal for a regulation Recital 58

*Text proposed by the Commission*

*Amendment*

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In

(58) Member States should also prevent, detect and deal effectively with any irregularities including fraud committed by beneficiaries. Moreover, in accordance with Regulation (EU, Euratom) No 883/2013<sup>18</sup>, and Regulations (Euratom, EC) No 2988/95<sup>19</sup> and No 2185/96<sup>20</sup> the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In



accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should report to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations.

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<sup>18</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995,

accordance with Regulation (EU) 2017/1939<sup>21</sup>, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371<sup>22</sup> on the fight against fraud to the Union's financial interests by means of criminal law. Member States should take the necessary measures so that any person or entity receiving Union funds fully cooperates in the protection of the Union's financial interests, grants the necessary rights and access to the Commission, the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and ensures that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should report *in a detailed manner* to the Commission on detected irregularities including fraud, and on their follow-up as well as on the follow-up of OLAF investigations *and, if applicable, the reasons why no follow-up was made on OLAF investigations. Member States that do not participate in the enhanced cooperation on the EPPO should report in a detailed manner to the Commission on the prosecution of detected cases of fraud and, if applicable, on the cooperation with Eurojust for the matters that are in the scope of competence of the EPPO.*

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<sup>18</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>19</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995,

p. 1).

<sup>20</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>21</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

p. 1).

<sup>20</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>21</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>22</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

## Amendment 28

### Proposal for a regulation

#### Recital 70

##### *Text proposed by the Commission*

(70) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

##### *Amendment*

(70) It is of particular importance that the Commission carry out appropriate consultations, ***with all interested parties***, during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

## Amendment 29

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a

*Text proposed by the Commission*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund,, the European Maritime and Fisheries Fund ('EMFF'), the Asylum *and* Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

*Amendment*

(a) financial rules for the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund,, the European Maritime and Fisheries Fund ('EMFF'), the Asylum, Migration *and Integration* Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') ('the Funds');

## Amendment 30

### Proposal for a regulation

#### Article 2 – paragraph 1 – point 1

*Text proposed by the Commission*

(1) 'relevant country specific recommendations' mean Council recommendations adopted in accordance with Article 121(2) and Article 148(4) of the TFEU relating to structural challenges which it is appropriate to address through multiannual investments that fall within the scope of the Funds as set out in Fund-specific Regulations, and relevant recommendations adopted in accordance with Article [XX] of Regulation (EU) [number of the new Energy Union Governance Regulation] of the European Parliament and of the Council;

*Amendment*

(1) 'relevant country specific recommendations' mean Council recommendations adopted in accordance with Article 121(2) and Article 148(4) of the TFEU relating to structural challenges which it is appropriate to address through multiannual investments that fall within the scope of the Funds as set out in Fund-specific Regulations, *recommendations made in the framework of Council Regulation (EU) No 1053/2013<sup>1a</sup>* and relevant recommendations adopted in accordance with Article [XX] of Regulation (EU) [number of the new Energy Union Governance Regulation] of the European Parliament and of the Council;

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*<sup>1a</sup> Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the*

*Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).*

*Justification*

*Relevant for the ISF.*

**Amendment 31**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) ‘gender mainstreaming’ means a twofold approach, both through systematic integration of gender aspects into all stages of the programming and the implementation process and through additional specific actions. Methods of gender budgeting can be used to include the principle of gender equality in the preparation and implementation of programmes;***

**Amendment 32**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) a smarter Europe by promoting innovative and smart economic transformation;

(a) a smarter Europe by promoting innovative, ***sustainable*** and smart economic transformation;

**Amendment 33**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) a greener, low-carbon Europe by

(b) a greener, low-carbon Europe by

promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

promoting ***a viable environment***, clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

#### Amendment 34

##### Proposal for a regulation

##### Article 4 – paragraph 1 – point d

*Text proposed by the Commission*

(d) a more social Europe implementing the European Pillar of Social Rights;

*Amendment*

(d) a more social, ***inclusive and cohesive*** Europe implementing the European Pillar of Social Rights ***and combating in particular inequalities, poverty, social exclusion and unemployment***;

#### Amendment 35

##### Proposal for a regulation

##### Article 4 – paragraph 1 – point e

*Text proposed by the Commission*

(e) a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas and local initiatives.

*Amendment*

(e) a Europe closer to citizens by fostering the sustainable and integrated ***and balanced*** development of urban, rural and coastal areas and local initiatives.

#### Amendment 36

##### Proposal for a regulation

##### Article 4 – paragraph 2 – point a

*Text proposed by the Commission*

(a) Investment for jobs and growth in Member States and regions, to be supported by the ERDF, the ESF+ and the Cohesion Fund; and

*Amendment*

(a) Investment for jobs and ***sustainable and inclusive*** growth in Member States and regions, to be supported by the ERDF, the ESF+ and the Cohesion Fund; and

## Amendment 37

### Proposal for a regulation Article 4 – paragraph 3

*Text proposed by the Commission*

3. Member States shall provide information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

*Amendment*

3. Member States shall provide ***in due time*** information on the support for environment and climate objectives using a methodology based on types of intervention for each of the Funds. That methodology shall consist of assigning a specific weighting to the support provided at a level which reflects the extent to which such support makes a contribution to environmental objectives and to climate objectives. In the case of the ERDF, the ESF+ and the Cohesion Fund weightings shall be attached to dimensions and codes for the types of intervention established in Annex I.

## Amendment 38

### Proposal for a regulation Article 4 – paragraph 4

*Text proposed by the Commission*

4. Member States and the Commission shall ensure the coordination, complementarity and coherence between the Funds and other Union instruments such as the Reform Support Programme, including the Reform Delivery Tool and the Technical Support Instrument. They shall optimise mechanisms for coordination between those responsible to avoid duplication during planning and implementation.

*Amendment*

4. Member States and the Commission shall ensure the coordination, complementarity and coherence between the Funds and other Union instruments such as the Reform Support Programme, including the Reform Delivery Tool and the Technical Support Instrument, ***the post-2020 Union Framework for National Roma Integration Strategies, etc.*** They shall optimise mechanisms for coordination between those responsible to avoid duplication during planning and implementation.

## Amendment 39

### Proposal for a regulation

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## Article 4 a (new)

*Text proposed by the Commission*

*Amendment*

### *Article 4a*

***Equality between men and women and equal opportunities, and non-discrimination***

***1. All the Funds under CPR shall ensure equality between men and women throughout their preparation, implementation, monitoring and evaluation. The gender aspect should be taken into account in all dimensions and in all stages of the Programme.***

***2. The Programme shall also promote equal opportunities for all, without discrimination based on sex, racial or ethnic origin, religion or belief, disability, age, sexual orientation or gender identity throughout their preparation, implementation, monitoring and evaluation.***

## Amendment 40

### Proposal for a regulation

#### Article 6 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

(c) relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination.

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

## Amendment 41

### Proposal for a regulation

#### Article 6 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a.** *For the purpose of the AMIF and the BMVI, Member states shall ensure that the partnership also includes relevant international organisations.*

## **Amendment 42**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. In accordance with the multi-level governance principle, the Member State shall involve those partners in the preparation of Partnership Agreements and throughout the preparation and implementation of programmes including through participation in monitoring committees in accordance with Article 34.

2. In accordance with the multi-level governance principle, the Member State shall involve those partners ***on equal footing*** in the preparation of Partnership Agreements and throughout the preparation and implementation ***and evaluation*** of programmes including through participation in monitoring committees in accordance with Article 34.

## **Amendment 43**

### **Proposal for a regulation**

#### **Article 6 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes.

4. At least once a year, the Commission shall consult the organisations which represent the partners at Union level on the implementation of programmes ***and shall report to the European Parliament and to the Council on the outcome.***

#### *Justification*

*Justification on exclusion of international organisations: The rapporteur acknowledges the importance of IOs in the implementation of the AMIF but the partnership explicitly targets “regional and local authorities” (see first sentence). It seems more relevant to involve IOs in the preparation of the specific programs instead of the partnership, which covers all Funds*



*under CPR.*

#### **Amendment 44**

##### **Proposal for a regulation Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

##### **Article 6a**

##### ***Respect for fundamental rights***

***The Member States and the Commission shall ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union in the implementation of the Funds.***

#### **Amendment 45**

##### **Proposal for a regulation Article 6 b (new)**

*Text proposed by the Commission*

*Amendment*

##### **Article 6b**

##### ***Promotion of equality between men and women and non-discrimination***

***The Member States and the Commission shall aim at eliminating inequalities and ensure that equality between men and women, gender mainstreaming and the integration of gender perspective are taken into account and promoted throughout the preparation and implementation of programmes, including in relation to monitoring, reporting and evaluation. The Fund shall not support actions that contribute to any form of segregation.***

#### **Amendment 46**

##### **Proposal for a regulation Article 8 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) for each of the selected policy objectives of each of the Funds a summary of actions and measures for safeguarding equality, inclusion and non-discrimination (both in terms of its social and geographical aspect);**

#### **Amendment 47**

##### **Proposal for a regulation Article 8 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

**(fa) actions taken to involve the relevant partners referred to in Article 6;**

#### **Amendment 48**

##### **Proposal for a regulation Article 9 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The Member State shall review the Partnership Agreement **taking into account the observations made by** the Commission.

3. The Member State shall review the Partnership Agreement **in case** the Commission **has made observations and take these observations into account.**

*Justification*

*Unless the COM has made observations, there is no need for a review.*

#### **Amendment 49**

##### **Proposal for a regulation Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

For each specific objective, prerequisite conditions for its effective and efficient implementation ('enabling conditions') are

For each specific objective, prerequisite conditions for its **inclusive, non-discriminatory**, effective and efficient

laid down in this Regulation.

implementation ('enabling conditions') are laid down in this Regulation.

## Amendment 50

### Proposal for a regulation

#### Article 11 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

The Commission shall, within three months of receipt of the information referred to in paragraph 3, perform an assessment and inform the Member State **where it agrees with the fulfilment.**

*Amendment*

The Commission shall, within three months of receipt of the information referred to in paragraph 3, perform an assessment and inform the Member State **of the result.**

## Amendment 51

### Proposal for a regulation

#### Article 12 – paragraph 1 – subparagraph 2 – point a

*Text proposed by the Commission*

(a) **the** output and result indicators linked to specific objectives set in the Fund-specific Regulations;

*Amendment*

(a) **verifiable and auditable** output and result indicators linked to specific objectives set in the Fund-specific Regulations;

*Justification*

*Independent third parties should be able to verify and audit performance indicators.*

## Amendment 52

### Proposal for a regulation

#### Article 13 – paragraph 2

*Text proposed by the Commission*

2. The Member State shall **make those** methodologies available upon request **by** the Commission.

*Amendment*

2. The Member State shall **submit the** methodologies available upon request **to** the Commission. **The Commission may suggest changes to those methodologies, which shall be taken into account by the Member State.**

## Amendment 53

### Proposal for a regulation Title 2 – chapter 3 – title

*Text proposed by the Commission*

Measures linked to sound economic governance

*Amendment*

Measures linked to sound economic governance ***and respect of the rule of law***

## Amendment 54

### Proposal for a regulation Article 15 a (new)

*Text proposed by the Commission*

*Amendment*

#### ***Article 15a***

***Measures linking effectiveness of Funds to respect of the rule of law***

- 1. In case of generalised deficiencies as regards the rule of law in a Member State, measures shall be taken by the Union in order to protect its budget.***
- 2. Such measures shall be adopted in accordance with Regulation xxx/xxx on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.***

## Amendment 55

### Proposal for a regulation Article 17 – paragraph 1

*Text proposed by the Commission*

1. Each programme shall set out a strategy for the programme's contribution to the policy objectives and the communication of its results.

*Amendment*

1. Each programme shall set out a strategy for the programme's contribution to the policy objectives ***of the respective Fund*** and the communication of its results.

## Amendment 56

**Proposal for a regulation**  
**Article 17 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*A programme* shall consist of priorities. Each priority shall correspond to a single policy objective or to technical assistance. A priority corresponding to a policy objective shall consist of one or more specific objectives. More than one priority may correspond to the same policy objective.

*Amendment*

***Programmes supported by the ERDF, the ESF+ and the Cohesion Fund*** shall consist of priorities. Each priority shall correspond to a single policy objective or to technical assistance. A priority corresponding to a policy objective shall consist of one or more specific objectives. More than one priority may correspond to the same policy objective.

**Amendment 57**

**Proposal for a regulation**  
**Article 17 – paragraph 3 – subparagraph 1 – point a – introductory part**

*Text proposed by the Commission*

(a) a summary of the main challenges, taking into account:

*Amendment*

(a) a summary of the main challenges, taking into account ***as appropriate***:

**Amendment 58**

**Proposal for a regulation**  
**Article 17 – paragraph 3 – subparagraph 1 – point a – point vii**

*Text proposed by the Commission*

(vii) for programmes supported by the AMIF, the ISF and the BMVI, progress in implementing the relevant Union acquis and action plans;

*Amendment*

(vii) ***by derogation from points (i) to (vi) of Article 17(3)***, for programmes supported by the AMIF, the ISF and the BMVI, progress in implementing the relevant Union acquis and action plans ***and identified shortcomings***;

**Amendment 59**

**Proposal for a regulation**  
**Article 17 – paragraph 3 – subparagraph 1 – point d – point iii a (new)**

*Text proposed by the Commission*

*Amendment*

*(iii a) actions safeguarding equality, inclusion and non-discrimination (both in terms of its social and geographical aspect);*

## **Amendment 60**

### **Proposal for a regulation**

#### **Article 17 – paragraph 3 – subparagraph 1 – point g**

*Text proposed by the Commission*

(g) the actions taken to involve the relevant partners referred to in Article 6 in the preparation of the programme, and the role of those partners in the implementation, monitoring and evaluation of the programme;

*Amendment*

(g) the actions taken to involve the relevant partners referred to in Article 6 in the preparation of the programme, and the role of those partners in the implementation, monitoring and evaluation of the programme, ***and whether and how comments submitted by these partners have been taken into account in the preparation of the programme;***

## **Amendment 61**

### **Proposal for a regulation**

#### **Article 17 – paragraph 3 – subparagraph 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

***(ga) the actions taken for gender mainstreaming;***

## **Amendment 62**

### **Proposal for a regulation**

#### **Article 17 – paragraph 4 – point d**

*Text proposed by the Commission*

(d) where applicable, a justification for the operating support, ***specific actions, emergency assistance,*** and actions as referred to in Articles [16 and 17] of the AMIF regulation;

*Amendment*

(d) where applicable, a justification for the operating support, and actions as referred to in Articles [16 and 17] of the AMIF regulation;

## Amendment 63

### Proposal for a regulation Article 18 – paragraph 3

*Text proposed by the Commission*

3. The Member State shall review the programme ***taking into account the observations made by*** the Commission.

*Amendment*

3. The Member State shall review the programme ***in case*** the Commission ***has made observations and shall take these observations into account.***

## Amendment 64

### Proposal for a regulation Article 19 – paragraph 2

*Text proposed by the Commission*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within ***three*** months of the submission of the amended programme.

*Amendment*

2. The Commission shall assess the amendment and its compliance with this Regulation and with the Fund-specific Regulations, including requirements at national level, and may make observations within ***two*** months of the submission of the amended programme.

## Amendment 65

### Proposal for a regulation Article 19 – paragraph 3

*Text proposed by the Commission*

3. The Member State shall review the amended programme ***and take into account the observations made by*** the Commission.

*Amendment*

3. The Member State shall review the amended programme ***in case*** the Commission ***has made observations and shall take these observations into account.***

## Amendment 66

### Proposal for a regulation Article 19 – paragraph 4

*Text proposed by the Commission*

4. The Commission shall approve the amendment of a programme no later than **six** months after its submission by the Member State.

*Amendment*

4. The Commission shall approve the amendment of a programme **as soon as possible but** no later than **three** months after its submission by the Member State.

**Amendment 67**

**Proposal for a regulation**

**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The Member State may transfer during the programming period an amount of up to 5 % of the initial allocation of a priority and no more than 3 % of the programme budget to another priority of the same Fund of the same programme. For the programmes supported by the ERDF and ESF+, the transfer shall only concern allocations for the same category of region.

*Amendment*

The Member State may transfer during the programming period **on due justification** an amount of up to 5 % of the initial allocation of a priority and no more than 3 % of the programme budget to another priority of the same Fund of the same programme. For the programmes supported by the ERDF and ESF+, the transfer shall only concern allocations for the same category of region.

**Amendment 68**

**Proposal for a regulation**

**Article 25 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) empowering local communities to develop long-term strategies and solutions to the main challenges they are facing;**

**Amendment 69**

**Proposal for a regulation**

**Article 27 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

(a) building the capacity of local actors to develop and implement operations;

(a) building the capacity of local actors to develop and implement operations



*including fostering their project management capabilities;*

## **Amendment 70**

### **Proposal for a regulation**

#### **Article 30 – paragraph 1**

*Text proposed by the Commission*

1. At the initiative of a Member State, the Funds may support actions, which may concern previous and subsequent programming periods, necessary for the effective administration and use of those Funds.

*Amendment*

1. At the initiative of a Member State, the Funds may support actions, which may concern previous and subsequent programming periods, necessary for the effective administration and use of those Funds *and for capacity building of partners referred to in Article 6.*

## **Amendment 71**

### **Proposal for a regulation**

#### **Article 31 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The percentage of the Funds reimbursed for technical assistance *shall be the following:*

*Amendment*

2. *On the basis of an agreement between the Commission and the Member State,* the percentage of the Funds reimbursed for technical assistance *may be set up to a maximum of:*

## **Amendment 72**

### **Proposal for a regulation**

#### **Article 31 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) for the AMIF, the ISF and the BMVI support: **6 %**.

*Amendment*

(d) for the AMIF, the ISF and the BMVI support: **7 %**.

## **Amendment 73**

### **Proposal for a regulation**

#### **Article 33 – paragraph 2**

*Text proposed by the Commission*

2. Each monitoring committee shall adopt its rules of procedure.

*Amendment*

2. Each monitoring committee shall adopt its rules of procedure ***taking into account the necessity for transparency.***

**Amendment 74**

**Proposal for a regulation  
Article 33 – paragraph 3**

*Text proposed by the Commission*

3. The monitoring committee shall meet at least ***once*** a year and shall review all issues that affect the programme's progress towards achieving its objectives.

*Amendment*

3. The monitoring committee shall meet at least ***twice*** a year and shall review all issues that affect the programme's progress towards achieving its objectives.

**Amendment 75**

**Proposal for a regulation  
Article 34 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Member State shall ***determine*** the composition of the monitoring committee and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6.

*Amendment*

The Member State shall ***make a proposal for*** the composition of the monitoring committee and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies ***taking into account the need for gender balance and diversity*** and of representatives of the partners referred to in Article 6. ***Gender balance and appropriate representation of minority and other excluded groups in the monitoring committee have to be safeguarded. The monitoring committees shall be approved by the Commission.***

**Amendment 76**

**Proposal for a regulation  
Article 34 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. In case of irregularities in the composition or in the work of the monitoring committee, the Commission shall suspend the monitoring committee.**

#### **Amendment 77**

##### **Proposal for a regulation Article 34 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. For the AMIF, the ISF and the BMVI, relevant decentralised agencies shall participate in the work of the monitoring committee in an advisory capacity.**

#### **Amendment 78**

##### **Proposal for a regulation Article 35 – paragraph 1 – point i**

*Text proposed by the Commission*

*Amendment*

(i) the progress in administrative capacity building for public institutions and beneficiaries, where relevant.

(i) the progress in administrative capacity building for public institutions, **partners** and beneficiaries, where relevant.

#### **Amendment 79**

##### **Proposal for a regulation Article 35 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The monitoring committee may propose to the managing authority areas of intervention that have been put forward by members of the monitoring committee.**

#### **Amendment 80**

**Proposal for a regulation**  
**Article 35 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b.** *All decisions and supporting documents of the monitoring committee shall be published on the website referred to in Article 44(1).*

**Amendment 81**

**Proposal for a regulation**  
**Article 36 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2.** *For programmes supported by the AMIF, the ISF and the BMVI, the review meeting shall be organised at least twice during the programming period.*

*deleted*

**Amendment 82**

**Proposal for a regulation**  
**Article 36 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6.** For programmes supported by the EMFF, the *AMF*, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

**6.** For programmes supported by the EMFF, the *AMIF*, the ISF and the BMVI, the Member State shall submit an annual performance report in accordance with the Fund-specific Regulations.

**Amendment 83**

**Proposal for a regulation**  
**Article 36 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a.** *The annual performance review shall be made available to the European Parliament and to the Council.*

## Amendment 84

### Proposal for a regulation Article 37 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the values of output and result indicators for selected operations and values achieved by operations.

*Amendment*

(b) the values of output and result indicators for selected operations and values achieved by operations,  
***disaggregated by gender where applicable.***

## Amendment 85

### Proposal for a regulation Article 37 – paragraph 5

*Text proposed by the Commission*

5. The managing authority shall publish all the data transmitted to the Commission on the website referred to in Article 44(1).

*Amendment*

5. The managing authority shall publish all the data transmitted to the Commission on the website referred to in Article 44(1). ***Where it fails to do so, the Commission may disclose the data to individuals or organisations when requested.***

## Amendment 86

### Proposal for a regulation Article 38 – paragraph 2 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The final performance report shall be gender sensitive and shall include a specific chapter on gender equality.***

## Amendment 87

### Proposal for a regulation Article 39 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's effectiveness, efficiency, relevance, coherence and EU added value with the aim to improve the quality of the design and implementation of programmes.

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's ***inclusiveness, non-discriminatory nature***, effectiveness, efficiency, relevance, coherence and EU added value ***including gender equality*** with the aim to improve the quality of the design and implementation of programmes.

## **Amendment 88**

### **Proposal for a regulation**

#### **Article 39 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States may carry out ex ante evaluations to improve the quality of the design of each programme.***

## **Amendment 89**

### **Proposal for a regulation**

#### **Article 40 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission shall carry out a mid-term evaluation to examine the effectiveness, efficiency, relevance, coherence and EU added value of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

1. The Commission shall carry out a mid-term evaluation to examine the ***inclusiveness, non-discriminatory nature***, effectiveness, efficiency, relevance, coherence and EU added value of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

## **Amendment 90**

### **Proposal for a regulation**

#### **Article 40 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission shall carry out a

1. The Commission shall carry out a

mid-term evaluation to examine the effectiveness, efficiency, relevance, coherence and EU added value of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

mid-term evaluation to examine the effectiveness, efficiency, relevance, coherence, **compliance with EU acquis** and EU added value, **including gender equality**, of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

## Amendment 91

### Proposal for a regulation Article 41 – paragraph 1 – point b

*Text proposed by the Commission*

(b) communication to Union citizens of the role and achievements of the Funds through a single website portal providing access to all programmes involving that Member State.

*Amendment*

(b) communication to Union citizens of the role and achievements of the Funds **notably** through a single website portal providing access to all programmes **as well as flagship projects financed under these programmes** involving that Member State.

## Amendment 92

### Proposal for a regulation Article 44 – paragraph 1

*Text proposed by the Commission*

1. The managing authority shall ensure that, within **six** months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, available funding opportunities and achievements.

*Amendment*

1. The managing authority shall ensure that, within **three** months of the programme's approval, there is a website where information on programmes under its responsibility is available, covering the programme's objectives, activities, available funding opportunities and achievements **and decisions and supporting documents of the monitoring committee**.

## Amendment 93

## Proposal for a regulation

### Article 44 – paragraph 3 – subparagraph 1 – point h a (new)

*Text proposed by the Commission*

*Amendment*

**(ha) in case of legal entities, the contractor's name.**

## Amendment 94

### Proposal for a regulation

#### Article 45 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Beneficiaries and bodies implementing financial instruments shall acknowledge support from the Funds, including resources reused in accordance with Article 56, to the operation by:

1. Beneficiaries and bodies implementing financial instruments shall acknowledge, **in the official language(s) of the Member State**, support from the Funds, including resources reused in accordance with Article 56, to the operation by:

## Amendment 95

### Proposal for a regulation

#### Article 45 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) providing on the beneficiary's professional website **or** social media sites, where such sites exist, a short description of the operation, proportionate to the level of support, including its aims and results, and **highlighting** the financial support from the Union;

(a) providing on the beneficiary's professional website **and** social media sites, where such sites exist, a short description of the operation, proportionate to the level of support, including its aims and results, and **stating explicitly** the financial support from the Union;

## Amendment 96

### Proposal for a regulation

#### Article 45 – paragraph 1 – point b



*Text proposed by the Commission*

(b) providing a statement highlighting the support from the Funds in a visible manner on documents and communication material relating to the implementation of the operation, used for the public or for participants;

*Amendment*

(b) providing a statement highlighting ***in the official language(s) of the Member State***, the support from the Funds in a visible manner on documents and communication material relating to the implementation of the operation, used for the public or for participants;

**Amendment 97**

**Proposal for a regulation**

**Article 45 – paragraph 1 – point c – introductory part**

*Text proposed by the Commission*

(c) publicly displaying plaques or billboards as soon as the physical implementation of operations involving physical investment or the purchase of equipment starts, with regard to the following:

*Amendment*

(c) publicly ***and in a visible manner*** displaying plaques or billboards as soon as the physical implementation of operations involving physical investment or the purchase of equipment starts, with regard to the following:

**Amendment 98**

**Proposal for a regulation**

**Article 45 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) for operations not falling under point (c), publicly displaying at least one printed or electronic display of a minimum size A3 with information about the operation highlighting the support from the Funds;

*Amendment*

(d) for operations not falling under point (c), publicly ***and in a visible manner*** displaying at least one printed or electronic display of a minimum size A3 with information about the operation highlighting the support from the Funds;

**Amendment 99**

**Proposal for a regulation**

**Article 45 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) for operations of strategic importance and operations whose total cost exceed EUR 10 000 000 organising a communication event and involving the Commission and the responsible managing authority in a timely manner.

*Amendment*

(e) for operations of strategic importance and operations whose total cost exceed EUR 10 000 000 organising a communication event ***aimed at a large audience*** and involving the Commission and the responsible managing authority in a timely manner.

**Amendment 100**

**Proposal for a regulation  
Article 45 – paragraph 3**

*Text proposed by the Commission*

3. ***Where the beneficiary does not*** comply with ***its*** obligations under Article 42 or paragraphs 1 and 2 of this Article, the Member State shall apply a financial correction by cancelling up to 5 % of the support from the Funds to the operation concerned.

*Amendment*

3. ***Beneficiaries and bodies implementing financial instruments shall provide evidence to the Commission that they*** comply with ***their*** obligations under Article 42 or paragraphs 1 and 2 of this Article. ***When the beneficiaries and bodies implementing financial instruments do not comply with their obligations,*** the Member State ***on its own initiative or upon request of the Commission,*** shall apply a financial correction by cancelling up to 5 % of the support from the Funds to the operation concerned.

**Amendment 101**

**Proposal for a regulation  
Article 55 – paragraph 1**

*Text proposed by the Commission*

1. Support from the Funds to financial instruments invested in final recipients as well as any type of income generated by those investments, which are attributable to the support from the Funds, may be used for differentiated treatment of investors operating under the market economy principle through an appropriate sharing of

*Amendment*

1. Support from the Funds to financial instruments invested in final recipients as well as any type of income generated by those investments, which are attributable to the support from the Funds, may be used for differentiated treatment of investors operating under the market economy principle through an appropriate sharing of

risks and profits.

risks and profits *taking into account the principle of sound financial management.*

## Amendment 102

### Proposal for a regulation Article 63 – paragraph 2

*Text proposed by the Commission*

2. Member States shall ensure the legality and regularity of expenditure included in the accounts submitted to the Commission and shall take all required actions to prevent, detect and correct and report on irregularities including fraud.

*Amendment*

2. Member States shall ensure the legality and regularity of expenditure included in the accounts submitted to the Commission and shall take all required actions to prevent, detect and correct and report on irregularities including fraud. ***Member States shall fully cooperate with OLAF and, if applicable, with Eurojust and EPPO in accordance with Regulation xxx/xxx (new Eurojust regulation) and Regulation (EU) 2017/1939.***

## Amendment 103

### Proposal for a regulation Article 63 – paragraph 4

*Text proposed by the Commission*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators.

*Amendment*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators. ***They shall ensure that data is collected, where applicable, disaggregated by gender.***

## Amendment 104

### Proposal for a regulation Article 63 – paragraph 7 – subparagraph 2

*Text proposed by the Commission*

For programmes supported by the EMFF, the AMIF, the ISF and the BMVI, the first sub-paragraph shall apply as from 1

*Amendment*

For programmes supported by the EMFF, the AMIF, the ISF and the BMVI, the first sub-paragraph shall apply as from 1

January 2023.

January 2022.

## Amendment 105

### Proposal for a regulation Article 64 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***4a. Without prejudice to Article 63(6), the Commission shall provide for a complaints-handling system which shall be accessible to Union citizens and stakeholders at all stages of preparation and implementation of programmes including monitoring and evaluation. When setting up the complaints-handling system, the Commission shall ensure its effective functioning taking into account the following aspects:***

***(a) visibility, so that information can be easily found;***

***(b) timeliness, so that complaints are resolved in a timely manner;***

***(c) accessibility including promotion of the complaint-handling system, in particular on local and regional level and among civil society organisations;***

***(d) responsiveness, so that complainants are informed whether their complaint is admissible;***

***(e) objectivity, in particular operational independence from other departments;***

***(f) remedy, information on the outcome of the complaint;***

***(g) review option including for cases dealt with under Article 63(6) in case the complainant or the Commission is not satisfied with the outcome.***

## Amendment 106

### Proposal for a regulation Article 66 – paragraph 1 – point d a (new)

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380/408

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*Text proposed by the Commission*

*Amendment*

***(da) ensure that its system of controls and administrative checks is designed to facilitate engagement of local communities and the effective delivery of community-led strategies;***

#### **Amendment 107**

##### **Proposal for a regulation**

##### **Article 66 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) ensure the implementation of gender mainstreaming in the programme;***

#### **Amendment 108**

##### **Proposal for a regulation**

##### **Article 67 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

For the selection of operations, the managing authority shall establish and apply criteria and procedures which are non-discriminatory, transparent, ensure gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.

For the selection of operations, the managing authority shall establish and apply criteria and procedures which are non-discriminatory, transparent, ensure gender equality, ***respect the Union acquis*** and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.

#### **Amendment 109**

##### **Proposal for a regulation**

##### **Article 67 – paragraph 3 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) assess compliance with the Charter of Fundamental Rights of the European Union as set out in point 4 of Commission Notice (2016/C 269/01) on Guidance on ensuring the respect for the Charter of Fundamental Rights of the European Union when implementing the European Structural and Investment Funds;***

## **Amendment 110**

### **Proposal for a regulation Article 71 – paragraph 1**

*Text proposed by the Commission*

1. The audit authority shall be responsible for carrying out system audits, audits on operations and audits of accounts in order to provide independent assurance to the Commission regarding the effective functioning of the management and control systems and the legality and regularity of the expenditure included in the accounts submitted to the Commission.

*Amendment*

1. The audit authority shall be responsible for carrying out system audits, audits on operations ***including performance audits checking the outreach of the programmes***, and audits of accounts in order to provide independent assurance to the Commission regarding the effective functioning of the management and control systems and the legality and regularity of the expenditure included in the accounts submitted to the Commission.

## **Amendment 111**

### **Proposal for a regulation Article 73 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Audits of operations shall also cover the performance of the operations relating to their inclusiveness and non-discrimination concerning members of disadvantaged social groups.***

## **Amendment 112**

**Proposal for a regulation**  
**Article 90 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) the Commission has to carry out additional verifications following receipt of information that expenditure in a payment application may be linked to an irregularity.

*Amendment*

(b) the Commission has to carry out additional verifications following receipt of information that expenditure in a payment application may be linked to an irregularity ***or fraud***.

**Amendment 113**

**Proposal for a regulation**  
**Article 91 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the expenditure in payment applications is linked to an irregularity that has not been corrected;

*Amendment*

(c) the expenditure in payment applications is linked to an irregularity ***or fraud*** that has not been corrected;

**Amendment 114**

**Proposal for a regulation**  
**Article 91 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(ea) in case of generalised deficiencies of the rule of law in accordance with Regulation xxx/xxx on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.***

**Amendment 115**

**Proposal for a regulation**  
**Article 91 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 91a***

***Suspension of shared management***

*1. The Commission shall suspend a Member State's arrangements for implementation tasks delegated to Member States for budget implementation under shared management referred to in Article [62(1)(b)] of [the new Financial Regulation] , in case generalised deficiencies as regards the rule of law in that Member State have been established in accordance with [Article 5 of Regulation xxx/xxx on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States]. Implementation tasks concerned shall be managed directly by the Commission as referred to in Article [62(1)(a)] of [the new Financial Regulation].*

*2. The Commission shall end the suspension of shared management once the generalised deficiencies as regards the rule of law cease to exist in full.*

*3. The Commission shall immediately inform the European Parliament and the Council of any action taken pursuant to paragraph 1.*

## Amendment 116

### Proposal for a regulation Annex VIII – point 1 – point 1.2

#### *Text proposed by the Commission*

1.2. The statement "Funded by the EUROPEAN UNION" or "Co-funded by the EUROPEAN UNION" shall always be spelled out in full and placed next to the emblem.

#### *Amendment*

1.2. The statement "Funded by the EUROPEAN UNION" or "Co-funded by the EUROPEAN UNION" shall always be spelled out in full and ***in the official language(s) of the Member State and*** placed next to the emblem.



## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018
<b>Opinion by</b> Date announced in plenary	LIBE 11.6.2018
<b>Rapporteur</b> Date appointed	Tomáš Zdechovský 10.9.2018
<b>Discussed in committee</b>	18.10.2018      20.11.2018
<b>Date adopted</b>	20.11.2018
<b>Result of final vote</b>	+:                    31 -:                    2 0:                    9
<b>Members present for the final vote</b>	Asim Ademov, Martina Anderson, Monika Beňová, Malin Björk, Michał Boni, Caterina Chinnici, Daniel Dalton, Rachida Dati, Agustín Díaz de Mera García Consuegra, Cornelia Ernst, Romeo Franz, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Monika Hohlmeier, Sophia in 't Veld, Dietmar Köster, Cécile Kashetu Kyenge, Juan Fernando López Aguilar, Barbara Matera, Roberta Metsola, Claude Moraes, József Nagy, Ivari Padar, Birgit Sippel, Csaba Sógor, Bodil Valero, Marie-Christine Vergiat, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra
<b>Substitutes present for the final vote</b>	Carlos Coelho, Livia Járóka, Innocenzo Leontini, Andrejs Mamikins, Maite Pagazaurtundúa Ruiz, Josep-Maria Terricabras, Geoffrey Van Orden
<b>Substitutes under Rule 200(2) present for the final vote</b>	Rupert Matthews, Demetris Papadakis

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

<b>31</b>	<b>+</b>
ALDE	Nathalie Griesbeck, Sophia in 't Veld, Maite Pagazaurtundúa Ruiz, Cecilia Wikström
PPE	Asim Ademov, Michał Boni, Carlos Coelho, Rachida Dati, Agustín Díaz de Mera García Consuegra, Kinga Gál, Monika Hohlmeier, Lívia Járóka, Innocenzo Leontini, Barbara Matera, Roberta Metsola, Tomáš Zdechovský
S&D	Monika Beňová, Caterina Chinnici, Ana Gomes, Dietmar Köster, Cécile Kашetu Kyenge, Juan Fernando López Aguilar, Andrejs Mamikins, Claude Moraes, Ivari Padar, Demetris Papadakis, Birgit Sippel, Josef Weidenholzer
VERTS/ALE	Romeo Franz, Josep-Maria Terricabras, Bodil Valero

<b>2</b>	<b>-</b>
ECR	Kristina Winberg
ENF	Auke Zijlstra

<b>9</b>	<b>0</b>
ECR	Daniel Dalton, Rupert Matthews, Geoffrey Van Orden
GUE/NGL	Martina Anderson, Malin Björk, Cornelia Ernst, Marie-Christine Vergiat
PPE	József Nagy, Csaba Sógor

Key to symbols:

+ : in favour

- : against

0 : abstention

19.10.2018

**POSITION IN THE FORM OF AMENDMENTS  
OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY**

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument  
(COM(2018)0375 – C8-0230/2018 – 2018/0196(COD))

On behalf of the Committee on Women's Rights and Gender Equality: Julie Girling  
(rapporteur)

**AMENDMENTS**

The Committee on Women's Rights and Gender Equality presents the following amendments to the Committee on Regional Development, as the committee responsible:

**Amendment 1**

**Proposal for a regulation**

**Recital 1**

*Text proposed by the Commission*

(1) Article 174 of the Treaty on the Functioning of the European Union ('TFEU') provides that, in order to strengthen its economic, social and territorial cohesion, the Union is to aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, and that particular attention is to be paid to rural areas, areas affected by

*Amendment*

(1) Article 174 of the Treaty on the Functioning of the European Union ('TFEU') provides that, in order to strengthen its economic, social and territorial cohesion, the Union is to aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, and that particular attention is to be paid to rural areas, areas affected by

industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps. *Article 175 of the TFEU requires that the Union is to support the achievement of these objectives by the action it takes through the European Agricultural Guidance and Guarantee Fund, Guidance Section, the European Social Fund, the European Regional Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.*

industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps. *Reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, in particular rural areas, requires the further empowerment of women in those areas both in the economic and social terms and the promotion of work life balance. Whereas an effective way of reducing these disparities between the various regions necessarily involves economic, social and political empowerment of women and the promotion of work life balance. The collection of gender-disaggregated data allows for the identification and analysis of specific vulnerabilities and capacities of women and men, revealing gaps and inequalities and thus contributing to the building of a more fair and inclusive society and aiming at breaking the pattern of poverty and deprivation across generations.* Article 175 of the TFEU requires that the Union is to support the achievement of these objectives by the action it takes through the European Agricultural Guidance and Guarantee Fund, Guidance Section, the European Social Fund, the European Regional Development Fund, the European Investment Bank and other instruments. Article 322 of the TFEU provides the basis for adopting financial rules determining the procedure to be adopted for establishing and implementing the budget and for presenting and auditing accounts, as well as for checks on the responsibility of financial actors.

## Amendment 2

### Proposal for a regulation Recital 5

*Text proposed by the Commission*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women and integrating the gender perspective, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

**Amendment 3**

**Proposal for a regulation**  
**Recital 11**

*Amendment*

(5) Horizontal principles as set out in Article 3 of the Treaty on the European Union ('TEU') and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU should be respected in the implementation of the Funds, taking into account the Charter of Fundamental Rights of the European Union. Member States should also respect the obligations of the UN Convention on the Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services. Member States and the Commission should aim at eliminating inequalities and at promoting equality between men and women ***as set out in Article 8 of the TFEU*** and integrating the gender perspective ***in all its activities***, as well as at combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. The Funds should not support actions that contribute to any form of segregation ***or exclusion***. The objectives of the Funds should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving the quality of the environment ***and combating climate change*** as set out in Article 11 and Article 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity of the internal market, operations benefitting undertakings shall comply with Union State aid rules as set out in Articles 107 and 108 of the TFEU.

*Text proposed by the Commission*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014<sup>13</sup> should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

*Amendment*

(11) The principle of partnership is a key feature in the implementation of the Funds, building on the multi-level ***and gender equal*** governance approach and ensuring the involvement of civil society and social partners. In order to provide continuity in the organisation of partnership, Commission Delegated Regulation (EU) No 240/2014 should continue to apply.

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<sup>13</sup> Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds (OJ L 74, 14.3.2014, p. 1).

#### **Amendment 4**

##### **Proposal for a regulation Recital 18**

*Text proposed by the Commission*

(18) Member States should establish a performance framework for each programme covering all indicators, milestones and targets to monitor, report on and evaluate programme performance.

*Amendment*

(18) Member States should establish a performance framework for each programme covering all indicators, milestones and targets to monitor, report on and evaluate programme performance.  
***Indicators should be developed in a gender sensitive manner when possible;***

#### **Amendment 5**

##### **Proposal for a regulation Recital 19**

*Text proposed by the Commission*

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the

*Amendment*

(19) The Member State should carry out a mid-term review of each programme supported by the ERDF, the ESF+ and the

Cohesion Fund. That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

Cohesion Fund. ***Such review shall include a gender chapter and shall assess the programme's impact on fundamental rights.*** That review should provide a fully-fledged adjustment of programmes based on programme performance, while also providing an opportunity to take account of new challenges and relevant CSRs issued in 2024. In parallel, in 2024 the Commission should, together with the technical adjustment for the year 2025, review all Member States' total allocations under the Investment for jobs and growth goal of cohesion policy for the years 2025, 2026 and 2027, applying the allocation method set out in the relevant basic act. That review together with the outcome of the mid-term review should result in programme amendments modifying the financial allocations for the years 2025, 2026 and 2027.

## Amendment 6

### Proposal for a regulation

#### Recital 20

##### *Text proposed by the Commission*

(20) Mechanisms to ensure a link between Union funding policies and the economic governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic governance process. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which are required to ensure effective action in

##### *Amendment*

(20) Mechanisms to ensure a link between Union funding policies and the economic ***and social*** governance of the Union should be further refined, allowing the Commission to make a proposal to the Council to suspend all or part of the commitments for one or more of the programmes of the Member State concerned where that Member State fails to take effective action in the context of the economic ***and social*** governance process ***or in the respect for human rights***. In order to ensure uniform implementation and in view of the importance of the financial effects of measures being imposed, implementing powers should be conferred on the Council which should act on the basis of a Commission proposal. To facilitate the adoption of decisions which

the context of the economic governance process, reversed qualified majority voting should be used.

are required to ensure effective action in the context of the economic governance process, reversed qualified majority voting should be used.

## Amendment 7

### Proposal for a regulation

#### Recital 24

##### *Text proposed by the Commission*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

##### *Amendment*

(24) To better mobilise potential at the local level, it is necessary to strengthen and facilitate CLLD. It should take into account local needs and potential, as well as relevant socio-cultural characteristics, and should provide for structural changes, ***namely regarding gender equality and the empowerment of women***, build community capacity and stimulate innovation. The close cooperation and integrated use of the Funds to deliver local development strategies should be strengthened. Local action groups, representing the interests of the community ***in a gender balanced way***, should be, as an essential principle responsible for the design and implementation of CLLD strategies. In order to facilitate coordinated support from different Funds to CLLD strategies and to facilitate their implementation, the use of a 'Lead Fund' approach should be facilitated.

## Amendment 8

### Proposal for a regulation

#### Recital 27

##### *Text proposed by the Commission*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual

##### *Amendment*

(27) In order to examine the performance of the programmes, the Member State should set up monitoring committees. For the ERDF, the ESF+ and the Cohesion Fund, annual implementation reports should be replaced by an annual



structured policy dialogue based on the latest information and data on programme implementation made available by the Member State.

structured policy dialogue based on the latest information and data, **including gender disaggregated data**, on programme implementation made available by the Member State.

## Amendment 9

### Proposal for a regulation

#### Recital 28

##### *Text proposed by the Commission*

(28) Pursuant to paragraphs 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016<sup>16</sup>, there is a need to evaluate the Funds on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Funds on the ground.

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<sup>16</sup> OJ L 123, 12.5.2016, p. 13.

##### *Amendment*

(28) Pursuant to paragraphs 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate the Funds on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Funds on the ground. ***Indicators should be developed in a gender sensitive manner when possible.***

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<sup>16</sup> OJ L 123, 12.5.2016, p. 13.

## Amendment 10

### Proposal for a regulation

#### Recital 30

##### *Text proposed by the Commission*

(30) In order to support the preparation of related programmes and activities of the next programming period, the Commission should carry out a mid-term assessment of the Funds. At the end of the programming period, the Commission should carry out retrospective evaluations of the Funds, which should focus on the impact of the

Funds.

*shall evaluate its impact on fundamental rights, with focus on the principles of gender equality and non-discrimination.*

## **Amendment 11**

### **Proposal for a regulation Recital 74**

*Text proposed by the Commission*

*Amendment*

(74) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union,

(74) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, *namely as the general principles of gender equality,*

## **Amendment 12**

### **Proposal for a regulation Article 2 – paragraph 1 – point 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9 a) ‘gender impact assessment’ means to examine proposed interventions to see whether they will affect women and men differently, with a view to adapting these proposals to make sure that discriminatory effects are neutralised and that gender equality is promoted;*

## **Amendment 13**

### **Proposal for a regulation Article 2 – paragraph 1 – point 9 b (new)**

*Text proposed by the Commission*

*Amendment*

*(9 b) ‘gender mainstreaming’ means the (re)organisation, improvement, development and evaluation of the planned interventions, so that a gender equality perspective is systematically incorporated in all actions at all levels*

*and all stages;*

## Amendment 14

### Proposal for a regulation Article 4 – paragraph 1 – point c

*Text proposed by the Commission*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity;

*Amendment*

(c) a more connected Europe by enhancing mobility and regional ICT connectivity, ***with a special focus on closing the digital gender gap;***

## Amendment 15

### Proposal for a regulation Article 4 – paragraph 1 – point d

*Text proposed by the Commission*

(d) a more social Europe implementing the European Pillar of Social Rights;

*Amendment*

(d) a more social, ***equal and accessible*** Europe implementing the European Pillar of Social Rights, ***with particular focus on three key principles, namely principle 2 on gender equality, principle 3 on equal opportunities and principle 9 on work-life balance, principle 11 on childcare and support to children, principle 16 on health care and principle 18 on long-term care; fostering equality between women and men and fulfilling the needs of persons with special necessities like persons with disabilities***

## Amendment 16

### Proposal for a regulation Article 4 – paragraph 1– point d a(new)

*Text proposed by the Commission*

*Amendment*

***(da) preventing and combating inequalities and discrimination on grounds of sex or sexual orientation and supporting comprehensive policies to***

*promote gender equality and anti-discrimination;*

## Amendment 17

### Proposal for a regulation Article 5 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 5a*

*Promotion of equality between men and women and non-discrimination*

*The Member States and the Commission shall aim at eliminating inequalities and ensure that equality between men and women and the integration of gender perspective are taken into account and promoted throughout the preparation and implementation of programmes, including in relation to monitoring, reporting and evaluation. The Funds shall not support actions that contribute to any form of segregation.*

## Amendment 18

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

*Text proposed by the Commission*

*Amendment*

(c) relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination.

(c) relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, ***rights of LGBTI+ persons***, gender equality and non-discrimination.

## Amendment 19

### Proposal for a regulation Article 8 – paragraph 1 – point b – point i a (new)

*Text proposed by the Commission*

*Amendment*

***(i a) a gender impact assessment for the policy choices in each of the Funds;***

## **Amendment 20**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(f a) actions taken to involve the relevant partners referred to in Article 6;***

## **Amendment 21**

### **Proposal for a regulation**

#### **Article 14 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the socio-economic situation of the Member State or region concerned;

(b) the socio-economic situation ***and level of gender equality achieved*** of the Member State or region concerned;

## **Amendment 22**

### **Proposal for a regulation**

#### **Article 15 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

9. The scope and level of the suspension of commitments or payments to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State

9. The scope and level of the suspension of commitments or payments to be imposed shall be proportionate, shall respect the equality of treatment between Member States and shall take into account the economic and social circumstances of the Member State concerned, in particular the level of unemployment, the level of poverty or social exclusion of the Member State concerned in relation to the Union average and the impact of the suspension on the economy of the Member State

concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.

concerned. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account. ***The suspension of commitments or payments shall have no specific negative impact on women's economic and social developments.***

## Amendment 23

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point a – point i

*Text proposed by the Commission*

(i) economic, social and territorial disparities, except for programmes supported by the EMFF;

*Amendment*

(i) economic, social and territorial disparities ***and where appropriate, gender inequalities***, except for programmes supported by the EMFF;

## Amendment 24

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point i a (new)

*Text proposed by the Commission*

*Amendment*

***(i a) a gender impact assessment on the related types of actions and the planned operations of strategic importance;***

## Amendment 25

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point d – point ii

*Text proposed by the Commission*

(ii) output indicators and result indicators with the corresponding milestones and targets;

*Amendment*

(ii) output indicators and result indicators with the corresponding milestones and targets ***disaggregated, where relevant, by gender;***

## Amendment 26

### Proposal for a regulation

#### Article 17 – paragraph 3 – subparagraph 1 – point i

*Text proposed by the Commission*

(i) the envisaged approach to communication and visibility for the programme through defining its objectives, target audiences, communication channels, social media outreach, planned budget and relevant indicators for monitoring and evaluation;

*Amendment*

(i) the envisaged approach to communication and visibility for the programme through defining its objectives, target audiences, communication channels, social media outreach, planned budget and relevant indicators, ***the latter developed in a gender sensitive manner when possible, for monitoring and evaluation according to a non sexist communication and with gender perspective;***

## Amendment 27

### Proposal for a regulation

#### Article 17 – paragraph 4 – point f a (new)

*Text proposed by the Commission*

*Amendment*

***(f a) the contribution of the operational programme to the promotion of equality between women and men and, where appropriate, measures to ensure the inclusion of the gender perspective.***

## Amendment 28

### Proposal for a regulation

#### Article 17 – paragraph 4 – point f b (new)

*Text proposed by the Commission*

*Amendment*

***(f b) where appropriate, the measures taken to guarantee the accessibility of persons with special needs like persons with disabilities;***

## Amendment 29

### Proposal for a regulation

## Article 20 – paragraph 1

*Text proposed by the Commission*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs and growth goal.

*Amendment*

1. The ERDF, the ESF+ and the Cohesion Fund may jointly provide support for programmes under the Investment for jobs and growth goal, ***with particular attention to programmes addressed to incorporate more women and persons with special needs to the labour market;***

## Amendment 30

### Proposal for a regulation

#### Article 23 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) an analysis of the development needs and the potential of the area;

*Amendment*

(b) an analysis of the development needs, ***gender equality***, and the potential of the area;

## Amendment 31

### Proposal for a regulation

#### Article 25 – paragraph 2 – point b

*Text proposed by the Commission*

(b) led by local action groups composed of representatives of public and private local socio-economic interests, in which no single interest group controls the decision-making;

*Amendment*

(b) led by local action groups composed of representatives of public and private local socio-economic interests, ***including organisations responsible for promoting gender equality***, in which no single interest group, ***including the public sector***, controls the decision-making;

## Amendment 32

### Proposal for a regulation

#### Article 25 – paragraph 2 – point d

*Text proposed by the Commission*

(d) supportive of networking,

*Amendment*

(d) supportive of networking, ***gender***



innovative features in the local context and, where appropriate, cooperation with other territorial actors.

**equality, accessibility**, innovative features in the local context and, where appropriate, cooperation with other territorial actors.

### Amendment 33

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the geographical area and population covered by that strategy;

*Amendment*

(a) the geographical area and population covered by that strategy;  
***particular attention must be given to women and persons with special needs like persons with disabilities;***

### Amendment 34

#### Proposal for a regulation

##### Article 26 – paragraph 1 – point f a (new)

*Text proposed by the Commission*

*Amendment*

***(f a) a gender impact assessment of that strategy;***

### Amendment 35

#### Proposal for a regulation

##### Article 26 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. The relevant managing authorities shall define criteria for the selection of those strategies, set up a committee to carry out this selection and approve the strategies selected by that committee.

2. The relevant managing authorities shall define criteria for the selection of those strategies, set up a ***gender-balanced*** committee to carry out this selection and approve the strategies selected by that committee.

### Amendment 36

#### Proposal for a regulation

##### Article 27 – paragraph 3 – point b

*Text proposed by the Commission*

(b) drawing up a non-discriminatory and transparent selection procedure and criteria, which avoids conflicts of interest and ensures that no single interest group controls selection decisions;

*Amendment*

(b) drawing up a non-discriminatory, ***gender-balanced*** and transparent selection procedure and criteria, which avoids conflicts of interest and ensures that no single interest group controls selection decisions;

**Amendment 37**

**Proposal for a regulation**

**Article 34 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Member State shall determine the composition of the monitoring committee and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6.

*Amendment*

The Member State shall determine the composition of the monitoring committee and shall ensure ***gender balance and*** a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners referred to in Article 6.

**Amendment 38**

**Proposal for a regulation**

**Article 36 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6 a. This report shall be gender sensitive and include a specific chapter on gender equality.***

**Amendment 39**

**Proposal for a regulation**

**Article 37 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Where relevant, data shall be disaggregated by gender.***

## Amendment 40

### Proposal for a regulation Article 39 – paragraph 1

*Text proposed by the Commission*

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's effectiveness, efficiency, relevance, coherence and EU added value with the aim to improve the quality of the design and implementation of programmes.

*Amendment*

1. The managing authority shall carry out evaluations of the programme. Each evaluation shall assess the programme's effectiveness, efficiency, relevance, coherence and EU added value, **and its impact on fundamental rights, including gender equality and non-discrimination**, with the aim to improve the quality of the design and implementation of programmes.

## Amendment 41

### Proposal for a regulation Article 39 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2 a. The final performance report shall be gender sensitive and include a specific chapter on gender equality.**

## Amendment 42

### Proposal for a regulation Article 40 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall carry out a mid-term evaluation to examine the effectiveness, efficiency, relevance, coherence and EU added value of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

*Amendment*

1. The Commission shall carry out a mid-term evaluation to examine the effectiveness, efficiency, relevance, coherence **impact on fundamental rights, including gender equality**, and EU added value of each Fund by the end of 2024. The Commission may make use of all relevant information already available in accordance with Article [128] of the Financial Regulation.

## Amendment 43

### Proposal for a regulation Article 63 – paragraph 4

*Text proposed by the Commission*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators.

*Amendment*

4. Member States shall ensure the quality and reliability of the monitoring system and of data on indicators, ***which should be developed in a gender sensitive manner when possible, and accordingly to guarantee that data is collected where relevant disaggregated by gender.***

## Amendment 44

### Proposal for a regulation Article 66 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(d a) ensure the implementation of gender mainstreaming in the programme;***

## Amendment 45

### Proposal for a regulation Article 67 – paragraph 3 – point j a (new)

*Text proposed by the Commission*

*Amendment*

***(j a) ensure equal opportunities between women and men and non-discrimination;***

## Amendment 46

### Proposal for a regulation Article 67 – paragraph 3 – point j b (new)

*Text proposed by the Commission*

*Amendment*

***(j b) ensure, where appropriate,***

*accessibility to persons with special needs  
like persons with disabilities;*

#### **Amendment 47**

##### **Proposal for a regulation**

##### **Annex 1 – Table 1 – point 016 a (new)**

*Text proposed by the Commission*

#### *Amendment*

<b>016 a</b>	<b><i>Skills development for increasing women’s participation in the labour market in the area of STEM</i></b>	<b>0%</b>	<b>0%</b>
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#### **Amendment 48**

##### **Proposal for a regulation**

##### **Annex 3- Table Horizontal Enabling Conditions – Row 5**

*Text proposed by the Commission*

Effective application and implementation of the ***EU Charter of Fundamental Rights***

Effective mechanisms are in place to ensure compliance with the ***EU Charter of Fundamental Rights*** which include:

1. Arrangements ***to ensure verification of compliance of operations supported by the Funds with the Charter of Fundamental Rights.***
2. ***Reporting arrangements to the monitoring committee on the compliance with the Charter of the operations supported by the Funds.***

#### *Amendment*

Effective application and implementation of the ***promotion of gender equality and the fight against gender based discrimination***

Effective mechanisms are in place to ensure compliance with the ***promotion of gender equality and the fight against gender based discrimination*** include:

1. Arrangements ***in accordance with the institutional and legal framework of Member States for the involvement of bodies responsible for gender equality***

*throughout the preparation and implementation of programmes, including the provision of advice on gender equality;*

*2. Arrangements for training for staff of the authorities involved in the management and control of the funds in the fields of Union gender equality law and policy as well as on gender mainstreaming.*

## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument			
<b>References</b>	COM(2018)0375 – C8-0230/2018 – 2018/0196(COD)			
<b>Date submitted to Parliament</b>	30.5.2018			
<b>Committee responsible</b> Date announced in plenary	REGI 11.6.2018			
<b>Committees asked for opinions</b> Date announced in plenary	BUDG 11.6.2018	CONT 11.6.2018	ECON 11.6.2018	EMPL 11.6.2018
	ENVI 11.6.2018	TRAN 5.7.2018	AGRI 5.7.2018	PECH 11.6.2018
	LIBE 11.6.2018	FEMM 4.10.2018		
<b>Not delivering opinions</b> Date of decision	PECH 20.6.2018			
<b>Rapporteurs</b> Date appointed	Andrey Novakov 5.7.2018	Constanze Krehl 5.7.2018		
<b>Discussed in committee</b>	20.6.2018	8.10.2018	21.11.2018	
<b>Date adopted</b>	22.1.2019			
<b>Result of final vote</b>	+ : 25 - : 1 0 : 9			
<b>Members present for the final vote</b>	Pascal Arimont, Franc Bogovič, Andrea Cozzolino, Rosa D'Amato, John Flack, Aleksander Gabelic, Iratxe García Pérez, Michela Giuffrida, Krzysztof Hetman, Ivan Jakovčić, Marc Joulaud, Sławomir Kłosowski, Constanze Krehl, Louis-Joseph Manscour, Martina Michels, Iskra Mihaylova, Andrey Novakov, Younous Omarjee, Stanislav Polčák, Terry Reintke, Liliana Rodrigues, Fernando Ruas, Monika Smolková, Ruža Tomašić, Ramón Luis Valcárcel Siso, Monika Vana, Matthijs van Miltenburg, Lambert van Nistelrooij, Derek Vaughan, Kerstin Westphal			
<b>Substitutes present for the final vote</b>	John Howarth, Elsi Katainen, Jan Olbrycht, Maria Gabriela Zoaňá			
<b>Substitutes under Rule 200(2) present for the final vote</b>	Vladimir Urutchev			
<b>Date tabled</b>	29.1.2019			

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

25	+
ECR	John Flack, Sławomir Kłosowski, Ruža Tomašić
PPE	Pascal Arimont, Franc Bogovič, Krzysztof Hetman, Marc Joulaud, Lambert van Nistelrooij, Andrey Novakov, Jan Olbrycht, Stanislav Polčák, Fernando Ruas, Vladimir Urutchev, Ramón Luis Valcárcel Siso
S&D	Aleksander Gabelic, Iratxe García Pérez, Michela Giuffrida, John Howarth, Constanze Krehl, Louis-Joseph Manscour, Liliana Rodrigues, Monika Smolková, Derek Vaughan, Kerstin Westphal, Maria Gabriela Zoană

1	-
S&D	Andrea Cozzolino

9	0
ALDE	Ivan Jakovčić, Elsi Katainen, Iskra Mihaylova, Matthijs van Miltenburg
EFDD	Rosa D'Amato
GUE/NGL	Martina Michels, Younous Omarjee
VERTS/ALE	Terry Reintke, Monika Vana

Key to symbols:

+ : in favour

- : against

0 : abstention