



**2011/0276(COD)**

25.4.2012

# **AMENDMENTS**

## **17 - 49**

**Draft opinion**  
**Nikolaos Chountis**  
(PE486.023v01-00)

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, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Council Regulation (EC) No 1083/2006

Proposal for a regulation  
(COM(2011)0615 – C7-0335/2011 – 2011/0276(COD))



**Amendment 17**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) The economic and financial crisis has severely affected the Member States and their citizens, and has had a major impact on all European regions. Many Member States are being affected by economic recession and a deterioration of social conditions, while at the same time unemployment is reaching record levels. This is leading to fresh inequalities between the regions in terms of growth, and to the aggravation of existing inequalities. In this context, cohesion policy fulfils a particularly important purpose, making a decisive contribution to stimulating the economy, promoting sustainable, smart and inclusive growth and narrowing social inequalities. Given that the crisis has increased pressure on national public financial resources and reduced lending capacity of the private sector, CSF Funds provide the resources essential to deal with the consequences of the crisis. It is, therefore, necessary to introduce greater flexibility into cohesion policy measures in order to maximise and optimise the use of CSF Funds.***

Or. en

**Amendment 18**  
**Elisa Ferreira**

**Proposal for a regulation**  
**Recital 3 a (new)**

***(3a) The economic and financial crisis has severely affected the Member States and their citizens and has had a major impact on all European regions. Many Member States are being affected by economic recession and a deterioration of social conditions, while at the same time unemployment is reaching record levels. This is leading to fresh inequalities between the regions in terms of growth, and to the aggravation of existing inequalities. In this context, cohesion policy fulfils a particularly important purpose, making a decisive contribution to stimulating the economy, promoting sustainable, smart and inclusive growth and narrowing social and geographic inequalities. Given that the current crisis has increased pressure on national public financial resources and reduced the lending capacity of the private sector, CSF Funds provide the resources essential to deal with the consequences of the crisis. It is accordingly necessary to introduce greater flexibility into cohesion policy measures in order to maximise and optimise the use of CSF Funds.***

Or. en

**Amendment 19**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 3 b (new)**

***(3b) Cohesion policy was designed to ensure balanced and harmonious growth in the Member States and not as a complement to EU macroeconomic policies. Cohesion policy should support alternative growth policies seeking***

*genuine convergence and sustainable growth. Measures taken in this context should promote solidarity, job creation and lasting employment, the provision of high quality public services, environmental justice and the reduction of unemployment and social exclusion.*

Or. en

**Amendment 20**  
**Roberts Zile**

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

*Text proposed by the Commission*

*Amendment*

*(19) Establishing a closer link between cohesion policy and the economic governance of the Union will ensure that the effectiveness of expenditure under the CSF Funds is underpinned by sound economic policies and that the CSF Funds can, if necessary, be redirected to addressing the economic problems a country is facing. This process has to be gradual, starting with amendments to the Partnership Contract and to the programmes in support of Council recommendations to address macroeconomic imbalances and social and economic difficulties. Where, despite the enhanced use of CSF Funds, a Member State fails to take effective action in the context of the economic governance process, the Commission should have the right to suspend all or part of the payments and commitments. Decisions on suspensions should be proportionate and effective, taking into account the impact of the individual programmes for addressing the economic and social situation in the relevant Member State and previous amendments to the Partnership Contract. When deciding on suspensions, the Commission should also*

*deleted*

*respect equality of treatment between Member States, taking into account in particular the impact of the suspension on the economy of the Member State concerned. The suspensions should be lifted and funds be made available again to the Member State concerned as soon as the Member State takes the necessary action.*

Or. en

#### *Justification*

*There should be no link made between cohesion policy and the economic governance of the Member States. Suspension of all or part of the payments and commitments by the Commission will only worsen the macroeconomic situation in Member States.*

#### **Amendment 21** **Herbert Dorfmann**

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

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

(19) Establishing a closer link between cohesion policy and the economic governance of the Union will ensure that the effectiveness of expenditure under *the* CSF Funds is underpinned by sound economic policies and that *the* CSF Funds can, if necessary, be redirected to addressing the economic problems a country is facing. This process has to be gradual, starting with amendments to the Partnership Contract and to the programmes in support of Council recommendations to address macroeconomic imbalances and social and economic difficulties. ***Where, despite the enhanced use of CSF Funds, a Member State fails to take effective action in the context of the economic governance process, the Commission should have the right to suspend all or part of the payments and commitments. Decisions on***

##### *Amendment*

(19) Establishing a closer link between cohesion policy and the economic governance of the Union will ensure that the effectiveness of expenditure under CSF Funds is underpinned by sound economic policies and that CSF Funds can, if necessary, be redirected to addressing the economic problems a country is facing. ***Conditionality provisions deriving from the Growth and Stability Pact should apply to the Cohesion Fund in relation to the fulfilment of economic governance conditions.*** This process has to be gradual, starting with amendments to the Partnership Contract and to the programmes in support of Council recommendations to address macroeconomic imbalances and social and economic difficulties.

*suspensions should be proportionate and effective, taking into account the impact of the individual programmes for addressing the economic and social situation in the relevant Member State and previous amendments to the Partnership Contract. When deciding on suspensions, the Commission should also respect equality of treatment between Member States, taking into account in particular the impact of the suspension on the economy of the Member State concerned. The suspensions should be lifted and funds be made available again to the Member State concerned as soon as the Member State takes the necessary action.*

Or. en

**Amendment 22**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 19 a (new)**

*Text proposed by the Commission*

*Amendment*

*(19a) Cohesion policy should not be linked either to the Stability and Growth Pact or to the economic governance package, which makes it more stringent. The assumptions underlying them are undeniably different and their objectives diametrically opposed. The purpose of cohesion policy should not be to impose stringent macroeconomic and financial conditions necessitating austerity measures or to penalise Member States. On the contrary, cohesion policy is designed to reduce and remedy inequalities and problems arising from implementation of market economy principles in European regions, thereby helping to reduce inequalities in terms of growth in the Member States, and to promote economic and social cohesion,*

*with a view to achieving genuine convergence.*

Or. en

## **Amendment 23**

**Mojca Kleva**

### **Proposal for a regulation**

#### **Recital 22**

*Text proposed by the Commission*

(22) Financial instruments are increasingly important due to their leverage effect on CSF Funds, their capacity to combine different forms of public and private resources to support public policy objectives, and *because revolving forms of finance make such support more sustainable over the longer term.*

*Amendment*

(22) Financial instruments are increasingly important due to their leverage effect on CSF Funds, their capacity to combine different forms of public and private resources to support public policy objectives, *foster public-private partnerships, open up alternative sources of finance and guarantee an important revolving financial means for strategic investment, supporting long-term, sustainable investment and raising Union growth potential.*

Or. en

## **Amendment 24**

**Mojca Kleva**

### **Proposal for a regulation**

#### **Recital 23**

*Text proposed by the Commission*

(23) Financial instruments supported by *the* CSF Funds should be used to address specific market needs in a cost effective way, in accordance with the objectives of the programmes, and should not crowd out private financing. The decision to finance support measures through financial instruments should be determined therefore on the basis of an ex ante *analysis.*

*Amendment*

(23) Financial instruments supported by CSF Funds should be used to *identify and* address *market failures or sub-optimal investment situations, and thereby tackle* specific market needs in a cost effective way, in accordance with the objectives of the programmes, and *such instruments* should not crowd out private financing. The decision to finance support measures



through financial instruments should be determined therefore on the basis of an ex ante *assessment, which should directly address local and regional investment needs and potential, identify possible private sector participation, assess the added value resulting from the financial instrument in question and thereby guarantee the creation of flexible and efficient responses to development challenges facing European regions.*

Or. en

**Amendment 25**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

(27) It is necessary to lay down specific rules regarding the amounts to be accepted as eligible expenditure at closure, to ensure that the amounts, including the management costs and fees, paid from the CSF Funds to financial instruments are effectively used for investments and payments to final recipients. It is also necessary to lay down specific rules regarding the reuse of resources attributable to the support from the CSF Funds, including the use of legacy resources after the closure of the programmes.

*Amendment*

(27) It is necessary to lay down specific rules regarding the amounts to be accepted as eligible expenditure at closure, to ensure that the amounts, including the management costs and fees, paid from the CSF Funds to financial instruments are effectively used for investments and payments to final recipients. It is also necessary to lay down specific rules regarding the reuse of resources attributable to the support from the CSF Funds, including the use of legacy resources after the closure of the programmes. *Detailed reporting provisions should be specified for managing authorities, Member States as well as the Commission, which should annually synthesise reporting information regarding the use and effectiveness of financial instruments across different CSF Funds, thematic objectives and Member States.*

Or. en

**Amendment 26**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 31**

*Text proposed by the Commission*

(31) In order for the Commission to monitor progress towards achieving Union objectives, Member States should submit progress reports on the implementation of their Partnership Contracts. On the basis of such reports, the Commission should prepare a strategy report on progress in 2017 and 2019.

*Amendment*

(31) In order for the Commission to monitor progress towards achieving Union objectives, Member States should submit progress reports on the implementation of their Partnership Contracts. On the basis of such reports, the Commission should prepare a strategy report on progress in 2017 and 2019. ***In an annex to the annual implementation report, Member States should include a specific report covering operations comprising financial instruments.***

Or. en

**Amendment 27**  
**Mojca Kleva**

**Proposal for a regulation**  
**Recital 55 a (new)**

*Text proposed by the Commission*

*Amendment*

***(55a) The economic and financial crisis has revealed the inadequacy of GDP as the sole indicator of eligibility for assistance from the CSF Funds. It is necessary to assess more accurately the actual development levels of European regions and the contribution which Member States can make to implementation of projects so as to ensure a more appropriate and fairer distribution of funding to the Member States. For this reason it is considered necessary to conduct further feasibility studies on the introduction and use of additional***

*indicators of the State and trends in development levels of European regions and Member States serving as additional indicators of eligibility for assistance from CSF Funds.*

Or. en

**Amendment 28**  
**Elisa Ferreira**

**Proposal for a regulation**  
**Recital 55 a (new)**

*Text proposed by the Commission*

*Amendment*

*(55a) The economic and financial crisis has revealed the inadequacy of GDP as the sole indicator of eligibility for assistance from the CSF Funds. It is necessary to assess more accurately the actual development levels of European regions and the contribution which Member States can make to project implementation so as to ensure a more appropriate and fairer distribution of funding to the Member States. For this reason, it is essential to combine the actual levels of regional GDP with the capacity of the Member state to help its own regions, as well as, to take into account the medium to long-term trends in the comparative evolution of the region's GDP.*

Or. en

**Amendment 29**  
**Roberts Zile**

**Proposal for a regulation**  
**Recital 58**

*Text proposed by the Commission*

*Amendment*

(58) In order to strengthen the focus on results and achievement of the Europe 2020 objectives and targets, **five** per cent of the resources for the ‘Investment for growth and jobs’ goal should be set aside as a performance reserve for each Fund, and category of region in each Member State.

(58) In order to strengthen the focus on results and achievement of the Europe 2020 objectives and targets, **one** per cent of the resources for the ‘Investment for growth and jobs’ goal should be set aside as a performance reserve for each Fund, and category of region in each Member State.

Or. en

*Justification*

*Given that the decision taken by the Commission as regards to the allocation of performance reserve for programmes and priorities meeting milestone targets is taken only in 2019, there is a concern that the Member States in the remaining time of the programming period will not be able draw out or to use effectively such high amount of the allocation set aside. Furthermore, it is unclear what criteria are going to be used for long-term programmes that stretch beyond 2014-2020 programming period.*

**Amendment 30**

**Roberts Zile**

**Proposal for a regulation**

**Article 4 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

9. The Commission and the Member States shall ensure the effectiveness of the CSF Funds, in particular through monitoring, reporting **and evaluation**.

9. The Commission and the Member States shall ensure the effectiveness of the CSF Funds, in particular through **planning, implementing**, monitoring, **evaluation and** reporting.

Or. en

**Amendment 31**

**Philippe Lamberts**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 15 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Where a Member State experiences temporary budgetary difficulties or a severe economic downturn, the Commission may request the Member State concerned to assess whether reviewing and amending its Partnership Contract is appropriate and necessary for achieving the objectives and targets of the Union strategy for smart, sustainable and inclusive growth***

Or. en

**Amendment 32**  
**Roberts Zile**

**Proposal for a regulation**  
**Part 2 – article 18 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

5% of the resources allocated to each CSF Fund and Member State, with the exception of resources allocated to the European territorial cooperation goal and to Title V of the EMFF Regulation, shall constitute a performance reserve to be allocated in accordance with Article 20.

1% of the resources allocated to each CSF Fund and Member State, with the exception of resources allocated to the European territorial cooperation goal and to Title V of the EMFF Regulation, shall constitute a performance reserve to be allocated in accordance with Article 20.

Or. en

*Justification*

*Given that the decision taken by the Commission as regards to the allocation of performance reserve for programmes and priorities meeting milestone targets is taken only in 2019, there is a concern that the Member States in the remaining time of the programming period will not be able draw out or to use effectively such high amount of the allocation set aside. Furthermore, it is unclear what criteria are going to be used for long-term programmes that stretch beyond 2014-2020 programming period.*

**Amendment 33**  
**Philippe Lamberts**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 21 – title**

*Text proposed by the Commission*

***Conditionality linked to the coordination of Member States' economic policies***

*Amendment*

***Increase in payments for Member States with temporary budgetary difficulties and experiencing a severe economic downturn***

Or. en

**Amendment 34**

**Philippe Lamberts**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 21**

*Text proposed by the Commission*

***Conditionality linked to the coordination of Member States' economic policies***

*Amendment*

***deleted***

***1. The Commission may request a Member State to review and propose amendments to its Partnership Contract and the relevant programmes, where this is necessary:***

***a) to support the implementation of a Council recommendation, addressed to the Member State concerned and adopted in accordance with Articles 121(2) and/or 148(4) of the Treaty, or to support the implementation of measures addressed to the Member State concerned and adopted in accordance with Article 136(1) of the Treaty;***

***b) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in accordance with Article 126(7) of the Treaty;***

***c) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in***

*accordance with Article 7(2) of Regulation (EU) No .../2011 [on the prevention and correction of macroeconomic imbalances], provided that these amendments are deemed necessary to help correct the macroeconomic imbalances; or*

*d) to maximise the growth and competitiveness impact of the available CSF Funds pursuant to paragraph 4, if a Member State meets one of the following conditions:*

*(i) Union financial assistance is made available to it under Council Regulation (EU) No 407/2010;*

*(ii) medium-term financial assistance is made available to it in accordance with Council Regulation (EC) No 332/2002;*

*(iii) financial assistance in the form of an ESM loan is made available to it in accordance with the Treaty establishing the European Stability Mechanism.*

*2. The Member State shall submit a proposal for amending the Partnership Contract and the relevant programmes within one month. If necessary, the Commission shall make observations within one month from the submission of the amendments, in which case the Member State shall re-submit its proposal within one month.*

*3. Where the Commission has not made observations or where its observations have been satisfactorily taken into account, the Commission shall adopt a decision approving the amendments to the Partnership Contract and the relevant programmes without undue delay.*

*4. By derogation to paragraph 1, where financial assistance is made available to a Member State in accordance with paragraph 1(d) and is linked to an adjustment programme, the Commission may without any proposal from the Member State amend the Partnership Contract and the programmes with a view*

*to maximising the growth and competitiveness impact of the available CSF Funds. To ensure effective implementation of the Partnership Contract and the relevant programmes, the Commission shall become involved in their management as detailed in the adjustment programme or the Memorandum of Understanding signed with the Member State concerned.*

*5. Where the Member State fails to respond to the Commission's request referred to in paragraph 1 or does not reply satisfactorily within one month to the observations of the Commission referred to in paragraph 2, the Commission may, within three months following its observations, adopt a decision, by means of implementing acts, suspending part or all of the payments for the programmes concerned.*

*6. The Commission shall suspend, by means of implementing acts, part or all of the payments and commitments for the programmes concerned where:*

*a) the Council decides that the Member State does not comply with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;*

*b) the Council decides in accordance with Article 126(8) or Article 126(11) of the Treaty that the Member State concerned has not taken effective action to correct its excessive deficit;*

*c) the Council concludes in accordance with Article 8(3) of Regulation (EU) No [...] /2011 [on the prevention and correction of macroeconomic imbalances] that, on two successive instances, the Member State has not submitted a sufficient corrective action plan or the Council adopts a decision declaring non-compliance in accordance with Article 10(4) of that Regulation;*

*d) the Commission concludes that the*



*Member State has not taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence decides not to authorise the disbursement of the financial assistance granted to this Member State; or*

*e) the Board of Directors of the European stability mechanism concludes that the conditionality attached to an ESM financial assistance in the form of an ESM loan to the concerned Member State was not met and as a consequence decides not to disburse the stability support granted to it.*

*7. When deciding to suspend part or all of the payments or commitments in accordance with paragraphs 5 and 6 respectively, the Commission shall ensure that the suspension is proportionate and effective, taking into account the economic and social circumstances of the Member State concerned, and respects equality of treatment between Member States, in particular with regard to the impact of the suspension on the economy of the Member State concerned.*

*8. The Commission shall without delay lift the suspension of payments and commitments where the Member State has proposed amendments to the Partnership Contract and the relevant programmes as requested by the Commission, which the Commission has approved and, where applicable:*

*a) the Council has decided that the Member State complies with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;*

*b) the excessive deficit procedure is held in abeyance in accordance with Article 9 of Regulation (EC) No 1467/97 or the Council has decided in accordance with Article 126(12) of the Treaty to abrogate the decision on the existence of an*

*excessive deficit;*

*c) the Council has endorsed the corrective action plan submitted by the concerned Member State in accordance with Article 8(2) of Regulation (EU) No [...] [EIP Regulation] 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;*

*d) the Commission has concluded that the Member State has taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence has authorised the disbursement of the financial assistance granted to this Member State; or*

*e) the Board of Directors of the European stability mechanism has concluded that the conditionality attached to a financial assistance in the form of an ESM loan to the concerned Member State is met and as a consequence has decided to disburse the stability support granted to it.*

*At the same time, the Council shall decide, on a proposal from the Commission, to re-budget the suspended commitments in accordance with Article 8 of Council Regulation (EU) No [...] laying down the multiannual financial framework for the years 2014 to 2020.*

Or. en

**Amendment 35**  
**Roberts Zīle**

**Proposal for a regulation**  
**Article 21**

***Conditionality linked to the coordination of Member States' economic policies*** ***deleted***

***1. The Commission may request a Member State to review and propose amendments to its Partnership Contract and the relevant programmes, where this is necessary:***

***a) to support the implementation of a Council recommendation, addressed to the Member State concerned and adopted in accordance with Articles 121(2) and/or 148(4) of the Treaty, or to support the implementation of measures addressed to the Member State concerned and adopted in accordance with Article 136(1) of the Treaty;***

***b) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in accordance with Article 126(7) of the Treaty;***

***c) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in accordance with Article 7(2) of Regulation (EU) No .../2011 [on the prevention and correction of macroeconomic imbalances], provided that these amendments are deemed necessary to help correct the macroeconomic imbalances; or***

***d) to maximise the growth and competitiveness impact of the available CSF Funds pursuant to paragraph 4, if a Member State meets one of the following conditions:***

***(i) Union financial assistance is made available to it under Council Regulation (EU) No 407/2010;***

***(ii) medium-term financial assistance is made available to it in accordance with Council Regulation (EC) No 332/2002;***

*(iii) financial assistance in the form of an ESM loan is made available to it in accordance with the Treaty establishing the European Stability Mechanism.*

*2. The Member State shall submit a proposal for amending the Partnership Contract and the relevant programmes within one month. If necessary, the Commission shall make observations within one month from the submission of the amendments, in which case the Member State shall re-submit its proposal within one month.*

*3. Where the Commission has not made observations or where its observations have been satisfactorily taken into account, the Commission shall adopt a decision approving the amendments to the Partnership Contract and the relevant programmes without undue delay.*

*4. By derogation to paragraph 1, where financial assistance is made available to a Member State in accordance with paragraph 1(d) and is linked to an adjustment programme, the Commission may without any proposal from the Member State amend the Partnership Contract and the programmes with a view to maximising the growth and competitiveness impact of the available CSF Funds. To ensure effective implementation of the Partnership Contract and the relevant programmes, the Commission shall become involved in their management as detailed in the adjustment programme or the Memorandum of Understanding signed with the Member State concerned.*

*5. Where the Member State fails to respond to the Commission's request referred to in paragraph 1 or does not reply satisfactorily within one month to the observations of the Commission referred to in paragraph 2, the Commission may, within three months following its observations, adopt a decision, by means of implementing acts,*

*suspending part or all of the payments for the programmes concerned.*

**6. The Commission shall suspend, by means of implementing acts, part or all of the payments and commitments for the programmes concerned where:**

**a) the Council decides that the Member State does not comply with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;**

**b) the Council decides in accordance with Article 126(8) or Article 126(11) of the Treaty that the Member State concerned has not taken effective action to correct its excessive deficit;**

**c) the Council concludes in accordance with Article 8(3) of Regulation (EU) No [...] /2011 [on the prevention and correction of macroeconomic imbalances] that, on two successive instances, the Member State has not submitted a sufficient corrective action plan or the Council adopts a decision declaring non-compliance in accordance with Article 10(4) of that Regulation;**

**d) the Commission concludes that the Member State has not taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence decides not to authorise the disbursement of the financial assistance granted to this Member State; or**

**e) the Board of Directors of the European stability mechanism concludes that the conditionality attached to an ESM financial assistance in the form of an ESM loan to the concerned Member State was not met and as a consequence decides not to disburse the stability support granted to it.**

**7. When deciding to suspend part or all of the payments or commitments in accordance with paragraphs 5 and 6**

*respectively, the Commission shall ensure that the suspension is proportionate and effective, taking into account the economic and social circumstances of the Member State concerned, and respects equality of treatment between Member States, in particular with regard to the impact of the suspension on the economy of the Member State concerned.*

*8. The Commission shall without delay lift the suspension of payments and commitments where the Member State has proposed amendments to the Partnership Contract and the relevant programmes as requested by the Commission, which the Commission has approved and, where applicable:*

*a) the Council has decided that the Member State complies with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;*

*b) the excessive deficit procedure is held in abeyance in accordance with Article 9 of Regulation (EC) No 1467/97 or the Council has decided in accordance with Article 126(12) of the Treaty to abrogate the decision on the existence of an excessive deficit;*

*c) the Council has endorsed the corrective action plan submitted by the concerned Member State in accordance with Article 8(2) of Regulation (EU) No [...] [EIP Regulation] 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;*

*d) the Commission has concluded that the Member State has taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence has authorised the disbursement of the*

*financial assistance granted to this Member State; or*

*e) the Board of Directors of the European stability mechanism has concluded that the conditionality attached to a financial assistance in the form of an ESM loan to the concerned Member State is met and as a consequence has decided to disburse the stability support granted to it.*

*At the same time, the Council shall decide, on a proposal from the Commission, to re-budget the suspended commitments in accordance with Article 8 of Council Regulation (EU) No [...] laying down the multiannual financial framework for the years 2014 to 2020.*

Or. en

*Justification*

*There should be no link made between cohesion policy and the economic governance of the Member States. Suspension of all or part of the payments and commitments by the Commission will only worsen the macroeconomic situation in Member States.*

**Amendment 36**  
**Herbert Dorfmann**

**Proposal for a regulation**  
**Article 21**

*Text proposed by the Commission*

*Amendment*

***Conditionality linked to the coordination of Member States' economic policies***      ***deleted***

***1. The Commission may request a Member State to review and propose amendments to its Partnership Contract and the relevant programmes, where this is necessary:***

***a) to support the implementation of a Council recommendation, addressed to the Member State concerned and adopted in accordance with Articles 121(2) and/or 148(4) of the Treaty, or to support the implementation of measures addressed to***

*the Member State concerned and adopted in accordance with Article 136(1) of the Treaty;*

*b) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in accordance with Article 126(7) of the Treaty;*

*c) to support the implementation of a Council recommendation addressed to the Member State concerned and adopted in accordance with Article 7(2) of Regulation (EU) No .../2011 [on the prevention and correction of macroeconomic imbalances], provided that these amendments are deemed necessary to help correct the macroeconomic imbalances; or*

*d) to maximise the growth and competitiveness impact of the available CSF Funds pursuant to paragraph 4, if a Member State meets one of the following conditions:*

*(i) Union financial assistance is made available to it under Council Regulation (EU) No 407/2010;*

*(ii) medium-term financial assistance is made available to it in accordance with Council Regulation (EC) No 332/2002;*

*(iii) financial assistance in the form of an ESM loan is made available to it in accordance with the Treaty establishing the European Stability Mechanism.*

*2. The Member State shall submit a proposal for amending the Partnership Contract and the relevant programmes within one month. If necessary, the Commission shall make observations within one month from the submission of the amendments, in which case the Member State shall re-submit its proposal within one month.*

*3. Where the Commission has not made observations or where its observations have been satisfactorily taken into account, the Commission shall adopt a*



*decision approving the amendments to the Partnership Contract and the relevant programmes without undue delay.*

*4. By derogation to paragraph 1, where financial assistance is made available to a Member State in accordance with paragraph 1(d) and is linked to an adjustment programme, the Commission may without any proposal from the Member State amend the Partnership Contract and the programmes with a view to maximising the growth and competitiveness impact of the available CSF Funds. To ensure effective implementation of the Partnership Contract and the relevant programmes, the Commission shall become involved in their management as detailed in the adjustment programme or the Memorandum of Understanding signed with the Member State concerned.*

*5. Where the Member State fails to respond to the Commission's request referred to in paragraph 1 or does not reply satisfactorily within one month to the observations of the Commission referred to in paragraph 2, the Commission may, within three months following its observations, adopt a decision, by means of implementing acts, suspending part or all of the payments for the programmes concerned.*

*6. The Commission shall suspend, by means of implementing acts, part or all of the payments and commitments for the programmes concerned where:*

*a) the Council decides that the Member State does not comply with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;*

*b) the Council decides in accordance with Article 126(8) or Article 126(11) of the Treaty that the Member State concerned has not taken effective action to correct its excessive deficit;*

*c) the Council concludes in accordance with Article 8(3) of Regulation (EU) No [...] /2011 [on the prevention and correction of macroeconomic imbalances] that, on two successive instances, the Member State has not submitted a sufficient corrective action plan or the Council adopts a decision declaring non-compliance in accordance with Article 10(4) of that Regulation;*

*d) the Commission concludes that the Member State has not taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence decides not to authorise the disbursement of the financial assistance granted to this Member State; or*

*e) the Board of Directors of the European stability mechanism concludes that the conditionality attached to an ESM financial assistance in the form of an ESM loan to the concerned Member State was not met and as a consequence decides not to disburse the stability support granted to it.*

*7. When deciding to suspend part or all of the payments or commitments in accordance with paragraphs 5 and 6 respectively, the Commission shall ensure that the suspension is proportionate and effective, taking into account the economic and social circumstances of the Member State concerned, and respects equality of treatment between Member States, in particular with regard to the impact of the suspension on the economy of the Member State concerned.*

*8. The Commission shall without delay lift the suspension of payments and commitments where the Member State has proposed amendments to the Partnership Contract and the relevant programmes as requested by the Commission, which the Commission has approved and, where applicable:*

- a) the Council has decided that the Member State complies with the specific measures set out by the Council in accordance with Article 136(1) of the Treaty;***
- b) the excessive deficit procedure is held in abeyance in accordance with Article 9 of Regulation (EC) No 1467/97 or the Council has decided in accordance with Article 126(12) of the Treaty to abrogate the decision on the existence of an excessive deficit;***
- c) the Council has endorsed the corrective action plan submitted by the concerned Member State in accordance with Article 8(2) of Regulation (EU) No [...] [EIP Regulation] 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;***
- d) the Commission has concluded that the Member State has taken measures to implement the adjustment programme referred to in Council Regulation (EU) No 407/2010 or Council Regulation (EC) No 332/2002 and as a consequence has authorised the disbursement of the financial assistance granted to this Member State; or***
- e) the Board of Directors of the European stability mechanism has concluded that the conditionality attached to a financial assistance in the form of an ESM loan to the concerned Member State is met and as a consequence has decided to disburse the stability support granted to it.***

***At the same time, the Council shall decide, on a proposal from the Commission, to re-budget the suspended commitments in accordance with Article 8 of Council Regulation (EU) No [...] laying down the multiannual financial framework for the years 2014 to 2020.***

**Amendment 37**  
**Philippe Lamberts**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 22 – title**

*Text proposed by the Commission*

Increase in payments for Member *State*  
with temporary budgetary difficulties

*Amendment*

Increase in payments for Member *States*  
with temporary budgetary difficulties *and*  
*experiencing a severe economic downturn*  
*as referred to in Regulation (EC) No*  
*1466/97 and Regulation (EC) No 1467/97.*

Or. en

**Amendment 38**  
**Philippe Lamberts**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 22 – paragraph 1 – subparagraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) Where the Member State concerned*  
*experiences a situation of severe*  
*economic downturn as referred to in*  
*Regulation (EC) No 1466/97 and*  
*Regulation (EC) No 1467/97*

Or. en

**Amendment 39**  
**Roberts Zile**

**Proposal for a regulation**  
**Article 24 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives.**

**deleted**

Or. en

*Justification*

*In order to maximise the impact of the policy in delivering European priorities, all thematic objectives defined in the Commission proposal need to be treated equally.*

**Amendment 40**  
**Roberts Zile**

**Proposal for a regulation**  
**Article 25 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Commission shall make observations within three months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme.

2. The Commission shall make duly **justified** observations within three months of the date of submission of the programme. The Member State shall provide to the Commission all necessary additional information and, where appropriate, revise the proposed programme **accordingly**.

Or. en

*Justification*

*The Commission needs to ensure justified decisions are taken.*

**Amendment 41**  
**Roberts Zile**

**Proposal for a regulation**  
**Article 52 – paragraph 1**

*Text proposed by the Commission*

1. At the initiative of a Member State, the CSF Funds may support actions for preparation, management, monitoring, evaluation, information and communication, networking, complaint resolution, and control and audit. The CSF Funds may be used by the Member State to support actions for the reduction of administrative burden for beneficiaries, including electronic data exchange systems, and actions to reinforce the capacity of Member State authorities and beneficiaries to administer and use the CSF Funds. These actions may concern preceding and subsequent programming periods.

*Amendment*

1. At the initiative of a Member State, the CSF Funds may support actions for preparation, management, monitoring, evaluation, information and communication, networking, complaint resolution, and control and audit. The CSF Funds may be used by the Member State to support actions for the reduction of administrative burden for beneficiaries, including electronic data exchange systems, and actions to reinforce the capacity of Member State authorities and beneficiaries to administer and use the CSF Funds. These actions may concern preceding and subsequent programming periods, ***and shall be geared towards implementing long-lasting institutional capability.***

Or. en

**Amendment 42**  
**Roberts Zile**

**Proposal for a regulation**  
**Article 56 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall clearly define the forms of support mentioned in paragraph 1 of this Regulation together with the related eligibility criteria before the beginning of the 2014-2020 programming period.***

Or. en

*Justification*

*There need to be clear definitions as to what constitutes a "prize" and "repayable assistance", and what are the conditions for the latter.*

**Amendment 43**  
**Nikolaos Chountis**

**Proposal for a regulation**  
**Article 82 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

The three categories of regions are determined on the basis of how their GDP per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2006 to 2008**, relates to the average GDP of the EU-27 for the same reference period.

*Amendment*

The three categories of regions are determined on the basis of how their GDP per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2009 to 2013**, relates to the average GDP of the EU-27 for the same reference period.

Or. el

*Justification*

*Για τη μεγαλύτερη αποτελεσματικότητα της χρήσης και του σχεδιασμού των διαρθρωτικών ταμείων, θα πρέπει να λαμβάνεται το ΑΕγΠ της πιο πρόσφατης περιόδου, σε σχέση με την προγραμματική περίοδο, εν προκειμένω την περίοδο 2014-2020. Πόσο μάλλον αυτή την περίοδο, όπου η οικονομική κρίση που ξεκίνησε το 2008, έχει μεταβάλλει ριζικά τις οικονομικές και κοινωνικές δομές των περιφερειών των κρατών-μελλών, κάτι που πρέπει να ληφθεί υπόψη, στο σχεδιασμό και την κατανομή των διαρθρωτικών ταμείων. Για αυτούς τους λόγους, θα πρέπει να χρησιμοποιούνται στοιχεία του ΑΕγΠ και ΑΕΕ, όσο το δυνατό πιο πρόσφατα.*

**Amendment 44**  
**Nikolaos Chountis**

**Proposal for a regulation**  
**Article 82 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The Cohesion Fund shall support those Member States whose gross national income (GNI) per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2007 to 2009**, is less than 90 % of the average GNI per capita of the EU-27 for the same reference period.

*Amendment*

The Cohesion Fund shall support those Member States whose gross national income (GNI) per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2009 to 2013**, is less than 90 % of the average GNI per capita of the EU-27 for the same reference period.

Or. el

## Justification

Για τη μεγαλύτερη αποτελεσματικότητα της χρήσης και του σχεδιασμού των διαρθρωτικών ταμείων, θα πρέπει να λαμβάνεται το ΑΕγΠ της πιο πρόσφατης περιόδου, σε σχέση με την προγραμματική περίοδο, εν προκειμένω την περίοδο 2014-2020. Πόσο μάλλον αυτή την περίοδο, όπου η οικονομική κρίση που ξεκίνησε το 2008, έχει μεταβάλλει ριζικά τις οικονομικές και κοινωνικές δομές των περιφερειών των κρατών-μελών, κάτι που πρέπει να ληφθεί υπόψη, στο σχεδιασμό και την κατανομή των διαρθρωτικών ταμείων. Για αυτούς τους λόγους, θα πρέπει να χρησιμοποιούνται στοιχεία του ΑΕγΠ και ΑΕΕ, όσο το δυνατό πιο πρόσφατα.

### Amendment 45

**Philippe Lamberts**

on behalf of the Verts/ALE Group

#### Proposal for a regulation

##### Article 84 – paragraph 2 – point a

*Text proposed by the Commission*

(a) eligible population, regional prosperity, national prosperity and unemployment rate for less developed regions and transition regions;

*Amendment*

(a) eligible population, regional prosperity, national prosperity, **net adjusted disposable income per inhabitant** and unemployment rate for less developed regions and transition regions;

Or. en

### Amendment 46

**Philippe Lamberts**

on behalf of the Verts/ALE Group

#### Proposal for a regulation

##### Article 84 – paragraph 2 – point b

*Text proposed by the Commission*

(b) eligible population, regional prosperity, unemployment rate, employment rate, educational level and population density for more developed regions;

*Amendment*

(b) eligible population, regional prosperity, unemployment rate, employment rate, educational level, **net adjusted disposable income per inhabitant, demographic vulnerability, social fragility** and population density for more developed regions;



**Amendment 47**

**Roberts Zile**

**Proposal for a regulation**

**Article 84 – paragraph 6**

*Text proposed by the Commission*

6. 5% of the resources for the Investment for growth and jobs goal shall constitute the performance reserve to be allocated in accordance with Article 20.

*Amendment*

6. 1% of the resources for the Investment for growth and jobs goal shall constitute the performance reserve to be allocated in accordance with Article 20.

Or. en

*Justification*

*Given that the decision taken by the Commission as regards to the allocation of performance reserve for programmes and priorities meeting milestone targets is taken only in 2019, there is a concern that the Member States in the remaining time of the programming period will not be able draw out or to use effectively such high amount of the allocation set aside. Furthermore, it is unclear what criteria are going to be used for long-term programmes that stretch beyond 2014-2020 programming period.*

**Amendment 48**

**Philippe Lamberts**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 134 – paragraph 1 – point f**

*Text proposed by the Commission*

*(f) there is evidence resulting from a performance review that a priority axis has failed to achieve the milestones set out in the performance framework;*

*Amendment*

*deleted*

Or. en

**Amendment 49**

**Philippe Lamberts**

on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 134 – paragraph 1 – point g**

*Text proposed by the Commission*

*Amendment*

*(g) the Member State fails to respond or does not reply satisfactorily under Article 20(3).*

*deleted*

Or. en