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**A7-0410/2012**  
Par1

10.12.2012

## REPORT

on the Council position on the new draft general budget of the European Union  
for the financial year 2013 - all sections  
(17195/2012 – C7-0399/2012 – 2012/2307(BUD))

Part 1: Motion for a resolution

Committee on Budgets

Rapporteurs: Giovanni La Via (Section III – Commission)  
Derek Vaughan (other sections)

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### **Published separately**

- Decisions taken by the Committee on Budgets at its meetings of 10 December 2012 on the draft amendments to the draft general budget..... Part 2 – A7-0410/2012

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on the Council position on the new draft general budget of the European Union for the financial year 2013 - all sections (17195/2012 – C7-0399/2012 – 2012/2307(BUD))**

*The European Parliament,*

- having regard to Article 314 of the Treaty on the Functioning of the European Union and Article 106a of the Treaty establishing the European Atomic Energy Community,
- having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources<sup>1</sup>,
- having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>2</sup>,
- having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management<sup>3</sup>,
- having regard to Council Decision EUCO 76/12, on the 28th and 29th of June 2012 on the Compact for Growth and jobs, agreed by the Member States,
- having regard to its resolution of 14 March 2012 on general guidelines for the preparation of the budget - Section III - Commission<sup>4</sup>,
- having regard to its resolution of 29 March 2012 on Parliament's estimates of revenue and expenditure for the financial year 2013<sup>5</sup>,
- having regard to its resolution of 4 July 2012 on the mandate for the trilogue on the 2013 draft budget<sup>6</sup>,
- having regard to its resolution of 23 October 2012 on Council's position on the 2013 draft budget<sup>7</sup>;
- having regard to the fact that the Conciliation Committee did not agree on a joint text within the twenty-one days referred to in Article 314(6) of Treaty on the Functioning of the European Union;
- having regard to the new draft general budget of the European Union for the financial year 2013, which the Commission adopted on 23 November 2012 (COM(2012)0716),

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<sup>1</sup> OJ L 163, 23.6.2007, p. 17.

<sup>2</sup> OJ L 248, 16.9.2002, p. 1.

<sup>3</sup> OJ C 139, 14.6.2006, p. 1.

<sup>4</sup> Texts adopted, P7\_TA(2012)0077.

<sup>5</sup> Texts adopted, P7\_TA(2012)0109.

<sup>6</sup> Texts adopted, P7\_TA(2012)0289.

<sup>7</sup> Texts adopted, P7\_TA(2012)0359.

- having regard to the conclusions of the budgetary trilogue on 29 November 2012,
  - having regard to the position on the new draft general budget of the European Union for the financial year 2013, which the Council adopted on 6 December 2012 and forwarded to Parliament the same day (17195/2012 – C7-0399/2012),
  - having regard to Rule 75b of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (A7-0410/2012),
1. Recalls that the "draft package" agreed, after difficult negotiations, by Parliament and Council during the Trilogue of 29 November 2012 consists of three elements: the Amending Budget No 6/2012 for EUR 6 billion, partially covering the shortage of payments up to 31st October 2012, the Union Budget for the year 2013 set to a level of EUR 150 898,391 million and EUR 132 836,988 million, respectively in commitment and payment appropriations and three joint statements ensuring that the actual payment needs in 2012 and 2013 will be duly covered;
  2. Welcomes the overall level of commitments appropriations agreed, which represents an increase of EUR 1,1 billion compared to the original reading of the Council; is pleased that the biggest part of its political priorities is secured in next year's budget, with particular emphasis on the proper implementation of the EU commitment for growth and jobs, as identified in the Europe 2020 strategy;
  3. Notes that the overall level of payment appropriations agreed for 2013 decreases by 2,15 % compared to Budget 2012 following the adoption of 6 billion EUR in Amending Budget 6/2012;
  4. Notes that, due to the intransigent position of the Council in the negotiations, the overall level of payments set is EUR 5 billion lower than the Commission's estimates for payment needs in their draft budget for 2013; is concerned that this level of appropriations will be insufficient to cover the actual payments needs of next year and to swiftly implement the "growth and jobs" compact agreed by the European Council in June 2012; is convinced, however, that the cost of a non agreement would imply much more serious consequences and a much more negative impact on the implementation of the Union actions and programmes; requests the Commission to provide monthly reports to Parliament and Council on the evolution of Member States' (breakdown per Member State and per fund) payment claims for structural funds, cohesion fund, rural development and fisheries funds from 31 October 2012 onwards; calls for an interinstitutional working group on payments to be set up, where the two arms of the budgetary authority should present joint conclusions on how to proceed;
  5. Attaches, therefore, the highest political importance to the joint statements agreed between the Parliament, the Council and the Commission; will monitor at all levels and by all means for these declarations to be respected and the necessary additional resources to be provided by Member States next year in order for the Union to be able to pay its bills and to preserve its institutional credibility and solvability;
  6. Submits its favourable vote on the Budget 2013 to the attainment of specific guarantees at the highest political level of the three institutions on the financing of the EUR 2,9 billion

payments lacking for 2012, which shall by no means imply a reduction of payment appropriations for 2013;

7. Reaffirms that the only way to come out from this impasse, which renders the budgetary negotiations each year more difficult, is to urgently and responsibly solve the issue of the Union's financing, through a genuine system of own resources to come into force as from the next Multiannual Financial Framework, removing once for all the division of the EU between net contributors and net beneficiaries;
8. Reaffirms its view that, in the meantime, the Commission should explore the possibility of excluding, in a spirit of solidarity and consistency, Member States' gross GNI-based contributions to the Union Budget from the calculation of the structural deficit as defined in the 'two-pack' and in the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union;
9. Approves without amendment the new draft budget for 2013 as modified by Council;
10. Instructs its President to declare that the budget has been definitively adopted and to arrange for its publication in the Official Journal of the European Union;
11. Instructs its President to forward this resolution to the Council, the Commission, the other institutions and bodies concerned and the national parliaments.

## **ANNEX**

### **JOINT STATEMENTS OF THE THREE INSTITUTIONS AGREED WITHIN THE CONTEXT ON THE NEGOTIATIONS ON THE 2013 BUDGET**

**10 December 2012**

The President of the European Parliament, the President of the Council of the European Union and the President of the European Commission declare that the three joint statements hereafter were agreed by the three institutions in the framework of the adoption of the 2013 Budget:

#### **Joint statement on payment appropriations for 2013**

Taking into account the ongoing fiscal consolidation efforts in Member States, the European Parliament and the Council, taking note of the level of payments proposed by the Commission for 2013, agree on a reduction of the level of payment appropriations for 2013 as compared to the Commission's Draft Budget. They ask the Commission to initiate any necessary action according to the Treaty and, in particular, to request additional payment appropriations in an amending budget if the appropriations entered in the 2013 budget prove insufficient to cover expenditure under sub-heading 1a (Competitiveness for growth and employment), sub-heading 1b (Cohesion for growth and employment), heading 2 (Preservation and management of natural resources), heading 3 (Citizenship, freedom, security and justice) and heading 4 (EU as a global player).

Moreover, the European Parliament and the Council urge the Commission to present by mid-October 2013 at the latest updated figures concerning the state of play and estimates regarding payment appropriations under sub-heading 1b (Cohesion for growth and employment) and rural development under heading 2 Preservation and Management of Natural Resources, and, if necessary, to present a draft amending budget. The Council and the European Parliament are aware that a draft amending budget may possibly be required as early as mid-2013. With a view to facilitate the decision on the level of payments appropriations in the context of the annual budgetary procedure, the three institutions agree to explore how to better match payment appropriations estimates under shared management with the corresponding needs.

The European Parliament and the Council will take position on any draft amending budget as quickly as possible in order to avoid any shortfall in payment appropriations. In addition, the Council and the European Parliament undertake to process swiftly any possible transfer of payment appropriations, including across financial framework headings, in order to make the best possible use of payment appropriations entered in the budget and align them to actual execution and needs.

In accordance with point 18 of the Interinstitutional Agreement on budgetary discipline and sound financial management, the European Parliament and the Council recall the need to ensure, in the light of implementation, an orderly progression of the total appropriations for payments in relation to the appropriations for commitments, so as to avoid any abnormal evolution of outstanding commitments ("RAL").

The European Parliament, the Council and the Commission will actively monitor the state of implementation of the 2013 budget, throughout the year, focussing on payment

implementation, reimbursement claims received and revised forecasts, on the basis of detailed information provided by the Commission.

In any event, the European Parliament, the Council and the Commission recall their shared responsibility, as laid down in Article 323 TFEU, that "the European Parliament, the Council and the Commission shall ensure that the financial means are made available to allow the Union to fulfil its legal obligation in respect of third parties".

### **Joint statement on payment needs for 2012**

The European Parliament and the Council note that the level of payments, proposed by the Commission in its 2013 draft budget, was based on the assumption that payment needs in 2012 would have been addressed with appropriations available in the 2012 budget. However, the additional payment appropriations authorised in the Amending Budget 6/2012 were lowered by EUR 2.9 billion with respect to the amount proposed by the Commission, and are not at the level of all payment claims received.

Therefore, the Commission undertakes to present at an early stage in the year 2013 a draft amending budget devoted to the sole purpose of covering the 2012 suspended claims as soon as the suspensions are lifted, and the other pending legal obligations without prejudice to the proper implementation of the 2013 budget.

To ensure sound and accurate EU budgeting, the Council and the European Parliament will take position on this draft amending budget as quickly as possible in order to cover any outstanding gap.

### **Joint statement on Heading 5 and the salary and pension adjustment**

The European Parliament and the Council agree not to include at this stage the budgetary impact of the 2011 salary adjustment in the 2013 Budget. Without prejudice to Council's position in cases c-66/12, c-63/12, c-196/12 and c-453/12, they jointly request the Commission, should the Court rule in favour of the Commission and as soon as it does, to submit a draft amending budget devoted to finance, as needed, the impact of the 2011 adjustment for the institutions, including its retroactive effect on previous years and possible late interest.

The European Parliament and the Council thus commit to approve such draft amending budget as soon as possible and to provide the necessary additional appropriations without jeopardising political priorities.

The above statements are agreed subject to the European Parliament's approval, under Article 314(4)(a) TFEU, of the Council's position of 6 December 2012 on the 2013 Budget.

President of the European  
Parliament

President of the Council  
of the European Union

President of the European  
Commission

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	10.12.2012
<b>Result of final vote</b>	+ :                33 - :                5 0 :                0
<b>Members present for the final vote</b>	Marta Andreasen, Francesca Balzani, Zuzana Brzobohatá, Jean Louis Cottigny, Isabelle Durant, Göran Färm, Eider Gardiazábal Rubial, Jens Geier, Ingeborg Gräßle, Jutta Haug, Monika Hohlmeier, Sidonia Elżbieta Jędrzejewska, Anne E. Jensen, Jan Kozłowski, Alain Lamassoure, Giovanni La Via, George Lyon, Barbara Matera, Jan Mulder, Juan Andrés Naranjo Escobar, Dominique Riquet, Alda Sousa, László Surján, Derek Vaughan, Angelika Werthmann
<b>Substitute(s) present for the final vote</b>	Burkhard Balz, Maria Da Graça Carvalho, Frédéric Daerden, Derk Jan Eppink, Gerben-Jan Gerbrandy, Edit Herczog, Jürgen Klute, Erminia Mazzoni, Georgios Papastamkos, Georgios Stavrakakis, Nils Torvalds
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Jean-Pierre Audy, Sergio Berlato