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Interinstitutional Files:

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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee
Subject: Cohesion Policy Legislative Package 2021-2027
- Partial mandate for negotiations with the European Parliament

I. INTRODUCTION

1. On 29 and 30 May 2018, the Commission adopted the proposals configuring the Cohesion Policy legislative package for 2021-2027, namely the Common Provisions Regulation (CPR)¹, the ERDF/Cohesion Fund Regulation (ERDF/CF)², the European Social Fund Plus Regulation (ESF+)³, the European Territorial Cooperation (Interreg) Regulation⁴, as well as a Regulation for a mechanism to resolve legal and administrative obstacles in a cross-border context (ECBM)⁵.

¹ Doc. 9511/18 + ADD 1.

² Doc. 9522/18 + ADD 1-2.

³ Doc. 9573/18 + ADD 1-2.

⁴ Doc. 9536/18 + ADD 1.

⁵ Doc. 9555/18.

2. The proposals of the Cohesion Policy legislative package have the common objective to strengthen the economic, social and territorial cohesion of the Union, by reducing disparities between the various EU regions, in line with Article 174 TFEU, through various Funds and policy instruments.
3. The Committee of the Regions and the Economic and Social Committee have been consulted on all Regulations part of the Cohesion Policy legislative package.
4. The REGI committee of the European Parliament is expected to have voted on all the proposals within its remit by the end of February 2019. The EMPL committee voted on the Report of the ESF+ proposal on 3 December 2018.

II. WORK WITHIN THE COUNCIL

5. The proposals of the Cohesion Policy Legislative package were presented to the Structural Measures Working Party (SMWP) in June 2018 during the Bulgarian Presidency. Detailed examination of the texts took place during the Austrian Presidency, as stated in the Presidency's Report (doc. 15428/18).
6. The General Affairs Council dedicated to Cohesion Policy on 30 November 2018 took stock of the progress made and gave guidance on certain issues, e.g. the nature of the Partnership Agreement and others. There was a broad agreement among Member States on the Presidency's proposals, as set out in document 14216/18.
7. Based on the Ministerial discussion, the Presidency accordingly adjusted the relevant compromise texts of the regulations concerned, and presented a compromise package to the Structural Measures Working Party, which discussed the compromise on 4, 10, 14 and 17 December 2018.

8. Since the Common Provisions Regulation is a proposal linked to the Multiannual Financial Framework (MFF), all provisions with budgetary implications or of a horizontal nature have been set aside for the time being - and thus excluded from this partial mandate for negotiations - pending further progress on the MFF. These provisions are Article 10(1) (Use of the ERDF, the ESF+, the Cohesion Fund and the EMFF delivered through InvestEU) and Article 21(1) (Transfer of resources);
9. DK has entered a parliamentary scrutiny reserve on the Common Provisions Regulations and the ESF+ Regulation.

III. CONCLUSION

10. Following the attaché meeting on 17 December, the Presidency is of the view that, based on the principle that "**nothing is agreed until everything is agreed**", a balanced compromise text has emerged from discussions amongst Member States, which seems acceptable to a large majority of delegations. This compromise covers the Common Provisions Regulation and includes Block 1 (Programming and strategic planning) and Block 5 (Management and Control) and their related Annexes. The Presidency, therefore, submits the file to Ambassadors for confirmation and endorsement.
11. The Permanent Representatives Committee is, therefore, invited to agree on a partial mandate for negotiations and confirm the compromise proposed by the Presidency as set out in documents 15429/18 + ADD1.