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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Delegations will find attached document COM(2022) 80 final.

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Brussels, 28.1.2022  
COM(2022) 80 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND THE COUNCIL**

**Adjustment of the multiannual financial framework in accordance with Article 7 of  
Council Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial  
framework for the years 2021 to 2027**

## 1. INTRODUCTION

Article 7 of Council Regulation 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027<sup>1</sup> (MFF Regulation) provides for an adjustment of the multiannual financial framework ('MFF') in case of late adoption of rules or programmes under shared management:

- 1. In the event of the adoption after 1 January 2021 of new rules or programmes under shared management for the Structural Funds<sup>2</sup>, the Cohesion Fund, the Just Transition Fund, the European Agricultural Fund for Rural Development, the European Maritime and Fisheries Fund, the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument under the Integrated Border Management Fund, the amounts corresponding to the allocations not used in 2021 shall be transferred in equal proportions to each of the years 2022 to 2025, and the corresponding MFF ceilings shall be adjusted accordingly.*
- 2. The Commission shall communicate the result of any adjustments under paragraph 1 to the European Parliament and to the Council.*

As a consequence of the late agreement on the MFF 2021 - 2027, the various legal acts laying down provisions for implementing the funds were only adopted by mid-2021: the European Regional Development Fund (ERDF)<sup>3</sup>, the Cohesion Fund (CF)<sup>4</sup>, the European Social Fund (ESF+)<sup>5</sup>, the Just Transition Fund (JTF)<sup>6</sup>, the European Maritime and Fisheries Fund (EMFAF)<sup>7</sup>, the Asylum, Migration and Integration Fund (AMIF)<sup>8</sup>, the Internal Security Fund<sup>9</sup> and the Border Management and Visa Instrument under the Integrated Border Management Fund (BMVI)<sup>10</sup>. For the European Agricultural Fund for Rural Development (EAFRD), the transitional regulation<sup>11</sup> for the years 2021 and 2022 was adopted in December 2020.

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<sup>1</sup> Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027, OJ L 433I, 22.12.2020, p. 11.

<sup>2</sup> In line with Article 175 TFEU, this term covers the European Social Fund and the European Regional Development Fund.

<sup>3</sup> Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund, OJ L 231, 30.6.2021, p. 60. Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments, OJ L 231, 30.6.2021, p. 94.

<sup>4</sup> Idem.

<sup>5</sup> Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013, OJ L 231, 30.6.2021, p. 21.

<sup>6</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund, OJ L 231, 30.6.2021, p. 1.

<sup>7</sup> Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004, OJ L 247, 13.7.2021, p. 1.

<sup>8</sup> Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund, OJ L 251, 15.7.2021, p. 1.

<sup>9</sup> Regulation (EU) 2021/1149 of the European Parliament and of the Council of 7 July 2021 establishing the Internal Security Fund, OJ L 251, 15.7.2021, p. 94.

<sup>10</sup> Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, OJ L 251, 15.7.2021, p. 48.

<sup>11</sup> Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development

Therefore, most programmes (except the EAFRD programmes which were fully adopted in 2021) could not be adopted in 2021 and were not advanced enough to benefit from the procedure for carry-over of appropriations under Article 12(2)(a) of the Financial Regulation<sup>12</sup>. Allocations neither used in 2021 nor carried over are to be transferred to subsequent years by means of an adjustment of the MFF in accordance with Article 7 of the MFF Regulation.

The adjustment of the MFF ceilings is accompanied by the Draft Amending Budget 1/2022 reflecting the impact of this transfer on 2022 commitment appropriations<sup>13</sup>. The adjustment and the adoption of the Amending Budget are necessary conditions for the implementation in 2022 of all programmes which were not adopted in 2021 by the first instalment of budgetary commitments and the payment of pre-financing under these programmes.

## 2. SCOPE OF THE ADJUSTMENT

Article 7 of the MFF Regulation applies exclusively to the nine funds identified under Article 7(1) (the Funds), and in addition, only to the part of these funds allocated for implementation under shared management.

The adjustment applies in the event of the adoption after 1 January 2021 of new rules or programmes under shared management. Where Partnership Agreements, required under the Common Provisions Regulation<sup>14</sup> (CPR) for some funds, provide for contributions from CPR funds to other programmes or funds under Articles 14 and 26 of the CPR, such contributions are included in the reprogramming only if the receiving instrument is within the Funds identified under Article 7(1) of the MFF Regulation. Resources from the ERDF under ETC/Interreg under Heading 2a are included in the reprogramming.

For all the Funds, actions implemented by the Commission under direct management (such as technical assistance at the initiative of the Commission under all Funds, innovative actions or direct or indirect management components of the ESF+, EMFAF, the AMIF, the ISF and the BMVI) as well as the amounts transferred from the Cohesion Fund to the Connecting Europe Facility are excluded from the reprogramming, as they are not covered by programmes within the meaning of Article 7 of the MFF Regulation.

For the AMIF, the ISF and the BMVI, allocations for the respective Thematic Facilities are excluded from the reprogramming, even if these activities can be implemented under shared management.

Contributions from other instruments and programmes, including those under Heading 6, to the Funds referred to in Article 7(1) of the MFF Regulation are excluded from the reprogramming.

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(EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013, (EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022, OJ L 437, 28.12.2020, p. 1.

<sup>12</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.07.2018, p. 1.

<sup>13</sup> DAB 1/2022, COM(2022)81.

<sup>14</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy, OJ L 231, 30.6.2021, p. 159.

### 3. RESULTS OF THE ADJUSTMENT

Allocations in commitment appropriations not used in 2021 for programmes under shared management within the meaning of Article 7 of the MFF Regulation amount to EUR 48 988 299 856 in current prices. This corresponds to the 2021 commitment appropriations that were planned to be implemented in shared management, but could neither be used in 2021 nor carried over to 2022 because of the late adoption of the corresponding programmes.

The below table shows the distribution by Fund of the 2021 commitments to be implemented in shared management, distinguishing those committed in 2021 from those carried-over as well as from those to be transferred under Article 7 of the MFF Regulation:

*(EUR, current prices)*

Fund		2021 allocation <sup>15</sup>	Adopted 2021 <sup>16</sup>	Carry-over <sup>17</sup>	Transferred under Article 7 MFF Regulation
European Social Fund+	ESF+	12 703 321 468	0	0	12 703 321 468
European Social Fund+ - Contribution to Just Transition Fund	ESF+ / JTF	14 353 437	0	0	14 353 437
European Social Fund+ - Contribution to Border Management and Visa Instrument	ESF+ / BMVI	23 084 677	0	0	23 084 677
Cohesion Fund	CF	4 667 326 227	0	0	4 667 326 227
Cohesion Fund - Contribution to Border Management and Visa Instrument	CF / BMVI	11 942 427	0	0	11 942 427
European Regional Development Fund	ERDF	27 682 703 881	0	0	27 682 703 881
European Regional Development Fund - Contribution to Just Transition Fund	ERDF / JTF	57 412 634	0	0	57 412 634
European Regional Development Fund - Contribution to Border Management and Visa Instrument	ERDF / BMVI	45 229 523	0	0	45 229 523
European Regional Development Fund - Territorial Cooperation	ERDF/TC	1 216 170 898	0	0	1 216 170 898
<b>Sub-total Heading 2a</b>		<b>46 421 545 172</b>	<b>0</b>	<b>0</b>	<b>46 421 545 172</b>
Just Transition Fund	JTF	1 133 029 041	0	0	1 133 029 041
European Maritime, Fisheries and Aquaculture Fund	EMFAF	648 270 207	0	0	648 270 207
European Maritime, Fisheries and Aquaculture Fund - Contribution to Border Management and Visa Instrument	EMFAF / BMVI	1 376 095	0	0	1 376 095
<b>Sub-total Heading 3</b>		<b>1 782 675 343</b>	<b>0</b>	<b>0</b>	<b>1 782 675 343</b>
Asylum and Migration Fund	AMIF	397 437 000	0	0	397 437 000
Border Management and Visa Instrument under the Integrated Border Management Fund	BMVI	278 499 341	0	0	278 499 341
<b>Sub-total Heading 4</b>		<b>675 936 341</b>	<b>0</b>	<b>0</b>	<b>675 936 341</b>
Internal Security Fund	ISF	108 143 000	0	0	108 143 000
<b>Sub-total Heading 5</b>		<b>108 143 000</b>	<b>0</b>	<b>0</b>	<b>108 143 000</b>
<b>TOTAL</b>		<b>48 988 299 856</b>	<b>0</b>	<b>0</b>	<b>48 988 299 856</b>

As per Article 7 of the MFF Regulation, the allocations not used in 2021 and not carried over are transferred in equal proportions to each of the years 2022 to 2025 as shown in the table below.

<sup>15</sup> Total 2021 commitment appropriations for the relevant Funds that were planned to be implemented in shared management.

<sup>16</sup> Commitment appropriations used for programmes adopted in 2021.

<sup>17</sup> Commitment appropriations carried over and used for programmes to be adopted by the end of March 2022.

(EUR, current prices)

Fund		Amount to be transferred	to 2022	to 2023	to 2024	to 2025
European Social Fund+	ESF+	12 703 321 468	3 175 830 376	3 175 830 376	3 175 830 376	3 175 830 340
European Social Fund+ - Contribution to Just Transition Fund	ESF+ / JTF	14 353 437	3 588 359	3 588 359	3 588 359	3 588 360
European Social Fund+ - Contribution to Border Management and Visa Instrument	ESF+ / BMVI	23 084 677	5 771 169	5 771 169	5 771 169	5 771 170
Cohesion Fund	CF	4 667 326 227	1 166 831 558	1 166 831 558	1 166 831 558	1 166 831 553
Cohesion Fund - Contribution to Border Management and Visa Instrument	CF / BMVI	11 942 427	2 985 607	2 985 607	2 985 607	2 985 606
European Regional Development Fund	ERDF	27 682 703 881	6 920 675 976	6 920 675 976	6 920 675 976	6 920 675 953
European Regional Development Fund - Contribution to Just Transition Fund	ERDF / JTF	57 412 634	14 353 159	14 353 159	14 353 159	14 353 157
European Regional Development Fund - Contribution to Border Management and Visa Instrument	ERDF / BMVI	45 229 523	11 307 381	11 307 381	11 307 381	11 307 380
European Regional Development Fund - Territorial Cooperation	ERDF/TC	1 216 170 898	304 042 732	304 042 732	304 042 732	304 042 702
<b>Sub-total Heading 2a</b>		<b>46 421 545 172</b>	<b>11 605 386 317</b>	<b>11 605 386 317</b>	<b>11 605 386 317</b>	<b>11 605 386 221</b>
Just Transition Fund	JTF	1 133 029 041	283 257 264	283 257 264	283 257 264	283 257 249
European Maritime, Fisheries and Aquaculture Fund	EMFAF	648 270 207	162 067 555	162 067 555	162 067 555	162 067 542
European Maritime, Fisheries and Aquaculture Fund - Contribution to Border Management and Visa Instrument	EMFAF / BMVI	1 376 095	344 024	344 024	344 024	344 023
<b>Sub-total Heading 3</b>		<b>1 782 675 343</b>	<b>445 668 843</b>	<b>445 668 843</b>	<b>445 668 843</b>	<b>445 668 814</b>
Asylum and Migration Fund	AMIF	397 437 000	99 359 253	99 359 253	99 359 253	99 359 241
Border Management and Visa Instrument under the Integrated Border Management Fund	BMVI	278 499 341	69 624 839	69 624 839	69 624 839	69 624 824
<b>Sub-total Heading 4</b>		<b>675 936 341</b>	<b>168 984 092</b>	<b>168 984 092</b>	<b>168 984 092</b>	<b>168 984 065</b>
Internal Security Fund	ISF	108 143 000	27 035 754	27 035 754	27 035 754	27 035 738
<b>Sub-total Heading 5</b>		<b>108 143 000</b>	<b>27 035 754</b>	<b>27 035 754</b>	<b>27 035 754</b>	<b>27 035 738</b>
<b>TOTAL</b>		<b>48 988 299 856</b>	<b>12 247 075 006</b>	<b>12 247 075 006</b>	<b>12 247 075 006</b>	<b>12 247 074 838</b>

The medium and longer term implications on interim payments related to the re-programming cannot be effectively estimated at this stage of the implementation process. The re-programming of commitment appropriations from 2021 to the later years would in principle allow Member States to shift payment applications from one year to subsequent years. At the same time, under all programmes regardless of their date of adoption expenditure is eligible as from 1 January 2021, therefore the actual pace of implementation is not necessarily pre-determined by the reprogramming. The automatic adjustment of the payment ceiling under the mechanism of the Single Margin Instrument referred to in Article 11(1)(b) of the MFF Regulation should allow for accommodating changes in the payment needs stemming from the re-programming exercise over the remaining years of the MFF.

#### 4. ADJUSTED MULTIANNUAL FINANCIAL FRAMEWORK CEILINGS

The amounts due to be transferred in current prices are converted into 2018 prices to adjust the multiannual financial framework table, which is expressed in 2018 prices. For this purpose the annual amounts of the transfers are converted into 2018 prices by using the 2% fixed deflator. The results in current and in 2018 prices are rounded up to express the adjusted ceilings and sub-ceilings in millions of euros.

The tables below summarise the changes to the ceilings in the multiannual financial framework based on Article 7 of the MFF Regulation in current and 2018 prices, compared to the latest technical adjustment made for 2022<sup>18</sup>.

<sup>18</sup> COM(2021)365 final of 7 June 2021.

**MULTIANNUAL FINANCIAL FRAMEWORK (EU-27)**

*(EUR million - current prices)*

COMMITMENT APPROPRIATIONS	2021	2022	2023	2024	2025	2026	2027	Total 2021-2027
<b>1. Single Market, Innovation and Digital</b>	0	0	0	0	0	0	0	0
<b>2. Cohesion, Resilience and Values</b>	-46 422	11 606	11 606	11 606	11 606	0	0	2
2a. Economic, social and territorial cohesion	-46 422	11 606	11 606	11 606	11 606	0	0	2
2b. Resilience and Values	0	0	0	0	0	0	0	0
<b>3. Natural Resources and Environment</b>	-1 783	446	446	446	446	0	0	1
Of which: Market related expenditure and direct payments	0	0	0	0	0	0	0	0
<b>4. Migration and Border Management</b>	-676	169	169	169	169	0	0	0
<b>5. Security and Defence</b>	-109	28	28	28	28	0	0	3
<b>6. Neighbourhood and the World</b>	0	0	0	0	0	0	0	0
<b>7. European Public Administration</b>	0	0	0	0	0	0	0	0
Of which: Administrative expenditure of the institutions								
<b>TOTAL COMMITMENT APPROPRIATIONS</b>	<b>-48 990</b>	<b>12 249</b>	<b>12 249</b>	<b>12 249</b>	<b>12 249</b>	<b>0</b>	<b>0</b>	<b>6</b>
<b>TOTAL PAYMENT APPROPRIATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

*Note: the positive net result for the total of 2021-2027 is due to the rounding.*

**MULTIANNUAL FINANCIAL FRAMEWORK (EU-27)**

*(EUR million - 2018 prices)*

COMMITMENT APPROPRIATIONS	2021	2022	2023	2024	2025	2026	2027	Total 2021-2027
<b>1. Single Market, Innovation and Digital</b>	0	0	0	0	0	0	0	0
<b>2. Cohesion, Resilience and Values</b>	-43 745	10 722	10 512	10 306	10 104	0	0	-2 101
2a. Economic, social and territorial cohesion	-43 745	10 722	10 512	10 306	10 104	0	0	-2 101
2b. Resilience and Values	0	0	0	0	0	0	0	0
<b>3. Natural Resources and Environment</b>	-1 680	412	404	396	388	0	0	-80
Of which: Market related expenditure and direct payments	0	0	0	0	0	0	0	0
<b>4. Migration and Border Management</b>	-637	157	154	151	148	0	0	-27
<b>5. Security and Defence</b>	-102	25	25	25	24	0	0	-3
<b>6. Neighbourhood and the World</b>	0	0	0	0	0	0	0	0
<b>7. European Public Administration</b>	0	0	0	0	0	0	0	0
Of which: Administrative expenditure of the institutions	0	0	0	0	0	0	0	0
<b>TOTAL COMMITMENT APPROPRIATIONS</b>	<b>-46 164</b>	<b>11 316</b>	<b>11 095</b>	<b>10 878</b>	<b>10 664</b>	<b>0</b>	<b>0</b>	<b>-2 211</b>
<b>TOTAL PAYMENT APPROPRIATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>