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REVISED NOTE

from: Presidency
to: Council

Subject: Multiannual Financial Framework (2014-2020)
- Negotiating Box

Delegations will find enclosed the full Negotiating Box.

The Negotiating Box is drawn up and developed under the responsibility of the Presidency. It is not binding on any delegation. This will remain the case throughout the negotiating process. The Presidency continues to be guided by the principle that nothing is agreed until everything is agreed.

The Negotiating Box is not a report on the discussions so far. It draws on the input provided by the orientation debates held since July 2011 and has an evolving character. Gradually, as the process advances, it will be updated following discussions within the Council.

GENERAL

1. Over recent years the European Union and its Member States have taken important steps in response to the challenges raised by the economic and financial crisis. At the same time, as fiscal discipline is reinforced in Europe, it is essential that the future Multiannual Financial Framework (MFF) reflects the consolidation efforts being made by Member States to bring deficit and debt onto a more sustainable path. The value of each euro spent must be carefully examined ensuring that the European Added Value of spending under the future MFF is enhanced not least by pooling resources, acting as a catalyst and offering economies of scale, positive trans boundary and spill-over effects thus contributing to the achievement of agreed common policy targets more effectively or faster and reducing national expenditure. Looking to the future, the next MFF must ensure that the European Union's budget is geared to lifting Europe out of the crisis. Spending at European level must fully reflect the objectives of the Europe 2020 strategy for smart, sustainable and inclusive growth. Growth and employment will only resume if a consistent and broad-based approach is pursued, combining smart fiscal consolidation that preserves investment in future growth, sound macroeconomic policies and an active employment strategy that preserves social cohesion. EU policies must be consistent with the principles of subsidiarity, proportionality and solidarity as well as provide real added value.
2. The new MFF will cover the seven years between 2014 and 2020 and be drawn up for a European Union comprising 28 Member States on the working assumption that Croatia will join the Union in 2013.
3. Expenditure will be grouped under five headings designed to reflect the Union's political priorities and providing for the necessary flexibility in the interest of efficient allocation of resources.

p.m. structure of the next MFF

The following options have been discussed as reflected in the elements of the box:

- *Maintaining one heading 1 with a sub-ceiling for cohesion and CEF or split it into two sub-headings :*
 - *sub-heading 1a "Competitiveness for growth and jobs"*
 - *sub-heading 1b "Economic, social and territorial cohesion "*
 - *the CEF could in that case be placed in either of the sub-headings*
- *inclusion of a new sub-ceiling under Heading 1 to contain large scale projects,*
- *Maintaining one Heading 3 or split it into two sub-headings :*
 - *sub-heading 3a "Security"*
 - *sub-heading 3b "Citizenship".*

4. The maximum total figure for expenditure for EU 28 for the period 2014-2020 is EUR X million in appropriations for commitments, representing X% of EU GNI and EUR X million in appropriations for payments, representing X% of EU GNI. The breakdown of appropriations for commitments is described below. The same figures are also set out in the table contained in Annex I which equally sets out the schedule of appropriations for payments. All figures are expressed using constant 2011 prices. There will be automatic annual technical adjustments for inflation.

p.m. once the negotiation are finalised the figures will also be presented in current prices using a fixed deflator of 2%.

5. Having in mind the financial needs necessary to develop investment in Europe and the objective of maximising the leverage effect of actions supported by the EU budget, a more widespread use of financial instruments will be made as part of the implementation of the next MFF. A thorough evaluation of the pilot phase under the TEN T and CIP programmes will be carried out concerning project bonds as part of the decision on the future use of the this specific instrument. Financial instruments must address one or more specific policy objectives of the Union, operate in a non-discriminatory fashion, must have a clear end-date, respect the principles of sound financial management and be complementary to traditional instruments such as grants. The financial liability of the Union for such financial instruments in the next multiannual financial framework will be limited to the EU budget contribution and will not give rise to contingent liabilities for the Union budget.

Financial instruments can only be implemented when they meet strict conditions as laid down in the new Financial Regulation. Financing from the EU budget for the purpose of financial instruments should only happen on a reasonable scale and where there is an added value

6. *p. m. RAL.*

7. The EU has the responsibility, through robust controls and effective performance measurement, to ensure that funds are well spent. It must also respond to the need to simplify its spending programmes in order to reduce the administrative burden and costs for their beneficiaries and for all actors involved, both at the EU level at the national level. All sectoral legislation relating to the next MFF as well as the new Financial Regulation and the Interinstitutional Agreement on cooperation in budgetary matters and on sound financial management should therefore contain substantial elements contributing to simplification and improving accountability and effective spending of EU funds. A particular effort will be made, both in the legislation and in its implementation, to ensure that the principles of subsidiarity and proportionality are fully taken into account.
8. The optimal achievement of objectives in some policy areas depends on the mainstreaming of priorities into a range of instruments in other policy areas. Climate action and environment objectives will therefore be reflected in the appropriate instruments to ensure that they contribute to strengthen energy security, building a low-carbon, resource efficient and climate resilient economy that will enhance Europe's competitiveness and create more and greener jobs.
9. Following the agreement reached by the European Council, the legislative texts now need to be adopted following the procedures enshrined in the Treaty and respecting the role of the different institutions. In particular:
 - the Regulation laying down the MFF for the years 2014-2020 should be adopted by the Council and with the consent of the European Parliament;
 - a rapid adoption of the Decision on the system of own resources of the European Union as well as its implementing measures must also be ensured;

- on the basis of the levels of commitments in this agreement, and noting the indicative figures proposed by the Commission for the objectives under all the Headings, the Council and the European Parliament are invited to come to a timely agreement on the content and appropriate funding of each of the proposed instruments, programmes and funds financed under the MFF.

In addition, the European Parliament, the Council and the Commission are invited to rapidly adopt the Interinstitutional Agreement on cooperation in budgetary matters and on sound financial management in order to complement the MFF.

PART I: EXPENDITURE

HEADING 1 - SMART AND INCLUSIVE GROWTH (EXCEPT COHESION AND CEF)

10. Smart and inclusive growth corresponds to an area where EU action has significant value added. The programmes under this Heading have a high potential to contribute to the fulfilment of the Europe 2020 Strategy, in particular as regards the promotion of research, innovation and technological development; specific action in favour of the competitiveness of enterprises and SMEs; investing in human skills through the ERASMUS for all programme; and developing the social agenda. In allocating funding within this Heading, particular priority shall be given to delivering a substantial and progressive enhancement of the EU's research, education and innovation effort, including through simplification of procedures.
11. The level of commitments for this Heading will not exceed :

HEADING 1 - SMART AND INCLUSIVE GROWTH (except cohesion and CEF)						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

12. There is a critical need to reinforce and extend the excellence of the Union's science base. The effort in research and development will therefore be based on excellence, while ensuring broad access to participants in all Member States; this, together with a thorough simplification of the programme, will ensure an efficient and effective future European Research Policy also ensuring better possibilities for SMEs to participate in the programmes. All policies will be called upon to contribute to increase competitiveness and particular attention will be paid to the coordination of activities funded through Horizon 2020 with those supported under other Union programmes, including through cohesion policy. In this context, important synergies will be needed between Horizon 2020 and the structural funds in order to create a "stairway to excellence" and thereby enhance regional R&I capacity and the ability of less performing and less developed regions to develop clusters of excellence.

13. The maximum amount for Galileo of [x] million euro will be fixed in the MFF-regulation.

14. *p.m. nuclear decommissioning.*

HEADING 1 - COHESION AND CONNECTING EUROPE FACILITY

COHESION POLICY

15. One important objective of the European Union is to promote economic, social and territorial cohesion and solidarity among Member States. Cohesion policy is in this respect the main tool to reduce disparities between Europe's regions and must therefore concentrate on the less developed regions and Member States. Furthermore Cohesion policy shall contribute to the Europe 2020 Strategy for smart, sustainable and inclusive growth throughout the European Union. Through the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF), it will pursue the following goals: "Investment for growth and jobs" in Member States and regions, to be supported by all the Funds; and "European territorial cooperation", to be supported by the ERDF. The Cohesion Fund will support projects in the field of environment and transport trans-European networks.
16. As regards the structure of the Heading and considering the specificities of cohesion policy, cohesion expenditure [and the CEF] will be contained within a [sub-ceiling] OR [sub-heading] under Heading 1.

Overall level of allocations

17. The level of commitments for cohesion policy will not exceed :

COHESION POLICY						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

18. Resources for the "Investment for growth and jobs" goal will amount to xx % of the global resources (i.e., a total of EUR xx) and will be allocated as follows:
- (a) xx % (i.e., a total of EUR xx) for less developed regions;
 - (b) [xx % (i.e., a total of EUR xx) for transition regions;]
 - (c) xx % (i.e., a total of EUR xx) for more developed regions;
 - (d) xx % (i.e., a total of EUR xx) for Member States supported by the Cohesion Fund;
 - (e) xx % (i.e., a total of EUR xx) as additional funding for the outermost regions identified in Article 349 of the Treaty and the northern sparsely populated regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the Treaty of Accession of Austria, Finland and Sweden.
19. Resources for the "European territorial cooperation" goal will amount to xx % of the global resources available for budgetary commitment from the Funds for the period 2014 to 2020 (i.e. a total of EUR xx), which will be distributed as follows:
- (a) xx % (i.e., a total of EUR xx) for cross-border cooperation;
 - (b) xx % (i.e., a total of EUR xx) for transnational cooperation;
 - (c) xx % (i.e., a total of EUR xx) for interregional cooperation.
20. [xx%] of the global resources will be allocated to technical assistance at the initiative of the Commission.
21. [[0,2%] of the ERDF resources for the Investment for growth and jobs goal will be allocated to innovative actions at the initiative of the Commission in the area of sustainable urban development.]

Definitions and eligibility

22. Resources for the "Investment for growth and jobs" goal will be allocated to [three] types of regions, defined 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 [2007 to 2009], relates to the average GDP of the EU-27 for the same reference period, as follows:
- (a) less developed regions, whose GDP per capita is less than 75 % of the average GDP of the EU-27;
 - (b) [transition regions, whose GDP per capita is between [75% and 90%] of the average GDP of the EU-27] OR [whose GDP per capita for the 2007-2013 period was less than 75% of the EU-25 average but whose GDP per capita is above 75% of the GDP average of the EU-27] OR [there will be no transition regions].
 - (c) [more developed regions, whose GDP per capita is above [75% OR 90 %] of the average GDP of the EU-27] OR [all regions not covered under 22a and 22b)].
23. The Cohesion Fund will 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 [2008 to 2010], is less than 90 % of the average GNI per capita of the EU-27 for the same reference period.
24. For cross-border cooperation, the regions to be supported will be the NUTS level 3 regions of the Union along all internal and external land borders, and all NUTS level 3 regions of the Union along maritime borders separated by a maximum of 150 km, without prejudice to potential adjustments needed to ensure the coherence and continuity of cooperation programme areas established for the 2007-2013 programming period.

25. For transnational cooperation, the Commission will adopt the list of transnational areas to receive support, broken down by cooperation programme and covering NUTS level 2 regions while ensuring the continuity of such cooperation in larger coherent areas based on previous programmes.
26. For interregional cooperation, support from the ERDF will cover the entire territory of the Union.

Allocation method

Allocation method for less developed regions

27. The specific level of allocations to each Member State will be based on an objective method and calculated as follows :

Each Member State's allocation is the sum of the allocations for its individual eligible regions, calculated according to the following steps:

- (i) determination of an absolute amount (in euro) obtained by multiplying the population of the region concerned by the difference between that region's GDP per capita, measured in purchasing power parities (PPS), and the EU 27 average GDP per capita (PPS);
- (ii) application of a percentage to the above absolute amount in order to determine that region's financial envelope; this percentage is graduated to reflect the relative prosperity, measured in purchasing power parities (PPS), as compared to the EU 27 average, of the Member State in which the eligible region is situated, i.e.:
 - for regions in Member States whose level of GNI per capita is below [82]% of the EU average: [3.3]%
 - for regions in Member States whose level of GNI per capita is between [82]% and [99]% of the EU average: [2.1]%
 - for regions in Member States whose level of GNI per capita is over [99]% of the EU average: [1.7]%;

- (iii) to the amount obtained under step (ii) is added, if applicable, an amount resulting from the allocation of a premium of [EUR 800] per unemployed person per year, applied to the number of persons unemployed in that region exceeding the number that would be unemployed if the average unemployment rate of all the EU less developed regions applied.
- (iv) [to the amount obtained under step (iii) is added, if applicable, an amount resulting from the allocation of a premium of EUR [4] per person per year, applied to the population of cities with more than 250,000 inhabitants.] OR [There will be no urban premium.]

28. The result of the application of this methodology is subject to capping.

[Allocation method for transition regions]

29. The specific level of allocations to each Member State will be based on an objective method and calculated as follows :

Each Member State's allocation is the sum of the allocations for its individual eligible regions, calculated according to the following steps:

- (i) determination of the minimum and maximum theoretical aid intensity for each eligible transition region. The minimum level of support is determined by the average per capita aid intensity per Member State [before [two third] regional safety net and urban population bonus] allocated to the more developed regions of that Member State. The maximum level of support refers to a theoretical region with a GDP per head of [75%] of the EU27 average and is calculated using the method defined in paragraph 27(i) and (ii) above. Of the amount obtained by this method, [75%] is taken into account.
- (ii) calculation of initial regional allocations, taking into account regional GDP per capita through a linear interpolation of the region's relative wealth compared to EU-27;

- (iii) to the amount obtained under step (ii) is added, if applicable, an amount resulting from the allocation of a premium of [EUR 400] per unemployed person per year, applied to the number of persons unemployed in that region exceeding the number that would be unemployed if the average unemployment rate of all the EU less developed regions applied;
- (iv) [to the amount obtained under step (iii) is added, if applicable, an amount resulting from the allocation of a premium of EUR [4] per person per year, applied to the population of cities with more than 250,000 inhabitants.] OR [There will be no urban premium.]

OR

[Other allocation methods for regions between [75%] and [90%] of EU average.]

30. The result of the application of this methodology is subject to capping.

Allocation method for more developed regions

31. The total initial theoretical financial envelope is obtained by multiplying an average aid intensity per head and per year of EUR [22.6] by the eligible population.

32. The share of each Member State concerned is the sum of the shares of its eligible regions, which are determined on the basis of the following criteria, weighted as indicated:

- total regional population (weighting [25%]),
- number of unemployed people in NUTS level2 regions with an unemployment rate above the average of all more developed regions (weighting [20%]),
- employment to be added to reach the Europe 2020 target for regional employment rate (ages 20 to 64) of 75% (weighting [20%]),
- number of people aged 30 to 34 with tertiary educational attainment level to be added to reach the Europe 2020 target of 40% (weighting [12.5%]),
- number of early leavers from education and training (aged 18 to 24) to be subtracted to reach the Europe 2020 target of 10% (weighting [12.5%]),

- difference between the observed GDP of the region (in PPS) and the theoretical regional GDP if the region would have the same GDP/head as the most prosperous NUTS2 region (weighting [7.5%]),
- population of NUTS level 3 regions with a population density below [12.5 inh./km²] (weighting [2.5%]).

[To the amount obtained is added, if applicable, an amount resulting from the allocation of a premium of EUR [4] per person per year, applied to the population of cities with more than 250,000 inhabitants.] OR [There should be no urban premium.]

Allocation method for the Cohesion Fund

33. The total theoretical financial envelope is obtained by multiplying the average per capita aid intensity of EUR [50] by the eligible population. Each eligible Member State's *a priori* allocation of this theoretical financial envelope corresponds to a percentage based on its population, surface area and national prosperity, and obtained by applying the following steps:
- (i) calculation of the arithmetical average of that Member State's population and surface area shares of the total population and surface area of all the eligible Member States. If, however, a Member State's share of total population exceeds its share of total surface area by a factor of five or more, reflecting an extremely high population density, only the share of total population will be used for this step;
 - (ii) adjustment of the percentage figures so obtained by a coefficient representing one third of the percentage by which that Member State's GNI per capita (PPS) for the period [2008-2010] exceeds or falls below the average GNI per capita of all the eligible Member States (average expressed as 100%).

34. In order to reflect the significant needs of Member States, which acceded to the Union on or after 1 May 2004, in terms of transport and environment infrastructure, their share of the Cohesion Fund will be set at [one third] of the total final financial allocation after capping (structural funds plus Cohesion Fund) received on average over the period.
35. [The Member States fully eligible for funding from the Cohesion Fund in 2013, but whose nominal GNI per capita exceeds 90% of the average GNI per capita of the EU-27 will receive support from the Cohesion Fund on a transitional and specific basis. This transitional support will be of EUR [50] per capita in 2014 and will degressively be phased out by 2020.]
36. The result of the application of this methodology is subject to capping.

Allocation method for "European territorial cooperation"

37. The allocation of resources by Member State, covering cross-border and transnational cooperation, is determined as the weighted sum of the share of the population of border regions and of the share of the total population of each Member State. The weight is determined by the respective shares of the cross-border and transnational strands. The shares of the cross-border and transnational cooperation components are [77.9] % and [22.1] %.

Allocation method for outermost and sparsely populated regions

38. Outermost regions and northern sparsely populated NUTS level 2 regions will benefit from an additional special allocation with an aid intensity of EUR [20] per inhabitant per year. It will be distributed per region and Member State in a manner proportional to the total population of these regions.

Capping

39. In order to contribute to achieve adequate concentration of cohesion funding on the least developed regions and Member States and to the reduction of disparities in average per capita aid intensities, the maximum level of transfer to each individual Member State will be set at [2.5]% of GDP. The capping will be applied on an annual basis, and will - if applicable - proportionally reduce all transfers (except for the more developed regions and "European territorial cooperation") to the Member State concerned in order to obtain the maximum level of transfer. [For Member States which acceded to the Union before 2013 and whose average real GDP growth 2008-2010 was lower than the EU27 average, the maximum level of transfer shall be set at [2.x]% of GDP.]
40. [The maximum level of allocations to each individual Member State for the period 2014-2020 will be set at [X] % of its individual 2007-2013 total allocation For Member States which acceded to the Union on 1 January 2007, the maximum level of allocations will be set at [X] % of 7/5 of their individual total allocations for the period 2009-2013. The maximum level of allocations shall not be applicable to Member States which acceded to the Union after 1 January 2007.]

Safety nets

41. For all regions whose GDP per capita for the 2007-2013 period was less than 75% of the EU-25 average, but whose GDP per capita is above 75% of the EU-27 average, the minimum level of support in 2014-20 will correspond to a degressive percentage of their former indicative average annual allocation under the Convergence allocation, calculated by the Commission within the multiannual financial framework 2007-2013. These percentages will be [xx%] in 2014, [xx%] in 2015, [xx%] in 2016, [xx%] in 2017, [xx%] in 2018, [xx%] in 2019 and [xx%] in 2020. Over the period 2014-2020 the total support will represent at least [55% - 2/3] of the support in the period 2007-2013.

42. The minimum total allocation (Cohesion Fund and Structural Funds) for a Member State shall correspond to [55] % of its individual 2007-2013 total allocation. The adjustments needed to fulfil this requirement are applied proportionally to the allocations of the Cohesion Fund and the Structural Funds, excluding the allocations of the European territorial cooperation objective.

Co-financing rates

43. The co-financing rate at the level of each priority axis of operational programmes under the "Investment for growth and jobs" goal will be no higher than:
- (a) [75 - 85] % for the Cohesion Fund;
 - (b) [75 - 85] % for the less developed regions of Member States whose average GDP per capita for the period 2007 to 2009 was below [85 %] of the EU-27 average during the same period and for the outermost regions;
 - (c) [75 - 80]% for the less developed regions of Member States other than those referred to in point (b) eligible for the transitional regime of the Cohesion Fund on 1 January 2014;
 - (d) [75]% for the less developed regions of Member States other than those referred to in points (b) and (c), and for all regions whose GDP per capita for the 2007-2013 period was less than 75% of the average of the EU-25 for the reference period but whose GDP per capita is above 75% of the GDP average of the EU-27;
 - (e) [60] % for the transition regions other than those referred to in point (d);
 - (f) [50] % for the more developed regions other than those referred to in point (d).

The co-financing rate at the level of each priority axis of operational programmes under the "European territorial cooperation" goal will be no higher than [75]%. [For those programmes where there is at least one less developed region participating the co-financing rate under the "European territorial cooperation" goal can be raised up to [85]%.]

The co-financing rate of the additional allocation for outermost regions identified in Article 349 of the Treaty and the NUTS level 2 regions fulfilling the criteria laid down in Article 2 of Protocol No 6 to the Treaty of Accession of Austria, Finland and Sweden will be no higher than [50]%.]

44. Increase in payments for Member State with temporary budgetary difficulties.
- a) [A higher co-financing rate (by [10] percentage points) can be applied when a Member State is receiving financial assistance in accordance with Articles 136 and 143 of the TFEU, thus reducing the effort required from national budgets at a time of fiscal consolidation, while keeping the same overall level of EU funding.]
- OR
- b) [In order to fully respect the principle of co-financing, the levels set out in the paragraph above may not be increased when a Member State is receiving financial assistance in accordance with Articles 136 and 143 of the TFEU.]

CONNECTING EUROPE FACILITY

45. Interconnected transport, energy and digital networks are an important element in the completion of the European single market. Moreover, investments in key infrastructures with EU added value can boost Europe's competitiveness in the medium and long term in a difficult economic context, marked by slow growth and tight public budgets. Finally, such investments in infrastructure are also instrumental in allowing the EU to meet its sustainable growth objectives outlined in the Europe 2020 Strategy and the EU's "20-20-20" objectives in the area of energy and climate policy. At the same time measures in this area will respect market actors' main responsibilities for planning and investment in energy and digital infrastructure.
46. The financial envelope for the implementation of the Connecting Europe Facility for the period 2014 to 2020 will be EUR xx. That amount will be distributed among the sectors as follows:
- (a) transport: [63.4] % equivalent to EUR XX, [out of which [31.5] % equivalent to [EUR xx] will be transferred from the Cohesion Fund to be spent in line with the CEF Regulation in Member States eligible for funding from the Cohesion Fund];
- (b) energy: [18.2] % equivalent to EUR XX;
- (c) telecommunications: [18.4] % equivalent to EUR XX.

The Commission can use financial instruments as an integral element of the CEF. The total volume of means used for financial instruments will not exceed [x] million euro.

47. [The transfer from the Cohesion Fund for transport infrastructure under the Connecting Europe Facility will be implemented in respect of projects listed in the annex to the CEF Regulation],

(a) [giving greatest possible priority to projects respecting the national allocations under the Cohesion Fund.]

OR

(b) [Alternative provisions concerning the transfer of funds from the cohesion fund to CEF.]

OR

(c) [There will be no transfer from the Cohesion Fund to the Connecting Europe Facility.]

FOOD FOR DEPRIVED PEOPLE

[To be removed from the section on cohesion policy. Place in the negotiation box to be decided.]

48. [The support for food for deprived people will be EUR xx and will be placed within heading [2] OR [3].]

OR

[The food for deprived people programme will not be continued after 2013]

HEADING 2 - SUSTAINABLE GROWTH : NATURAL RESOURCES

49. The objectives of the Common Agricultural Policy (CAP) is to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilisation of the factors of production, in particular labour; thus to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture, to stabilise markets, to ensure the availability of supplies and to ensure that supplies reach consumers at reasonable prices. Account should be taken of the social structure of agriculture and of the structural and natural disparities between the various agricultural regions.
50. Against that background reforms must ensure 1) a viable food production; 2) sustainable management of natural resources and climate action; and 3) balanced territorial development. Furthermore, the CAP should be thoroughly integrated into the Europe 2020 strategy objectives notably the objective of sustainable growth, while fully respecting the objectives of this policy as set out in the Treaty.
51. Commitment appropriations for this Heading, which covers agriculture, rural development, fisheries and a financial instrument for the environment and climate action will not exceed the following level:

SUSTAINABLE GROWTH : NATURAL RESOURCES						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X
of which : Market related expenditure and direct payments						
X	X	X	X	X	X	X

52. The Common Agriculture Policy for the period 2014-2020 will continue to be based on the two pillar structure :

- Pillar I will provide direct support to farmers and finance market measures. Direct support and market measures will be funded entirely and solely by the EU budget, so as to ensure the application of a common policy throughout the single market and with the integrated administration and control system (IACS).
- Pillar II of the CAP will deliver specific environmental public goods, improve the competitiveness of the agriculture and forestry sectors promote the diversification of economic activity and quality of life in rural areas including regions with specific problems. Measures in Pillar II will be co-financed by Member States, which helps to ensure that the underlying objectives are accomplished and reinforces the leverage effect of rural development policy.

Pillar I

Level and model for redistribution of direct support - details of convergence across Member States

53. Direct support will be more equitably distributed between Member States, while taking account of the differences that still exist [in wage levels, purchasing power, output of the agricultural industry and input costs], by stepwise reducing the link to historical references and having regard to the overall context of Common Agriculture Policy and the Union budget.

All Member States with direct payments per hectare below [90%] of the EU average will close [one third] of the gap between their current direct payments level and [90]% of the EU average in the course of the next period. [This convergence will be financed by all Member States [with direct payments above the EU average, proportionally to their distance from the EU average] OR [in a linear manner]. This process will be implemented progressively over [4] years from financial year [2015] to financial year [2018]].

[In this context, and in order to adjust the overall level of spending in heading 2 the ceiling for pillar I will be reduced by [x] % from financial year [x] to financial year [y].]

Capping of support to large farms

54. Capping of the direct payments for large beneficiaries will be introduced while taking due account of employment. The proceeds of the reduction and capping of payments to large beneficiaries should remain in the Member States where they were generated [and should be used for financing projects with a significant contribution to innovation under the EAFRD] OR [and should be used under the EAFRD].

OR

[There will be no capping of the direct payments for large beneficiaries.]

Method for financial discipline

55. [With a view to ensuring that the amounts for the financing of the CAP comply with the annual ceilings set in the multiannual financial framework, the financial discipline mechanism currently provided for in Article 11 of the Regulation 73/2009, pursuant to which the level of direct support is adjusted when the forecasts indicate that the sub-ceiling of heading 2, is exceeded in a given financial year should be maintained, but without the safety margin of EUR 300 000 000.]

OR

[Other provisions concerning financial discipline, including the possibility of maintaining the safety margin and introducing a minimum threshold for farmers affected].

Greening [of direct payments]

56. The overall environmental performance of the CAP will be enhanced through the greening of direct payments by means of certain agricultural practices, to be defined in the *Regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy*, beneficial for the climate and the environment [that all farmers will have to follow]. [Flexibility for the Member States relating to the choice of greening measures will be established.] In order to finance those practices, Member States will use [30] % of the annual national ceiling.

OR

[Other provisions aiming at enhancing the overall environmental performance of the CAP.]

Flexibility between pillars

57. Member States may decide to make available as additional support for measures under rural development programming financed under the EAFRD, up to [10] % of their annual national ceilings for calendar years 2014 to 2019 as set out in Annex II to the Regulation on direct payments. As a result, the corresponding amount will no longer be available for granting direct payments.
58. Member States with direct payments per hectare below [90%] of EU average after general budget reduction, phasing in and redistribution may decide to make available as direct payments under this Regulation up to [5] % of the amount allocated to support for measures under rural development programming financed under the EAFRD in the period 2015-2020. As a result, the corresponding amount will no longer be available for support measures under rural development programming.

Pillar II

Principles for distribution of rural development support

59. Support for rural development will be distributed between Member States based on objective criteria and past performance, while taking into account the objectives of the rural development and having regard to the overall context of Common Agriculture Policy and the Union budget.
60. The overall amount of support for rural development will be EUR [X]. [The annual breakdown will be fixed by the European Parliament and the Council.] [Amounts for the individual Member States will be adjusted to take account of the above mentioned provisions in paragraphs [54,] 57 and 58.]
61. [The Commission will, by means of an implementing act, make an annual breakdown by Member State of the final amounts [(including amount generated by the capping of the direct payments)]. In making the annual breakdown the Commission will take into account objective criteria and past performance:]
- [Objective criteria to be defined relating to:
- the competitiveness of agriculture;
 - sustainable management of natural resources, climate action;
 - balanced territorial development of rural areas.]

OR

[The distribution of the overall amount for rural development between Member States is among others based on objective criteria and past performance and will be as follows: (insertion of table with distribution of rural development support between Member states).]

62. The rural development programmes will establish a single EAFRD contribution rate applicable to all measures. Where applicable, a separate EAFRD contribution rate will be established for less developed regions [,transition regions] and for outermost regions and the smaller Aegean islands within the meaning of Regulation (EEC) No 2019/93. The maximum EAFRD contribution rate will be:

- [75 - 85]% of the eligible public expenditure in the less developed regions, the outermost regions and the smaller Aegean islands within the meaning of Regulation (EEC) No 2019/93 ;
- [[75]% of the eligible public expenditure for all regions whose GDP per capita for the 2007-2013 period was less than 75% of the average of the EU-25 for the reference period but whose GDP per capita is above 75% of the GDP average of the EU-27];
- [60] % of the eligible public expenditure for the transition regions other than those referred to in the previous indent] ;
- [50 - 55]% of the eligible public expenditure in the other regions.
- [[75]% for operations contributing to the objectives of environment and climate change mitigation and adaptation.]
- amounts transferred from pillar I to pillar II referred to in paragraph 57 as additional support under rural development will be co-financed according the general co-financing rates

OR

[100] % for amounts transferred from pillar I to pillar II referred to in 9 as additional support under rural development.

The minimum EAFRD contribution rate will be 20%. Other maximum EAFRD contribution rates to specific measures will be set in the Regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)].

* *

*

63. Financing under Heading 2 will also support the Common Fisheries Policy and Integrated Maritime Policies, in particular through the European Maritime and Fisheries Fund and an envelope for the international dimension of the CFP as well as activities in the fields of climate and environment through the Programme for the Environment and Climate Action (LIFE).

PROVISIONS RELEVANT FOR THE ERDF, THE ESF, THE CF, THE EAFRD AND THE EMFF

[Place in the negotiation box to be decided.]

The Common Strategic Framework

64. The structural and cohesion funds will be brought together with the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) under a the Common Strategic Framework - in order to maximise their effectiveness and optimise synergies. This will involve defining a list of thematic objectives in line with the Europe 2020 Strategy.

Macro-economic conditionality

65. Establishing a closer link between cohesion policy and the economic governance of the Union will ensure that the effectiveness of expenditure under the Common Strategic Framework (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. For this reason a gradual macro-economic conditionality will be established in the CSF Regulation.

66. The Commission may request a Member State to review and propose amendments to its Partnership Contract and the relevant programmes, where this is necessary to support the implementation of Council recommendations or to maximise the growth impact of CSF funds in Member States receiving financial assistance from the EU. Such a request may be made to support implementation of:

- (a) recommendations under the broad guidelines of the economic policy;
- (b) employment recommendations;
- (c) specific measures addressed to euro area Member States in accordance with Article 136(1);
- (d) recommendations under the excessive deficit procedure;
- (e) recommendations under the excessive imbalances procedure;

- (f) union support under the medium-term balance of payments facility;
- (g) union support under the European financial stabilisation mechanism;
- (h) financial assistance under the European Stability Mechanism.

67. If a Member States fails to take effective action in response to a request from the Commission to review and propose amendments to its Partnership Contract and the relevant programmes, part or all of payments [may] be suspended [by the Commission].

68. Where it is concluded that a Member State has not taken sufficient action under:

- (a) specific measures addressed to euro area Member States in accordance with Article 136(1);
- (b) the excessive deficit procedure;
- (c) the macro-economic imbalances procedure;
- (d) a programme under the medium-term balance of payments facility;
- (e) a programme under the European financial stabilisation mechanism;
- (f) financial assistance under the European Stability Mechanism.

part or all of [payments and] commitments [shall] be suspended [by the Commission].

69. Any decisions on suspensions will be proportionate and effective, taking into account the economic and social circumstances of the Member State concerned, and respect equality of treatment between Member States, in particular with regard to the impact of the suspension on the economy of the Member State concerned.

70. [The amount of [payments and] commitments suspended shall not exceed [x]% of GDP.]

71. Without prejudice to de-commitment rules the suspensions will be lifted [by the Commission] and funds made available again to the Member State concerned as soon as the Member State takes the necessary action.

Performance reserve

72. 'Ex post' conditionality will strengthen the focus on performance and the attainment of the Europe 2020 objectives.

73. Performance reserve

[It will be based on the achievement of milestones related to targets for financial and outputs indicators linked to Europe 2020 objectives set for programmes priorities. [X%] of the budget of the relevant funds will be set aside and allocated, during a mid-term performance review, to the programme priorities of a given Member State which have met their milestones.]

OR

[At its own initiative, a Member State may decide to establish a national performance reserve for the Investment for growth and jobs goal, consisting of [X]% of its total allocation.]

74. Failure to achieve milestones under the performance framework may lead to the suspension of funds, and a serious underachievement in meeting targets for a programme may give rise to a cancellation of funds.

Pre-financing rates

75. [The pre-financing payment at the start of programmes ensures that Member States have the means to provide support to beneficiaries in the implementation of the programme from the start. The following levels of pre-financing should therefore apply for the ERDF, ESF and CF:

The initial pre-financing amount will be paid in instalments as follows:

- (a) in 2014: [2] % of the amount of support from the Funds for the entire programming period to the operational programme;
- (b) in 2015: [1] % of the amount of support from the Funds for the entire programming period to the operational programme;
- (c) in 2016: [1] % of the amount of support from the Funds for the entire programming period to the operational programme.

If an operational programme is adopted in 2015 or later, the earlier instalments will be paid in the year of adoption.

For the EAFRD and EMFF the initial pre-financing will also be a total of [4]% with the first instalment being [2] % and a maximum of three instalments.]

OR

[There will not be pre-financing for the period 2014-2016.]

Other regulatory provisions

76. All programmes will be submitted to a decommitment procedure established on the basis that amounts linked to a commitment which are not covered by pre-financing or a request for payment within a period of [N+2] will be decommitted. [As regards programmes supported by the ERDF, ESF and CF, the decommitment will not apply to the 2014 budget commitment. For the purpose of the decommitment, one sixth of the 2014 commitment will be added to each of the 2015 to 2020 budget commitments.]

HEADING 3 - SECURITY AND CITIZENSHIP

77. Actions under this Heading constitute a diversified range of programmes targeted to security and citizens where cooperation at Union level offers value added. This includes actions in relation to asylum and migration and initiatives in the areas of external borders and internal security as well as measures in the field of justice. Actions within this Heading also support efforts to promote citizen participation in the European Union, including through culture and other creative sectors. Furthermore, it covers measures to enhance public health and consumer protection. Simplification of programmes will ensure a more efficient and effective future implementation of actions in this area.

78. The level of commitments for this Heading will not exceed :

HEADING 3 - SECURITY AND CITIZENSHIP						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

HEADING 4 - GLOBAL EUROPE

79. External policies are a major field of action for the EU, which has been reinforced within the new institutional framework of the Lisbon Treaty. The MFF must underpin the EU's determination to develop its role as an active player on the international scene, with regional and global interests and responsibilities. Its financing instruments will strengthen EU's cooperation with partners, support the objectives of promoting EU values abroad, projecting EU policies in support of addressing major global challenges, increasing the impact of EU development cooperation, investing in the long-term prosperity and stability of the EU's Neighbourhood, supporting the process of EU enlargement, enhancing European solidarity following natural or man-made disasters, improving crisis prevention and resolution and combating climate change. Where appropriate and subject to objective criteria, support to partners will be adapted to their development situation and commitment and progress with regard to human rights, democracy, the rule of law and good governance. Increased flexibility within heading 4 and efficiency in implementation will underpin this.
80. The level of commitments for this Heading will not exceed :

HEADING 4 - GLOBAL EUROPE						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

81. A key priority for Member States is to respect the EU's formal undertaking to collectively commit 0.7% of GNI to official development assistance by 2015, thus making a decisive step towards achieving the Millennium Development Goals. The European Union should as part of this commitment therefore aim to ensure over the period 2014-2020 that at least 90% of its overall external assistance be counted as official development assistance according to the present definition established by the OECD Development Assistance Committee (DAC).

HEADING 5 - ADMINISTRATION

82. The need to consolidate public finances in short, medium and long term requires a particular effort by every public administration and its staff to improve efficiency, effectiveness and adjust to the changing economic context. Taking these fundamental circumstances as well as a number of specific factors determining the level of administrative expenditure and the need to preserve a highly professional and geographically balanced EU administration into account, the level of commitments for this Heading will not exceed :

HEADING 5 - ADMINISTRATION						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

83. Within such a ceiling, expenditure for administrative expenditure of institutions, excluding pensions and European Schools, will not exceed the following sub-ceiling.

Sub ceiling administrative expenditure (excluding pensions and European Schools)						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

84. In the context of general fiscal consolidation and recognising the need for a particular effort on savings, all EU institutions, bodies, agencies and their administrations shall put into effect the reduction of [X]% in the staff over the period [2013-2017] [so as to realize saving of [X] million euro].
85. Additional savings of [x] million euro in the period 2014-2020 should be ensured through reforms of the staff regulation. The development in costs for pensions will also be addressed in the reform of the staff regulation.

86. Additional savings of [x] million euro in the period 2014-2020 should be ensured in total non-staff expenditure.
87. The savings referred to in paragraphs 84, 85 and 86 shall be made binding through their insertion into the Inter Institutional Agreement on budgetary discipline and sound financial management.

Place in the negotiation box to be decided

88. [Administrative expenditure outside heading 5 will as a percentage of the total MFF amount remain constant / increase by maximum [x]/decrease by [x] during the period 2014-2020 compared to 2013.]

HORIZONTAL ISSUES - INSTRUMENTS OUTSIDE THE MFF AND FLEXIBILITY

To date, diverging positions have been expressed as regards both the very principle of putting items outside the MFF and on the manner in which instruments proposed by the Commission outside the MFF could be brought inside. The following section therefore includes possible options, and different modalities within these options, which may be either taken individually or combined together.

89. The MFF will include, as a rule, all items for which EU financing is foreseen, as a means of ensuring transparency and appropriate budget discipline. [However, given their specificities, some instruments will be placed outside the MFF.]

90.

(a) [ITER and GMES will be financed outside the MFF. Both projects will be funded by all Member States, based on the contribution key used for the purposes of calculating GNI own resource contributions. The level of commitments for these projects will not exceed:

ITER						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

GMES						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

OR

(b1) [The financing of ITER and GMES will be placed inside the MFF and will be included under Heading 1.]

OR

(b2) [The financing of ITER and GMES will be placed inside the MFF. The maximum amount for ITER of [x] million euro and for GMES of [x] million euro will be fixed in the MFF-regulation.]

OR

(b3) [The financing of ITER and GMES will be placed inside the MFF. They will be included [with Galileo] under a separate sub-ceiling for large scale projects. The level of commitments for this sub-ceiling will not exceed:]

Sub-ceiling for Large Scale Projects						
(Million euros, 2011 prices)						
2014	2015	2016	2017	2018	2019	2020
X	X	X	X	X	X	X

91. The Union must have the capacity to respond to exceptional circumstances, whether internal or external. At the same time, the need for flexibility must be weighed against the principle of budgetary discipline and transparency of EU expenditure including the agreed level of spending. In order to ensure the necessary level of flexibility, adequate margins will be set within each Heading, [amounting to x% of their overall commitment ceilings.]

92.

- (a) [The Emergency Aid Reserve the objective of which is to ensure capacity to respond rapidly to specific and unforeseeable aid requirements of third countries (humanitarian operations, civil crisis management and protection, migratory pressures) will be financed outside the MFF; there shall be a ceiling on the annual amount available in the Reserve of EUR [X] (2011 prices).]

OR

- (b) [The Emergency Aid Reserve the objective of which is to ensure capacity to respond rapidly to specific and unforeseeable aid requirements of third countries (humanitarian operations, civil crisis management and protection, migratory pressures) will be included under heading 4. there shall be a ceiling on the annual amount available in the Reserve of EUR [X] (2011 prices).]

93.

- (a) [The European Globalisation Adjustment Fund the objective of which is to support workers who suffer from the consequences of major structural changes in world trade patterns [as well as farmers suffering from effects of globalisation] will be financed outside the MFF; there shall be a ceiling on the annual amount available for the Fund of EUR [X] (2011 prices).]

OR

- (b) [The European Globalisation Adjustment Fund the objective of which is to support workers who suffer from the consequences of major structural changes in world trade patterns [as well as farmers suffering from effects of globalisation] will be included under heading X. There shall be a ceiling on the annual amount available for the Fund of EUR [X] (2011 prices).]

OR

- (c) [The European Globalisation Adjustment Fund will be abolished.]

94.

- (a) [The European Union Solidarity Fund the objective of which is to bring financial assistance in the event of major disasters will be financed outside the MFF; there shall be a ceiling on the annual amount available for the Fund of EUR [X] (2011 prices).]

OR

- (b) [The European Union Solidarity Fund the objective of which is to bring financial assistance in the event of major disasters will be included under heading X. There shall be a ceiling on the annual amount available for the Fund of EUR [X] (2011 prices).]

OR

- (c) [The European Union Solidarity Fund will be abolished.]

95.

- (a) [The Flexibility Instrument the objective of which is to finance clearly identified and unforeseen expenditures will be financed outside the MFF; the Flexibility Instrument's annual ceiling will be set at EUR [X] (2011 prices).]

OR

- (b) [The Flexibility Instrument the objective of which is to finance clearly identified and unforeseen expenditures will be included in the MFF as an instrument which can be used under all headings. The Flexibility Instrument's annual ceiling will be set at EUR [X] (2011 prices).]

96.

- (a) [A new Reserve for crises in the agricultural sector, to bring support in case of major crises affecting agricultural production or distribution, in case it cannot be financed within the limits of the ceiling available for Heading 2 will be financed outside the MFF; there shall be a ceiling on the annual amount available in the Reserve of EUR [X] (2011 prices).]

OR

- (b) [A new Reserve for crises in the agricultural sector, to bring support in case of major crises affecting agricultural production or distribution will be included under heading 2. There shall be a ceiling on the annual amount available in the Reserve of EUR [X] (2011 prices).]

OR

- (c) [A new Reserve for crisis in the agricultural sector will not be created.]

97. It is in the nature of flexibility instruments that they are only mobilised in case of need.

98.

- a. [A contingency reserve of [0.03] % of GNI will be established outside of the ceilings of the MFF as a last resort instrument to react to unforeseen circumstances.]

OR

- b. [A contingency reserve will not be created.]

99.

- (a) [The EU's assistance to the ACP countries has traditionally been financed outside the EU budget for historical and legal reasons. Whilst it would make sense, in principle, to bring this expenditure within the EU budget, in the current circumstances, with the Cotonou agreement due to expire in 2020, the EDF will remain outside the MFF. It is noted, that the Commission intends to propose the budgetisation of the EDF as of 2021. [p.m. contribution key for the 11th EDF].]

OR

- (b) [The EDF will be included under Heading 4.]

PART II : REVENUE

100. The own resources arrangements should be guided by the overall objectives of simplicity, transparency and equity. The total amount of own resources allocated to the Union budget to cover annual appropriations for payments shall not exceed 1.23% of the sum of all the Member States' GNIs. The total amount of appropriations for commitments entered in the Union budget shall not exceed 1.29% of the sum of all the Member States' GNIs. An orderly ratio between appropriations for commitments and appropriations for payments shall be maintained to guarantee their compatibility.

101. The new system of own resources of the European Union will enter into force on the first day of the month following receipt of the notification of its adoption by the last Member State. All its elements will apply [retroactively] from [1 January 2014].

Traditional own resources

102. The system for collection of traditional own resources will remain unchanged.
[However, from [1 January 2014], Member States shall retain, by way of collection costs, [10-25]% of the amounts collected by them.]

VAT-based own resource

103.

(a) [The existing own resource based on value added tax (VAT) will be eliminated in its current form as of [1 January 2014].]

OR

(b) [The existing own resource based on value added tax (VAT) will be maintained
[, with the following changes: XX].]

104. *(if option 103 (a) is retained:)*

- (a) [A new VAT-based own resource will be introduced which will be calculated on the basis of a share of the net total VAT receipts collected by Member States. A share of [1%]/[not exceeding 2%] of the net value of supplies of goods and services subject to a standard rate of VAT in every Member State shall be applicable [; for the years 2014 to 2020 the applicable rate shall be set at [1 %]]. A single Union average proportion of the value of chargeable supplies compared to the value of total supplies will be determined prior to the start of the Multiannual Financial Framework and will be applied during its duration.]

OR

- (b) [A new VAT-based own resource will not be introduced.]

FTT-based own resource

105.

- (a) [A new own resource based on a system of financial transaction tax (FTT) will be introduced. It shall be levied in the amount of a share [of two thirds] of the amounts collected by Member States according to the minimum FTT rates set out in the relevant Council Directive[; for the years 2014 to 2020 the applicable share shall be set at [two thirds].]

OR

- (b) [A new own resource based on a system of financial transaction tax will not be introduced.]

Other potential future new revenue sources

106. [The Commission may consider examining other potential future new revenue sources in order to increase the share of the budget being financed by own resources.]

GNI-based own resource

107. The method of applying a uniform rate for determining Member States' contributions to the existing own resource based on gross national income (GNI) will remain unchanged.

Implementing regulation

108.

(a) [On the basis of Art. 311.4 TFEU, a Council Regulation laying down implementing measures is established, setting in particular [the applicable shares and rates for own resources, within the limits established in the Own Resources Decision], [the procedure to deal with significant changes to GNI] and [provisions concerning control and supervision, including reporting requirements].]

OR

(b) [No implementing regulation is established.]

Interest rates on late payments

109.

(a) [No changes will be made to the method for calculation of interest rates on late payments in the Own Resources system (article 11 in regulation 1150/2000).]

OR

(b) [The interest rate on late payments will continue to be calculated according to article 11 in regulation 1150/2000. However, [the monthly increase in the interest rate by 0.25 percentage points will be abolished] OR [the interest rate will be capped at a level equivalent to the rate applied by the ECB refinancing operations plus [x] percentage points].]

Corrections

110.

- (a) [All existing correction mechanisms in the current system of own resources of the European Union will be replaced, as of [1 January 2014], by temporary corrections in the form of lump sum gross reductions in annual GNI-based contributions during the period [2014-2020] for the following Member States:

[- EUR [2 500 million] for Germany,]

[- EUR [1 050 million] for the Netherlands,]

[- EUR [350 million] for Sweden,]

[- EUR [3 600 million] for the United Kingdom].

Lump sums will be financed by all Member States based on the GNI key.]

OR

- (b) [All existing correction mechanisms in the current system of own resources of the European Union will be completely eliminated as of [1 January 2014]. No new correction mechanisms will be introduced.]

OR

- (c) [The existing correction mechanisms in the current system of own resources of the European Union will continue to apply also under the new system of own resources [with the following changes: XX].]
