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ADDENDUM 5 to NOTE

from :	Presidency
to :	Permanent Representatives Committee (part 2)/Council
No. prev. doc.:	8207/12 ADD 1 REV 3, 15243/2/11 REV 2
No. Cion prop.:	COM(2011) 615 final/2, COM(2012) 496 final
Subject:	Cohesion Policy legislative package - Presidency compromise on country-specific recommendations

Delegations will find attached a compromise text on country-specific recommendations of the proposal for the Common Provisions Regulation.

The modifications highlighted in bold are those in comparison to the partial general approach reached at the General Affairs Council in April 2012 (ADD 1 REV 3 to document 8207/12).

Country-Specific Recommendations

PRESIDENCY REVISED COMPROMISE TEXT

Article 4 (PGA April 2012)

General principles

1. The CSF Funds shall provide support, through multi-annual programmes, which complements national, regional and local intervention, to deliver the Union strategy for smart, sustainable and inclusive growth as well as the Fund-specific missions pursuant to their Treaty-based objectives, taking account of the relevant Integrated Guidelines and the relevant country-specific recommendations **adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union** and the relevant Council recommendations adopted **in accordance with article 148(4) of the Treaty on the Functioning of the European Union and where appropriate at national level, the national reform programme.**

Article 2

Definitions

- (xx) For the purposes of this Regulation, “relevant country-specific recommendations adopted in accordance with Article 121(2)” of the Treaty on the Functioning of the European Union and “relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union” mean recommendations relating to structural challenges which it is appropriate to address through multiannual investments that fall directly within the scope of the CSF Funds as set out in the Fund-specific regulations.**

Article 14

Content of the Partnership Agreement

1. The Partnership Agreement shall set out:
 - (a) arrangements to ensure alignment with the Union strategy for smart, sustainable and inclusive growth, including:
 - (i) an analysis of disparities, development needs, and growth potentials with reference to the thematic objectives and the territorial challenges and taking account of the national reform programme, where appropriate, and relevant country-specific recommendations **adopted in accordance with** Article 121(2) of the Treaty **on the Functioning of the European Union** and relevant Council recommendations adopted **in accordance with** Article 148(4) of the Treaty **on the Functioning of the European Union;**

Article 15

Adoption and amendment of the Partnership Agreement

1. The Commission shall assess the consistency of the Partnership Agreement with this Regulation [...] taking account of **the national reform programme, where appropriate, and the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union, as well as** of the *ex ante* evaluations of the programmes, and shall make observations within three months of the date of submission **by the Member State** of the Partnership Agreement. The Member State shall provide all necessary additional information and, where appropriate, shall revise the Partnership Agreement.

Article 25

The procedure for adoption of programmes

1. The Commission shall assess the consistency of programmes with this Regulation **and with** the Fund-specific rules, their effective contribution to the selected thematic objectives and **to** the Union priorities specific to each CSF Fund, [...] and **also** the Partnership Agreement, [...] taking account of **the relevant country-specific recommendations adopted in accordance with Article 121(2) of the Treaty on the Functioning of the European Union and relevant Council recommendations adopted in accordance with article 148(4) of the Treaty on the Functioning of the European Union as well as** of the *ex ante* evaluation. The assessment shall address, in particular, the adequacy of the programme strategy, the corresponding objectives, indicators, targets and the allocation of budgetary resources.

Article 87

**Content, adoption and amendment of operational programmes under
the Investment for growth and jobs goal**

2. An operational programme shall set out:
 - (a) a justification of the choice of thematic objectives, corresponding investment priorities and financial allocations having regard to the Partnership Agreement, based on an identification of regional and, where appropriate, national needs including the needs **to address** the challenges identified in **the** relevant country-specific recommendations [...] **adopted in accordance with** Article 121(2) and **the** relevant Council recommendations [...] adopted **in accordance with** Article 148(4) of the Treaty **on the Functioning of the European Union** taking into account the *ex ante* evaluation.