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**'I/A' ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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 <b>(first reading)</b> - Adoption of the Council's position at first reading and of the statement of the Council's reasons

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1. On 29 May 2018 the Commission sent its proposal<sup>1</sup>, on 14 January 2020 the first amended proposal<sup>2</sup> and on 28 May 2020 the second amended proposal<sup>3</sup> based on Articles 177, 322(1)(a) and 349 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinions on 17 October 2018<sup>4</sup>, 10 June 2020<sup>5</sup> and on 18 September 2020<sup>6</sup>.

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<sup>1</sup> 9511/18 + ADD 1  
<sup>2</sup> 5259/20 + ADD 1  
<sup>3</sup> 8399/20 + ADD 1  
<sup>4</sup> OJ C 62, 15.2.2019, p. 83–89  
<sup>5</sup> OJ C 311, 18.9.2020, p. 55–62  
<sup>6</sup> OJ C 429, 11.12.2020, p. 236–239

3. The Committee of the Regions delivered its opinions on 5 December 2018<sup>7</sup>, 2 July 2020<sup>8</sup> and 14 October 2020<sup>9</sup>.
4. The European Parliament adopted its position at first reading on 27 March 2019<sup>10</sup>.
5. The Permanent Representatives Committee confirmed on 3 March 2021 the provisional agreement reached by the co-legislators.
6. On 16 March 2021, the European Parliament's Committee on Regional Development (REGI) confirmed the provisional agreement, and its chair subsequently sent a letter to the chair of Coreper declaring that the European Parliament should, at its second reading, approve the Council's position at first reading (following a legal-linguistic review) without amendments.
7. The Permanent Representatives Committee is therefore asked to suggest that the Council:
  - adopt its position at first reading, as set out in documents 6674/21 + ADD 1 + ADD 2 + ADD 2 COR 1, and the statement of reasons, as set out in document 6674/21 ADD 3, as an 'A' item at a forthcoming meeting, with Hungary abstaining;
  - decide that the statements in Addendum 1 to this note be entered in the minutes of that meeting.
8. At the same time, the Permanent Representatives Committee is invited to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision (EU) 2021/454<sup>11</sup>, that the Council use the written procedure for the adoption of the abovementioned Regulation if, due to the circumstances related to COVID-19, no Council meeting takes place before 29 May 2021.

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<sup>7</sup> OJ C 86, 7.3.2019, p. 41–83

<sup>8</sup> OJ C 324, 1.10.2020, p. 74–87

<sup>9</sup> OJ C 440, 18.12.2020, p. 191–212

<sup>10</sup> 7745/19

<sup>11</sup> Council Decision (EU) 2021/454 of 12 March 2021 further extending the temporary derogation from the Council's Rules of Procedure introduced by Decision (EU) 2020/430, in view of the travel difficulties caused by the COVID-19 pandemic in the Union (OJ L 89, 16.3.2021, p. 15–16)