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NOTE

From:	Presidency
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 - <i>Results of the super trilogue on 24-25 June 2021</i>

At the super trilogue on 24-25 June 2021, the co-legislators were able to reach agreement on the outstanding items in the Horizontal Regulation (HZR).

On the **agricultural reserve**, **prefinancing for EAFRD**, **automatic decommitment** and the **single data mining tool ARACHNE**, the co-legislators agreed on the compromise solutions, which were presented to the SCA in document WK 8096/2021 and which were discussed in the SCA meeting of 21 June.

This means that, on **the agricultural reserve**, the fixed amount stays at EUR 450 million with the possibility to adjust this amount, where necessary, during the ordinary, annual budgetary procedure. The total unused amount of the reserve available at the end of 2022 will be rolled over to 2023 and if appropriations remain available after financing the agricultural reserve, these shall be reimbursed to the beneficiaries. Financial discipline will only be used as a last resort, there will be a threshold of EUR 2000 and there will be no exemption for POSEI.

The Parliament agreed to the percentage of 1% of **prefinancing for EAFRD**, as proposed by the Commission and as endorsed by the European Council in its MFF conclusions.

The Parliament also agreed, although reluctantly, to return to the **N + 2-rule** for automatic de-commitment in EAFRD. This means that the N + 3-rule applies during the transitional period in the years 2021 and 2022 and that the N + 2 rule will apply for the years 2023, 2024 and 2025. Also this result is in line with the European Council MFF conclusions. As on the other outstanding issues, the Commission has been very helpful achieving this good result by reassuring the EP.

With regard to the **single data mining tool ARACHNE**, it was agreed that its use shall be voluntary and that the Commission will publish an assessment report in 2025, possibly accompanied with legislative proposals with a view to the make the use of the tool mandatory later on, where appropriate.

As far as the **social dimension** is concerned, the compromise text contained in document WK 6927/2021 REV 1 was agreed; the date of implementation and the rendez-vous clause are the same as in the case of the SPR.

Finally, in a spirit of compromise, the Parliament withdrew its amendment for a new Article 39a on the '**performance bonus**'.

As part of the overall compromise agreement, and in order to reassure the Parliament, the Commission issued statements on the N + 2-rule, declaring that it will do its utmost to inform Member States in case money risks being lost, and on the annual publication of a list of Certification Bodies, which will also be reflected in a recital.