



Brussels, 11 December 2020
(OR. en)

13716/20

**Interinstitutional File:
2018/0197(COD)**

**FSTR 189
REGIO 281
FC 95
CADREFIN 422
CODEC 1274**

NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	COM(2018) 372 final, COM(2020) 452 final
Subject:	European Regional Development Fund and Cohesion Fund (ERDF/CF) Regulation - Progress report

I. INTRODUCTION

1. On 29 May 2018, the Commission tabled a proposal for the ERDF/Cohesion Fund Regulation (ERDF/CF Regulation)¹, which is part of the Cohesion Policy legislative package for 2021-2027. The overarching policy objective of the ERDF/CF Regulation is to strengthen the economic, social and territorial cohesion of the Union, by reducing disparities between the various EU regions, in line with Articles 174, 176 and 177 TFEU.
2. The ERDF/CF Regulation was presented to the Structural Measures Working Party in June 2018 during the Bulgarian Presidency. The detailed examination of the ERDF/CF Regulation took place under the Austrian and the Romanian Presidencies. The Permanent Representatives Committee endorsed a (partial) mandate for negotiations with the European Parliament on the ERDF/CF Regulation on 15 February 2019².

¹ Doc. 9522/18 + ADD1-2.

² Doc. 6147/19 ADD 2.

3. On 28 May 2020, following the COVID-19 outbreak, and as part of the revised MFF 2021-27 and of the Recovery Package, the Commission proposed various amendments to the Cohesion policy legislative package 2021-2027, including to the ERDF/CF Regulation³. On 22 July 2020, the Permanent Representatives Committee endorsed a (partial) mandate for negotiations with the European Parliament as regards the amended Commission proposal for the ERDF/CF Regulation⁴. Furthermore, on 5 October 2020, the partial mandate for negotiations was updated by the Permanent Representatives Committee to take account of the European Council Conclusions adopted in the special meeting of the European Council of 17, 18, 19, 20 and 21 July 2020⁵.

II. STATE OF PLAY OF INTER-INSTITUTIONAL NEGOTIATIONS

5. Trilogues were started under Finland's Presidency and continued under the Croatian Presidency. During the German Presidency, six technical meetings and four political trilogues were held during the months of September, October, November and December. The German Presidency regularly debriefed the Members States at the Structural Measures Working Party on the state of the negotiations and consulted delegations with regard to a number of Presidency's drafting proposals aimed at achieving balanced and fair compromises between the co-legislators.
6. A provisional political agreement on the enacting terms of the ERDF/CF Regulation was reached in trilogue on 8 December 2020. While certain recitals are covered by the provisional political agreement, the remaining recitals and the Annexes were set aside for discussion at a later date. The results of the work and the progress on the negotiations with the European Parliament are set out in the Annex to this note.
7. Remaining technical work on the recitals and on the Annexes is to be finalised as soon as possible during the Portuguese Presidency.

³ Doc. 8380/20 + ADD1.

⁴ Doc. 9430/20.

⁵ Doc. 10880/20.

8. In the past months, substantial progress has been made during the inter-institutional negotiations with the European Parliament. Moreover, the Structural Measures Working Party has been informed about the results of the work and the progress on the negotiations with the European Parliament. **The Presidency is of the view that, based on the principle that "nothing is agreed until everything is agreed", a balanced compromise text has emerged which has been supported by a majority of Member States.**

III. CONCLUSION

9. In light of the above, the Permanent Representatives Committee is invited to take note of the progress made and acknowledge the results achieved on the negotiations with the European Parliament on the ERDF-CF Regulation, as set out in the Annex to this note.
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Delegations will find below the four-column table reflecting the results of the work and the progress on the negotiations with the European Parliament on the ERDF/CF Regulation

European Regional Development Fund and Cohesion Fund (ERDF-CF) Regulation

Version: Outcome of political trilogue on 8 December 2020.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	6	TABLE OF CONTENTS [... TO BE INSERTED]	<i>Provisional common understanding on the insertion of the table of contents</i>	1.
CHAPTER I Common provisions	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding</i> <i>[No change]</i>	2.

⁶ EP position on 3 recitals of broader scope:

Recital (3): Regulation (EU) 2018/XXX of the European Parliament and of the Council [new CPR] sets out common rules applicable to various funds including the European Regional Development Fund ('ERDF'), the European Social Fund Plus ('ESF+'), the Cohesion Fund, **the European Agricultural Fund for Rural Development (EAFRD)**, the European Maritime and Fisheries Fund ('EMFF'), the Asylum and Migration Fund ('AMIF'), the Internal Security Fund ('ISF') and the Border Management and Visa Instrument ('BMVI') which operate under a common framework ('the Funds'). [Am. 1]

Recital (3a): **Member States and the Commission shall ensure the coordination, complementarity and coherence between the European Regional Development Fund (ERDF), the Cohesion Fund (CF), the European Social Development Fund+ (ESF+), the European Maritime and Fisheries Fund (EMFF) and the European Fund for Agricultural Development (EAFRD), so that they can complement each other where this is beneficial for creating successful projects.** [Am. 2]

Recital (5): Horizontal principles as set out in Article 3 of the Treaty on European Union ("TEU") and in Article 10 of the TFEU, including principles of subsidiarity and proportionality as set out in Article 5 of the TEU, should be respected in the implementation of the ERDF and the Cohesion Fund, taking into account the Charter of Fundamental Rights of the European Union. ~~Member States should also respect the obligations of the UN Convention on the~~ **European Pillar of Social Rights of Persons with Disabilities and ensure accessibility in line with its article 9 and in accordance with the Union law harmonising accessibility requirements for products and services.** Member States and the Commission should aim at eliminating **social and income** inequalities, **at furthering the fight against poverty, at the preservation** and at promoting equality between men and women and integrating the gender perspective, as well as ~~at~~ **the creation of quality jobs with attendant rights and at ensuring that the ERDF and the Cohesion Fund promote equal opportunities for all**, combating discrimination based on **gender**, sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. **The Funds should also promote the transition from institutional care to family and community-based care, in particular for those who face multiple discrimination.** The Funds should not support actions that contribute to any form of segregation. ~~The objectives of the Investments under ERDF and the Cohesion Fund , in synergy with ESF+, should be pursued in the framework of sustainable development and the Union's promotion of the aim of preserving, protecting and improving~~ **the contribute to promoting social inclusion and fighting poverty, and to raising citizens' quality of the environment as set out in Articles 11 and 191(1) of the TFEU, taking into account the polluter pays principle. In order to protect the integrity life in line with the obligations of the internal market, operations benefitting undertakings shall comply with State aid rules as set out in Articles 107 and 108 of the TFEU UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child (UNCRC) to contribute to children's rights.** [Am. 3]

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<i>Article 1</i> <i>Subject matter</i>	<i>[no change]</i>	<i>[no change]</i>	<i>[no change]</i>	3.
1. This Regulation sets out the specific objectives and the scope of support from the European Regional Development Fund ('ERDF') with regard to the Investment for jobs and growth goal and the European territorial cooperation goal (Interreg) referred to in Article [4(2)] of Regulation (EU) 2018/xxxx [new CPR].	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding</i> <i>[No change]</i>	4.
2. This Regulation also sets out the specific objectives and the scope support from the Cohesion Fund with regard to the Investment for jobs and growth goal ('the Investment for jobs and growth goal') referred to in [point (a) of Article 4(2)] of Regulation (EU) 2018/xxxx [new CPR].	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding</i> <i>[No change]</i>	5.
	<u>Amendment 28</u>		<i>Provisional common understanding in trilogue on 28/10/2020</i>	6.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>Article 1a</i>		Article 1a	
	<i>Tasks of the ERDF and the Cohesion Fund</i>		<i>Provisional common understanding in trilogue on 28/10/2020</i> Tasks of the ERDF and the Cohesion Fund	7.
	<i>The ERDF and the Cohesion Fund (CF) shall contribute to the overall objective of strengthening the Union's economic, social and territorial cohesion.</i> <i>The ERDF shall contribute to reducing disparities between the levels of development of the various regions within the Union, and to reducing the backwardness of the least favoured regions including environmental challenges, through sustainable development and structural adjustment of regional economies.</i> <i>The Cohesion Fund shall contribute to projects in the</i>		<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>The ERDF and the Cohesion Fund (CF) shall contribute to the overall objective of strengthening the Union's economic, social and territorial cohesion.</i> <i>The ERDF shall contribute to reducing disparities between the levels of development of the various regions within the Union, and to reducing the backwardness of the least favoured regions including environmental challenges, through participation in the structural adjustment of regions</i>	8.

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	<i>field of trans-European networks and environment.</i>		<p><i>whose development is lagging behind and in the conversion of declining industrial regions, including by promoting sustainable development and addressing environmental challenges.</i></p> <p><i>The Cohesion Fund shall contribute to projects in the field of <u>environment and trans- European networks</u> and <u>environment in the area of transport infrastructure.</u></i></p>	
<p><i>Article 2⁷ Specific objectives for the ERDF and the Cohesion Fund</i></p>	<p><i>[no change]</i></p>	<p><i>[no change]</i></p>	<p><i>Provisional common understanding on the title of the Article.</i></p>	<p>9.</p>

⁷ EP position on several recitals linked to Article 2:

Recital (8): In an increasingly interconnected world and in view of the **internal and external** demographic and migration dynamics, it is clear that Union migration policy requires a common approach that relies on the synergies and complementarities of the different funding instruments. **The ERDF must pay more specific attention to demographic change as a key challenge and priority area in devising and implementing programmes.** In order to ensure coherent, strong and consistent support for solidarity and responsibility-sharing **responsibility as well as sharing** efforts between Member States in managing migration, ~~the ERDF should provide support to facilitate the long-term~~ **cohesion policy could contribute to** integration ~~of~~ **processes of refugees and migrants under international protection by adopting an approach aimed at protecting the dignity and rights of them, not least in view of the mutually-reinforcing relationship between integration and local economic growth, especially by providing infrastructure support to cities and local authorities involved in implementing integration policies.** [Am. 4]

Recital (9): In order to support the efforts of Member States and regions in **reducing disparities between levels of development and harmonise different situations of EU regions,** facing **up to social disparities,** new challenges and ensuring **inclusive societies and** a high level of security for their citizens as well as the prevention of **marginalisation and**

radicalisation, while relying on the synergies and complementarities with other Union policies, investments under the ERDF should contribute to security in areas where there is a need to ensure safe, **modern, accessible** and secure public spaces and critical infrastructure, such as **communication, public transport, and energy and universal, high-quality public services which are vital to address regional and social disparities, promote social cohesion and regional development and encourage enterprises and people to stay in their local area.** [Am. 5]

Recital (10): In addition, investments under the ERDF should contribute to the development of a comprehensive high-speed digital infrastructure network, **throughout the Union, including in rural areas where it is a vital contributor to small and medium-sized enterprises (SMEs),** and to promoting **clean pollution-free** and sustainable multimodal **urban mobility with a focus on walking, cycling, public transport and shared** mobility. [Am. 6]

Recital (10a): **Many of the greatest challenges in Europe increasingly affect marginalised Roma communities, who often live in the most disadvantaged micro-regions which lack safe and accessible drinking water, sewage, electricity, and which do not enjoy transportation possibilities, digital connectivity, renewable energy systems or disaster resilience. Therefore, ERDF-CF shall contribute to improving the living conditions of Roma and fulfilling their true potential as EU citizens, and Member States shall safeguard that the benefits of all the five policy objectives of ERDF-CF will reach the Roma as well.** [Am. 7]

Recital (12): In order to **contribute to an appropriate governance, enforcement, cross-border cooperation and spread of best practices and innovations in the field of smart specialization and circular economy** improve the overall administrative capacity of **the** institutions and governance in **the** Member States, **including at the regional and local levels on the principles of multilevel governance,** implementing **the** programmes under the Investment for jobs and growth goal, it is necessary to **enable supporting promote administrative reinforcement** measures under all of the **of a structural nature in support of all** specific objectives. **Being based on measurable objectives and notified to citizens and businesses as a means of simplifying and reducing the administrative burden imposed on beneficiaries and managing authorities, it is possible for these measures to strike the right balance between the result-orientation of the policy and the level of checks and controls.** [Am. 8]

Recital (13): In order to encourage and boost cooperation measures, within programmes implemented under the Investment for jobs and growth goal, it is necessary to enhance cooperation measures with partners **including those at local and regional level** within a given Member State or between different Member States in relation to support provided under all of the specific objectives. Such enhanced cooperation is additional to the cooperation under ETC/Interreg and should in particular support cooperation among structured partnerships with a view to implementing regional strategies as referred to in the Communication from the Commission ‘Strengthening Innovation in Europe’s Regions: Strategies for resilient, inclusive and sustainable growth’⁷. Partners may therefore come from any region in the Union, but may also include cross-border regions and regions which are all covered by **European Groupings of Territorial Cooperation,** a macro-regional or sea-basin strategy or a combination of the two. [Am. 9]

Recital (13a): **The future cohesion policy may take adequate consideration of and provide support to the regions of the Union that are most impacted by the consequences of the United Kingdom’s exit from the Union, in particular those that will, as a result, find themselves situated on external sea or land borders of the Union;** [Am. 10]

Recital (14): **The objectives of the ERDF and the Cohesion Fund should be pursued in the framework of sustainable development, notably the highly importance of tackling climate change in line with the Union’s commitments to implement the Paris Agreement, 2030 Agenda of the United Nations and the UN Sustainable Development Goals as well as and the Union’s promotion of the aim of preserving, protecting and improving the quality of the environment as set out in Articles 11 and 191(1) of the TFEU, taking into account the polluter pays principle as well as focusing on poverty, inequality and a just transition to a socially and environmentally sustainable economy in a participatory approach in cooperation with relevant public authorities, economic, and social partners as well as civil society organisations.** Reflecting the importance of tackling climate change and loss of biodiversity in order to contribute to the financing of necessary actions to be taken at EU, **national and local level to fulfil** in line with the Union’s commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, **as well as to ensure integrated disaster prevention support linking resilience and risk prevention, preparation and response,** the Funds will contribute to mainstream climate actions and to the achievement of an overall target of **25 % biodiversity protection by targeting 30 %** of the EU budget expenditure supporting climate objectives. **The Funds must contribute substantially to the achievement of a circular and low-carbon economy in all territories of the Union and fully incorporating the regional dimension.** Operations under the ERDF are expected to contribute ~~to~~ **at least 35 %** of the overall financial envelope of the ERDF to climate objectives. Operations under the Cohesion Fund are expected to contribute ~~37%~~ **40 %** of the overall financial envelope of the Cohesion Fund to climate objectives. **These percentages should be respected throughout the programming period. Therefore, relevant actions will be identified during the preparation and implementation of these funds, and reassessed in the context of the relevant evaluations and review procedures. These actions and the financial allocation reserved for their**

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1. In accordance with the policy objectives set out in Article [4(1)] of Regulation (EU) 2018/xxxx[new CPR], the ERDF shall support the following specific objectives:	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding</i> <i>[No change]</i>	10.
(a) 'a smarter Europe by promoting innovative and smart economic transformation' ('PO 1') by:	<u>Amendment 29</u> (a) 'a smarter Europe by promoting innovative and , smart and inclusive economic development and transformation, regional connectivity in the area of technologies, developing the information and communication technologies (ICT), connectivity and efficient public administration'	<i>[no change]</i>	<i>Provisional common understanding:</i> To be agreed in the context of the CPR inter-institutional negotiations. <i>CPR Provisional common understanding:</i> (a) a more competitive and smarter Europe by promoting innovative and smart economic transformation ('PO 1') by;	11.

implementation are to be included in the national Integrated Energy and Climate Plans in accordance with Annex IV of Regulation (EU)2018/xxxx[new CPR] as well as long-term renovation strategy established under the revised Energy Performance of Building Directive (E) 2018/844 to contribute to the achievement of a decarbonised building stock by 2050, and attached to the Programmes. Specific attention should be paid to carbon-intensive areas facing challenges due to decarbonisation commitments, in view of assisting them in pursuing strategies consistent with the Union's climate commitment and laid down in the Integrated National Energy and Climate Plans and under the ETS Directive 2018/410 and to protect workers also through training and reskilling opportunities. [Am. 11]

Recital (24 a): Specific attention should be paid to carbon-intensive areas facing challenges due to decarbonisation commitments, in view of assisting them in pursuing strategies consistent with the Union's climate commitment under the Paris Agreement that protect workers and affected communities alike. Such areas should benefit from dedicated support to prepare and implement plans for decarbonisation of their economies taking into account the need for targeted vocational training and reskilling opportunities for the workforce. [Am. 23]

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	(‘PO 1’) by:			
(i) enhancing research and innovation capacities and the uptake of advanced technologies;	<u>Amendment 30</u> (i) supporting the development and enhancement of enhancing research and innovation capacities and , investments and infrastructure , the uptake of advanced technologies and supporting and promoting the clusters for innovation between business, research, academia and public authorities ;	[no change]	Provisional common understanding in trilogue on 28/10/2020 “(i) Developing and enhancing research and innovation capacities and the uptake of advanced technologies;”	12.
(ii) reaping the benefits of digitisation for citizens, companies and governments;	<u>Amendment 31</u> (ii) enhancing digital connectivity and reaping the benefits of digitisation for citizens, scientific establishments , companies, and governments and public administration at regional and local level including smart cities and smart villages ;	[no change]	Provisional common understanding in trilogue on 8/12/2020 (ii) reaping the benefits of digitisation for citizens, companies, research organisations and governments public authorities ; Recital (new) In order to grasp the	13.

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			opportunities from the digital age, the ERDF should contribute to the development of an inclusive digital society where citizens, research organisations, businesses and public administrations take full advantage of the opportunities digitalisation offers. Effective e-government at national, regional and local level, involves developing tools as well as rethinking organisation and processes, in order to deliver public services more effectively, easily, quickly and at a lower cost. In particular, digital and telecommunication technologies should be used to enhance traditional networks and services for the benefit of local communities through developing projects such as smart cities and villages.	
(iii) — enhancing growth and competitiveness of SMEs;	<u>Amendment 32</u> (iii) — enhancing <i>sustainable</i> growth and competitiveness of SMEs <i>and providing support</i>	(iii) — enhancing growth and competitiveness of SMEs, including by productive investments ;	EP alternative drafting for the first part of the sentence: (iii) — enhancing <i>sustainable</i>	Former 14:

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	<i>for the creation and safeguarding of jobs and support technological upgrade and modernization;</i>		<p>growth, jobs and competitiveness of SMEs;</p> <p>EP proposal Recital (new)</p> <p>(x) In order to stimulate employment friendly growth and competitiveness, the ERDF should support technological, organisational, process or product innovation of companies and promote entrepreneurship and technological upgrade, so that they can benefit from the development of new technologies, including technologies enabling their just transition to industry 4.0 and eco-innovations promoting the circular economy, and advances in science, communications, business models and education. Link with Article 4.</p>	
(iii) enhancing growth and competitiveness of SMEs and job creation in SMEs;	(iii) enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs;	(iii) enhancing growth and competitiveness of SMEs and job creation in SMEs, including by productive investments;	<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p>(iii) enhancing sustainable growth and competitiveness of</p>	14.

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			SMEs and job creation in SMEs, including by productive investments;	
(iv) developing skills for smart specialisation, industrial transition and entrepreneurship;	<u>Amendment 33</u> (iv) developing skills and strategies, and building capacities for smart specialisation, just industrial transition and, circular economy, social innovation, entrepreneurship, tourism sector and transition to industry 4.0;	[no change]	<i>Provisional common understanding in trilogue on 28/10/2020</i> (iv) developing skills for smart specialisation, industrial transition and entrepreneurship; <u>New recital (x)</u> Support from the ERDF under policy objective 1 should be based on building capacities for smart specialisation strategies, which set priorities at national and/or regional level to increase their competitive advantage by developing and matching research and innovation strengths with business needs and necessary skills through an entrepreneurial discovery process. The process should allow entrepreneurial actors, including industry, education and research organisations, public administrations and civil society, to identify the most promising areas for sustainable	15.

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			<p><i>economic development based on the region's distinctive structures and knowledge base. As the governance process of smart specialisation is crucial for the quality of the strategy, the ERDF should provide support to developing and enhancing the capacities necessary for an efficient entrepreneurial discovery process and the preparation or updating of smart specialisation strategies.</i></p> <p><u>Annex I, CPR</u></p> <p>016: Skills development and building capacities for smart specialisation, industrial transition, and entrepreneurship <i>and adaptability of enterprises to change</i></p>	
			<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p><i>Link to row 13</i></p> <p>(v) enhancing digital connectivity.</p>	

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(b) 'a greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management ('PO 2') by:	<u>Amendment 34</u> (b) 'a greener, low-carbon and resilient Europe for all by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management ('PO 2') by:	(b) 'a greener, low-carbon and resilient Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management ('PO 2') by:	<i>Provisional common understanding:</i> To be agreed in the context of the CPR inter-institutional negotiations. <i>CPR Provisional common understanding:</i> (b) a greener, low-carbon transitioning towards a net zero carbon economy and resilient Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate change mitigation and adaptation and risk prevention and management ('PO 2') by;	16.
(i) promoting energy efficiency measures;	<u>Amendment 35</u> (i) promoting energy efficiency, savings and energy poverty measures;	(i) promoting energy efficiency measures and reducing greenhouse gas emissions ;	<i>Provisional common understanding in trilogue on 28/10/2020</i> (i) promoting energy efficiency measures and reducing greenhouse gas emissions ; <i>Recital added by CONS to be</i>	17.

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			<i>discussed together with Art.6 of ERDF/CF proposal (see row 113)</i>	
			<p><i>Provisional common understanding at trilogue on 8/12/2020</i> New recital</p> <p>(x) In order to promote the achievement of EU climate neutrality by 2050, taking due account of social and economic consequences that it entails, the ERDF and the Cohesion Fund should contribute to reducing greenhouse gas emissions and to combating energy poverty. In this context, investments in energy efficiency, including energy savings schemes, in sustainable renewable energy in accordance with the sustainability criteria set out in Renewable Energy Directive (EU) 2018/2001⁸, in smart energy systems, as well as investments aiming at reducing all forms of pollution and i. e. air, water, soil, noise and light pollution, at promoting biodiversity and green</p>	17a.

⁸ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) (OJ L 328/82, 21.12.2018, p. 82).

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			<p>infrastructure, including preservation, valorisation and the highlighting of protected natural areas, and <i>other measures to reduce greenhouse gas emissions, such as the preservation and restoration of natural areas with high potential for carbon absorption and storage, e.g. by rewetting of moorlands, the capture of landfill gas or emission reduction in industrial processes or products would be particularly important.</i> Furthermore, investments aiming at reducing every form of pollution such as air, water, soil, noise and light pollution, should be supported.</p> <p>Integrated national energy and climate plans, which outline the policies and measures, which address energy poverty and greenhouse gas emissions need to be taken into account while preparing programmes co-financed by the ERDF and the Cohesion Fund. In the view of contributing to the achievement of national objectives to reduce energy poverty set out in national energy and climate plans, the ERDF should support in particular energy efficiency improvements in housing, thus</p>	

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			reducing energy consumption and creating savings for households affected by energy poverty.	
(ii) promoting renewable energy;	<u>Amendment 36</u> (ii) promoting <i>sustainable</i> renewable energy;	(ii) promoting renewable energy;	<i>Provisional common understanding in trilogue on 28/10/2020</i> (ii) promoting renewable energy in accordance with Renewable Energy Directive (EU) 2018/2001⁹, including the sustainability criteria set out therein; <i>Recital added by CONS to be discussed together with Art 6 of ERDF/CF proposal (see row 113).</i>	18.
			<i>Recital withdrawn by EP, confirmed in trilogue on 25/11/2020</i> In order to provide certainty for project developers under cohesion policy, it is necessary	18a.

⁹ DIRECTIVE (EU) 2018/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) (OJ L 328/82, 21.12.2018, p. 82).

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			to clarify that the ERDF and the Cohesion Fund should support sustainable renewable energy in accordance with sustainability criteria set out in Renewable Energy Directive (EU) 2018/2001.	
(iii) developing smart energy systems, grids and storage at local level;	<u>Amendment 37</u> (iii) developing smart energy systems, grids and storage at local level;	(iii) developing smart energy systems, grids and storage at local level outside TEN-E ;	<i>Provisional common understanding</i> (iii) developing smart energy systems, grids and storage at local level outside TEN-E ;	19.
(iv) promoting climate change adaptation, risk prevention and disaster resilience;	<u>Amendment 38</u> (iv) promoting climate change adaptation, risk prevention, <i>management of and disaster resilience to extreme weather events and natural disasters including earthquakes, forest fires, flooding and drought, taking into account eco-system based approaches</i> ;	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> (iv) promoting climate change adaptation, <i>and disaster risk prevention, resilience, taking into account eco-system based approaches</i> ; <u>Annex I, CPR codes 035-038</u> 035: Adaptation to climate change measures, prevention or management of climate related risks: floods and landslides	20.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>(including awareness raising, civil protection and disaster management systems, and infrastructures <i>and ecosystem based approaches</i>);</p> <p>036: Adaptation to climate change measures, prevention or management of climate related risks: fires (including awareness raising, civil protection and disaster management systems, and infrastructures <i>and ecosystem based approaches</i>)</p> <p>037: Adaptation to climate change measures, prevention or management of climate related risks: others, e.g. storms and drought (including awareness raising, civil protection and disaster management systems, and infrastructures <i>and ecosystem based approaches</i>)</p> <p>038: Risk prevention and management of non-climate related natural risks (i.e. earthquakes) and risks linked to human activities (e.g. technological accidents),</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			including awareness raising, civil protection and disaster management systems, and infrastructures <i>and ecosystem based approaches</i>)	
(v) promoting sustainable water management;	<u>Amendment 39</u> (v) promoting <i>universal access to water and</i> sustainable water management;	<i>[no change]</i>	<i>Provisional common understanding</i> (v) promoting <i>access</i> to water and sustainable water management;	21.
(vi) promoting the transition to a circular economy;	<u>Amendment 40</u> (vi) promoting the transition to a circular economy economy <i>and improving resource efficiency</i> ;	<i>[no change]</i>	<i>Provisional common understanding</i> (vi) promoting the transition to a circular and resource efficient economy;	22.
	<u>Amendment 41</u> (via) <i>supporting regional transformation processes towards decarbonisation as well as the transition towards</i>		<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[EP amendment withdrawn]</i>	23.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>low-carbon energy generation</i>			
(vii) enhancing biodiversity, green infrastructure in the urban environment, and reducing pollution;	<u>Amendment 42</u> (vii) <i>protecting and enhancing biodiversity green infrastructure in the urban environment, and natural heritage, preserving and highlighting protected natural areas, natural resources and reducing every form of pollution such as air, water, soil, noise and light</i> pollution;	(vii) enhancing nature protection and biodiversity, green infrastructure in particular in the urban environment, and reducing pollution;	<i>Provisional common understanding in trilogue on 25/11/2020</i> (vii) enhancing protection and preservation of nature protection , biodiversity, and green infrastructure, including in urban areas , and reducing all forms of pollution;	24.
			<i>Provisional common understanding in trilogue on 8/12/2020</i> Code 50: Nature and biodiversity protection, natural heritage and resources, sustainable green and blue infrastructure <u>Other relevant codes of</u>	24a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p><u>intervention from Annex I</u></p> <p>046 Rehabilitation of industrial sites and <u>contaminated land</u></p> <p>048 Air quality and <u>noise reduction measures</u></p> <p>039 Provision of water for human consumption (extraction, <u>treatment</u>, storage and distribution infrastructure, efficiency measures, drinking water supply)</p> <p>040 Water management and <u>water resource conservation</u> (including river basin management, specific climate change adaptation measures, reuse, leakage reduction)</p> <p>Every form of pollution such as air, water, soil, noise and light pollution is in the focus for reduction measures.</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<u>Amendment 43</u> <i>(vii) enhancing green infrastructure in functional urban areas, developing small- scale multimodal urban mobility as part of a net zero emission economy;</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>EP amendment withdrawn</i>	25.
		(viii) promoting sustainable multimodal urban mobility;	<i>Provisional common understanding in trilogue on 25/11/2020</i> (viii) promoting sustainable multimodal urban mobility, as part of transition to a net zero carbon economy;	26.
(c) 'a more connected Europe by enhancing mobility and regional ICT connectivity' ('PO 3') by:	<u>Amendment 44</u> (c) 'a more connected Europe <i>for all</i> by enhancing mobility' and regional ICT connectivity' ('PO 3') by:	<i>[no change]</i>	<i>Provisional common understanding</i> To be agreed in the context of the CPR inter-institutional negotiations. CPR <i>Provisional common understanding:</i> (c) a more connected Europe	27.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			by enhancing mobility and regional ICT connectivity ('PO 3') by;	
(i) enhancing digital connectivity;	<u>Amendment 45</u> ¹⁰ (i) enhancing digital connectivity;	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[delete]</i>	28.
(ii) developing a sustainable, climate resilient, intelligent, secure and intermodal TEN-T;	<u>Amendment 46</u> (ii) developing a sustainable climate resilient, intelligent, secure and sustainable road and railway and intermodal TEN-T and cross-border links focussing on noise reduction measures, environmentally friendly public transport and rail networks ¹¹ ;	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 25/11/2020</i> (ii) developing a sustainable , climate resilient, intelligent, secure, sustainable and intermodal TEN-T; Recital (new) (x) To improve transport connectivity, the ERDF and the Cohesion Fund should promote development of trans-European transport network, as referred to in Regulation (EU) 1315/2013, through investment in infrastructure	29.

¹⁰ EP position: N.B. EP amendment 45 will require consequential adjustments to Annex I and Annex II.

¹¹ EP still reflecting on "environmentally friendly public transport and rail networks".

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>for railway transport, inland waterway transport, road transport, maritime transport and multimodal transport, including noise reduction measures. The ERDF and the Cohesion Fund should also support national, regional and local, cross border and urban mobility.</p> <p><u>Code 48 in CPR Annex I</u> 048 Air quality and <u>noise reduction measures</u></p>	
(iii) developing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T and cross-border mobility;	<p><u>Amendment 47</u> (iii) developing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T, and cross-border mobility <i>and environmentally friendly public transport networks</i>¹²;</p>	(iii) developing and enhancing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including improved access to TEN-T and cross-border mobility;	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>Council proposal: (iii) developing and enhancing sustainable, climate resilient, intelligent and intermodal national, regional and local mobility, including</p>	30.

¹² See line 29: EP still reflecting on "environmentally friendly public transport and rail networks".

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			improved access to TEN-T and cross-border mobility;	
(iv) promoting sustainable multimodal urban mobility;	<u>Amendment 48</u> ¹³ (iv) promoting sustainable multimodal urban mobility;	(iv) promoting sustainable multimodal urban mobility;	<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>[deleted]</i>	31.
(d) 'a more social Europe implementing the European Pillar of Social Rights' ('PO 4') by:	<u>Amendment 49</u> (d) 'a more social and inclusive Europe implementing the European Pillar of Social Rights' ('PO 4') by:	<i>[no change]</i>	<i>Provisional common understanding</i> To be agreed in the context of the CPR inter-institutional negotiations. <i>CPR Provisional common understanding</i> (d) a more social and inclusive Europe implementing the European Pillar of Social Rights (‘PO 4’) by;	32.
(i) enhancing the effectiveness of labour markets and access to quality employment through developing social innovation and infrastructure;	<u>Amendment 50</u> (i) enhancing the effectiveness and inclusiveness of labour markets and access to high quality employment through developing social	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> (i) enhancing the effectiveness and inclusiveness of labour markets and access to quality employment through	33.

¹³ EP position: N.B. EP amendment 48 will require consequential adjustments to Annex I and Annex II

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	innovation and infrastructure <i>and promoting the social economy and innovation;</i>		<i>developing social infrastructure and promoting social economy;</i> New recital on social economy In order to promote social innovation and inclusive access to high quality employment , the ERDF should support 'social economy' entities such as cooperatives, mutual societies, non-profit associations; foundations and social enterprises.	
(ii) — improving access to inclusive and quality services in education, training and life long learning through developing infrastructure;	<u>Amendment 51</u> (ii) — improving equal access to inclusive and quality services in education, training and life long learning and sport through developing accessible infrastructure and services;	(ii) — improving access to inclusive and quality services in education, training and life long lifelong learning through developing infrastructure;	(ii) improving equal access to inclusive and quality services in education, training and life long lifelong learning through developing accessible infrastructure;	Former 34.
(ii) improving access to inclusive and quality services in education, training and lifelong learning through developing infrastructure, including by	(ii) improving equal access to inclusive and quality services in education, training and lifelong	(ii) improving equal access to inclusive and quality services in education, training and lifelong learning through developing accessible infrastructure,	<i>Provisional common understanding in trilogue on 28/10/2020</i> (ii) improving equal access to inclusive and quality services in	34.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
fostering resilience for distance and on-line education and training;	learning through developing accessible infrastructure including by fostering resilience for distance and on-line education and training;	including by fostering resilience for distance and on- line education and training;	education, training and lifelong learning through developing accessible infrastructure, including by fostering resilience for distance and on-line education and training; Common understanding on recital at technical level: <i>New recital(x) In order to promote social inclusion and combat poverty, particularly among marginalised communities, it is necessary to improve access, also through infrastructure, to social, educational, cultural and recreational services, including sports, taking into account the specific needs of persons with disabilities, children and the elderly.</i>	
	<u>Amendment 52</u> <i>(iia) investment in housing, when owned by public authorities or non-profit operators for use as housing designated for low-income</i>		Provisional common understanding in trilogue on 25/11/2020 [delete] - covered in row 36	35.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>households or people with special needs;</i>			
(iii) increasing the socioeconomic integration of marginalised communities, migrants and disadvantaged groups, through integrated measures including housing and social services;	<u>Amendment 53</u> (iii) increasing promoting the socioeconomic integration inclusion of marginalised communities migrants and disadvantaged and deprived communities such as Roma and disadvantage groups, through integrated measures actions including housing and social services;	[no change]	<i>Provisional common understanding in trilogue on 25/11/2020</i> (iii) increasing promoting the socioeconomic integration inclusion of marginalised communities, such as Roma, migrants and disadvantaged groups, including low income households households at risk of poverty and social exclusion and disadvantaged groups including people with special needs, through integrated measures actions including housing and social services; <i>New recital:(x) The ERDF and the Cohesion Fund should promote the socioeconomic inclusion of marginalised communities, with particular attention paid to the National Roma Integration Strategies such as Roma, low-income households, including households at risk of poverty and</i>	36.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			social exclusion and disadvantaged groups including, people with special needs. In particular, in line with principle 19 of the European Pillar of Social Rights, the ERDF and the Cohesion Fund may support provision of social housing.	
	<u>Amendment 54</u> <i>(iia) promoting long-term socio-economic integration of refugees and migrants under international protection through integrated actions including housing and social services by providing infrastructure support to cities and local authorities involved;</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>(ii) bis promoting the socio-economic integration of third country nationals, including migrants through integrated actions, including housing and social services, at local authority level;</i>	37.
(iv) — ensuring equal access to health care through developing infrastructure, including primary care;	<u>Amendment 55</u> (iv) — ensuring equal access to health care through developing health care infrastructure and other assets , including primary care and preventive measures and advancing the transition from institutional to family-	<i>[no change]</i>	<i>Provisional common understanding</i> (iv) — ensuring equal access to health care through developing infrastructure, including primary care and promoting the transition from institutional to family and community-based	Former 38.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	and community-based care;		care;	
(iv) ensuring equal access to health care through developing infrastructure, including primary care and fostering resilience of health systems;	(iv) ensuring equal access to health care and fostering resilience of health systems, including primary care and promoting the transition from institutional to family- and community-based care;	(iv) ensuring equal access to health care and fostering resilience of health systems, including primary care and promoting the transition from institutional to family- and community-based care;	<i>Provisional common understanding in trilogue on 28/10/2020</i> (iv) ensuring equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family- and community-based care;	38.
(v) enhancing the role of culture and tourism in economic development, social inclusion and social innovation;	(v) enhancing the role of culture and sustainable tourism in economic development, social inclusion and social innovation;	(v) enhancing the role of culture and tourism in economic development, social inclusion and social innovation;	<i>Provisional common understanding at trilogue on 8/12/2020</i> (v) enhancing the role of culture and sustainable tourism in economic development, social inclusion and social innovation; Add new recital: <u>(x) Sustainable tourism requires a balance between economic, social, cultural and environmental sustainability. The approach</u>	38a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p><u>to supporting sustainable tourism should be in accordance with the Commission Communication ‘Agenda for a sustainable and competitive European tourism’. In particular, it should take into account the welfare of tourists, respect the natural and cultural environment and ensure the socio-economic development and competitiveness of destinations and businesses through an integrated and holistic policy approach.</u></p>	
	<p><u>Amendment 56</u> <i>(iva) providing support for physical, economic and social regeneration in deprived communities;</i></p>		<p><i>Provisional common understanding</i></p> <p>EP AM withdrawn with a suggestion for a change to the CPR Code 131;</p> <p>CPR Code 131 amended as follows: Physical, <i>economic and social</i> regeneration and security</p>	39.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
<p>(e) 'a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas and local initiatives' ('PO 5') by:</p>	<p><u>Amendment 57</u></p> <p>(e) 'a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal and coastal and all other areas and local initiatives' ('PO 5') by:</p>	<p>(e) 'a Europe closer to citizens by fostering the sustainable and integrated development of urban, rural and coastal areas and local initiatives all types of territories' ('PO 5') by:</p>	<p>of public spaces</p> <p><i>Provisional common understanding</i></p> <p>To be agreed in the context of the CPR inter-institutional negotiations.</p> <p><i>CPR Provisional common understanding</i></p> <p>(e) a Europe closer to citizens by fostering the sustainable and integrated development of all types of territories urban, rural and coastal areas and local initiatives ('PO 5') by:</p>	40.
<p>(i) fostering the integrated social, economic and environmental development, cultural heritage and security in urban areas;</p>	<p><u>Amendment 58</u></p> <p>(i) fostering the integrated and inclusive social, economic and environmental development, culture, natural cultural heritage, sustainable tourism also through the tourist districts, sports and</p>	<p>(i) fostering the integrated social, economic and environmental local development, and cultural heritage¹⁴, tourism and security in urban areas;</p>	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>(i) fostering the integrated and inclusive social, economic and environmental development, culture, cultural natural heritage, sustainable tourism,</p>	41.

¹⁴ Council position: The following recital will be added:
(10a) Investments supporting the creative and cultural industries, cultural services and cultural heritage sites could be financed under any policy objective provided that they contribute to the specific objectives and that they fall within the scope of support from the ERDF.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	security in urban areas, <i>including functional urban areas</i> ;		and security in urban areas; (x) To ensure the harmonious development of urban areas as well as non-urban areas, the ERDF should provide support under policy objective 5 in an integrated manner to the economic, social and environmental development based on cross-sectoral territorial strategies using integrated territorial development tools. Furthermore, when developing urban areas, special attention should be paid to supporting functional urban areas due to their importance in triggering cooperation between local authorities and partners across administrative borders as well strengthening urban- rural linkages. (x) ERDF should support	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>sustainable tourism in an integrated manner, in particular through strengthening cooperation within functional territories. In order to boost the impact of sustainable tourism on the economy, enterprises and public authorities should systematically cooperate to deliver quality services more efficiently in areas with high potential for tourism, taking due care of creating stable legal and administrative environment conducive for sustainable growth of such areas. Supported actions in the area of sustainable tourism may take into account best practices in this area, such as ‘tourist district’ approach.</p>	
<p>(ii) fostering the integrated social, economic and environmental local development, cultural heritage and security, including for rural and coastal areas also through community-led local development.</p>	<p><u>Amendment 59</u> (ii) fostering the integrated and inclusive social, economic and environmental local development, cultural culture, natural heritage, sustainable tourism also through the</p>	<p>(ii) fostering the integrated social, economic and environmental local development; and cultural heritage, tourism and security; including for rural and coastal in areas other than urban</p>	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>(ii) fostering the integrated and inclusive social, economic and environmental local development, culture, natural</p>	42.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<p><i>tourist districts, sports and security, all at local level, including for rural, mountain, islands and coastal regions, isolated and sparsely populated and all other areas also that have difficulty accessing basic services including also on NUTS 3 level, through community-led territorial and local development strategies, through the forms set out in points (a) (b) and (c) of Article 22 of Regulation (EU) 2018/xxxx [new CPR].</i></p>	<p>areas.</p>	<p>cultural heritage, sustainable tourism and security, including for rural and coastal in areas other than urban areas also through community-led local development.</p> <p>Support under policy objective 5 shall be provided through territorial and local development strategies, through the forms set out in points (a) (b) and (c) of Article 22 of Regulation (EU) 2018/xxxx [new CPR].</p> <p>New recital</p> <p>(x) The ERDF should address the problems of disadvantaged areas, notably rural areas and areas which suffer from severe and permanent natural or demographic handicaps, including demographic decline, in accessing basic services, including digital services, enhancing attractiveness for investment, including through business investments and</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>connectivity to large markets.</p> <p>The ERDF should pay particular attention to the specific difficulties of areas at NUTS level 3 and local administrative unit (LAU) level, as referred to in Regulation (EC) No 1059/2003 and LAU that are sparsely populated, in accordance with the criteria set out in point 161 of the Guidelines on Regional State Aid 2014-2020 namely those that have a population density of 12.5 inhabitants per square kilometre or less, or areas that have suffered from an average annual population decrease of at least 1% of inhabitants over the 2007-2017 period. Member States should consider developing specific voluntary action plans at local level for such areas to counter these population challenges.</p> <p><u>Table 3 to be added in Annex I CPR (see end of table)</u></p>	
			<i>Provisional common</i>	42a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p><i>understanding in trilogue on 8/12/2020</i></p> <p><u>Recital 1 of the current ERDF-CF proposal (linked to rows 6-8):</u></p> <p>Article 176 of the Treaty on the Functioning of the European Union ('TFEU') provides that the European Regional Development Fund ('ERDF') is intended to help to redress the main regional imbalances in the Union. Under that Article and the second and third paragraphs of Article 174 of the TFEU, the ERDF is to contribute to reducing disparities between the levels of development of the various regions and to reducing the backwardness of the least favoured regions, among which particular attention is to be paid to regions which suffer from severe and permanent natural or demographic handicaps, <u>including in particular handicaps resulting from demographic decline</u>, such as the northernmost regions with</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			very low population density and islands, cross-border and mountain regions.	
		1(bis). Under the two specific objectives of point (e) of paragraph 1, Member States may also support operations which can be funded under the specific objectives set out under points (a) to (d) of paragraph 1.	<i>Provisional common understanding</i> 1(bis). Under the two specific objectives of point (e) of paragraph 1, Member States may also support operations which can be funded under the specific objectives set out under points (a) to (d) of paragraph 1.	43.
	<u>Amendment 60</u> <i>1a. Enhancing small-scale multimodal urban mobility as referred to in point b (vii a) of this Article, which shall be considered eligible for support if ERDF contribution to the operation shall not exceed EUR 10 000 000.</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>EP amendment withdrawn</i>	44.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
2. The Cohesion Fund shall support PO 2 and specific objectives under PO 3 set out in points (ii), (iii) and (iv) of paragraph 1(c).	<i>[no change]</i>	2. The Cohesion Fund shall support PO 2 and specific objectives objectives under PO 3 set out in points (ii), and (iii) and (iv) of paragraph 1(c).	<i>Provisional common understanding in trilogue on 25/11/2020</i> 2. The Cohesion Fund shall support PO 2 and specific objectives objectives under PO 3 set out in points (ii), and (iii) and (iv) of paragraph 1(c). Link with lines 26 and 31.	45.
3. With regard to the specific objectives set out in paragraph 1, the ERDF or the Cohesion Fund, as appropriate, may also support activities under the Investment for jobs and growth goal, where they either:	<u>Amendment 61</u> With regard to achieving the specific objectives set out in paragraph 1, the ERDF or the Cohesion Fund as appropriate, may also support activities under the Investment for jobs and growth goal, where they either:	3. With regard to the specific objectives set out in paragraph paragraph 1, the ERDF or the Cohesion Fund, as appropriate, may also support activities under the Investment for jobs and growth goal, where they either:	<i>Provisional common understanding</i> 3. Within regard to the specific objectives set out in paragraph paragraph 1, the ERDF or the Cohesion Fund, as appropriate, may also support activities under the Investment for jobs and growth goal, where they either:	46.
(a) improve the capacity of programme authorities, and bodies linked to the implementation of the Funds;	<u>Amendment 62</u> (a) improve the capacity of programme authorities, and bodies linked to the implementation of the Funds,	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> (a) improve the capacity of	47.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<p><i>and support public authorities, local and regional administrations responsible for implementation of the ERDF and the Cohesion Fund, through specific administrative capacity-building plans aimed at localising the Sustainable Development Goals (SDGs), simplifying procedures and cutting implementation time for actions, provided these are structural in nature and the programme itself has measurable objectives;</i></p>		<p>programme authorities, and bodies linked to the implementation of the Funds;</p> <p>(a)bis improve the capacity of sectoral or territorial actors responsible for carrying out activities relevant to the implementation of the ERDF and the Cohesion Fund, provided that it contributes to the objectives of the programme.</p> <p><i>EP proposal Recital (12) agreed</i></p> <p>In order to improve overall administrative capacity of institutions and governance in Member States implementing programmes under the Investment for jobs and growth, it is necessary to enable supporting measures <i>for programme authorities and sectoral or territorial actors responsible for carrying out activities relevant to the implementation of the ERDF/CF</i> under all of the</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			specific objectives <i>pursued taking into account the horizontal principles referred to in the Common Provision Regulation including UN Sustainable Development Goals.</i>	
	<u>Amendment 63</u> <i>Support of capacity-building, referred to point (a) of this Article, may be complemented by additional support from the Reform Support Programme established under regulation EU (2018/xxx (Reform Support Programme));</i>		<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>EP amendment withdrawn</i>	48.
(b) enhance cooperation with partners both within and outside a given Member State.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding</i> <i>[no change]</i>	49.
Cooperation referred to in point (b) shall include cooperation with partners from cross-border regions, from non-contiguous regions or from regions located in the territory covered by a macro-	<u>Amendment 64</u> Cooperation referred to in point (b) shall include cooperation with partners from cross-border regions, from non-contiguous	<i>[no change]</i>	<i>Provisional common understanding</i> Cooperation referred to in point (b) shall include cooperation with partners from cross-border	50.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
regional or sea-basin strategy or a combination thereof.	regions or from regions located in the territory covered by a European Grouping of Territorial Cooperation , a macro-regional or sea-basin strategy or a combination thereof.		regions, from non-contiguous regions or from regions located in the territory covered by a European Grouping of Territorial Cooperation , a macro-regional or sea-basin strategy or a combination thereof.	
	<u>Amendment 65</u> Meaningful participation of regional and local authorities, civil society organisations including beneficiaries in all stages of the preparation, implementation, monitoring and evaluation of the Programmes under ERDF shall be ensured in line with principles, set in the European Code of Conduct on Partnership.		<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>EP amendment withdrawn</i>	51.
<i>Article 3¹⁵</i> <i>Thematic concentration of ERDF support</i>	<i>[no change]</i>	<i>[no change]</i> <i>Article 3</i>	<i>Provisional common understanding in trilogue on 8/12/2020</i>	52.

¹⁵ EP position on two recitals linked to Article 3:

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		<i>Thematic concentration of ERDF support</i>	<i>[no change]</i> <i>Article 3 Thematic concentration</i>	
1. With regard to programmes implemented under the Investment for jobs and growth goal, the total ERDF resources in each Member State shall be concentrated at national level in accordance with paragraphs 3 and 4.	<i>[no change]</i>	1. With regard to programmes implemented under the Investment for jobs and growth goal, the total ERDF resources, other than for technical assistance , in each Member State shall be concentrated at national level or at the level of categories of	<i>Provisional common understanding in trilogue on 8/12/2020</i> 1. With regard to programmes implemented under the Investment for jobs and growth goal, the total ERDF resources, other than for technical assistance , in each	53.

Recital (17): The ERDF should help to redress the main regional imbalances in the Union and to reduce disparities between the levels of development of the various regions and the backwardness of the least favoured regions including those facing challenges due to the decarbonisation commitments **through financial support for the transitional period. It should also foster resilience and prevent vulnerable territories from falling behind.** ERDF support under the Investment for jobs and growth goal should therefore be concentrated on key Union priorities in line with policy objectives laid down in Regulation (EU) 2018/xxx [new CPR]. Therefore support from the ERDF should be concentrated **specifically** on the policy **two** objectives of a 'a smarter Europe by promoting innovative, and smart **and inclusive economic development and transformation**', **regional connectivity in the area of technologies, developing the information and communication technologies (ICT), connectivity and efficient public administration** and 'a greener, low-carbon **and resilient** Europe **for all** by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management' **while taking account of the overall policy objectives of a more cohesive and solidarity-based Europe helping reduce economic, social and territorial asymmetries.** ~~That~~ **while taking account of the overall policy objectives of a more cohesive and solidarity-based Europe helping reduce economic, social and territorial asymmetries.** ~~Said~~ thematic concentration should be attained at national level, while allowing **margins** for flexibility at the level of individual programmes and between the three groups of Member States formed according to respective gross national income **various categories of regions, taking account too of different levels of development.** In addition, the methodology to classify **the regions** Member States should be set out in detail taking into account the specific situation of the outermost regions. **[Am. 14]**

Recital (18) In order to concentrate the support on key Union priorities **and in line with the objectives of social, economic and territorial cohesion set out in Article 174 TFEU and the policy objectives laid down in Regulation (EU) 2018/xxx [new CPR]**, it is also appropriate that thematic concentration requirements should be respected throughout the programming period, including in the case of transfer between priorities within a programme or between programmes. **[Am. 16]**

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		regions in accordance with paragraphs 2a , 3 , 3a and 4 .	Member State shall be concentrated at national level or at the level of categories of regions in accordance with paragraphs 2a , 3 , 3a , 4 , 4a , 4b and 4c .	
2. With regard to the thematic concentration of support for Member States comprising outermost regions, the ERDF resources allocated specifically to programmes for the outermost regions and those allocated to all other regions shall be treated separately.	<i>[no change]</i>	[no change] 2. With regard to the thematic concentration of support for Member States comprising outermost regions, the ERDF resources allocated specifically to programmes for the outermost regions and those allocated to all other regions shall be treated separately.	<i>Provisional common understanding in trilogue on 25/11/2020</i> [no change] 2. With regard to the thematic concentration of support for Member States comprising outermost regions, the ERDF resources allocated specifically to programmes for the outermost regions and those allocated to all other regions shall be treated separately.	54.
		2a. Member States may decide to comply with thematic concentration at national level or at the level of categories of regions. Each Member State shall indicate its choice in its Partnership Agreement. This choice shall	<i>Provisional common understanding in trilogue on 8/12/2020</i> 2a. Member States may decide to comply with thematic concentration at national level or at the level of categories of	54a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		apply to the total of that Member State's ERDF resources for the entire programming period.	regions. Each Member State shall indicate its choice in its Partnership Agreement referred to in Article [7] of Regulation (EU) [CPR]. This choice shall apply to the total of that Member State's ERDF resources referred to in paragraph 1 for the entire programming period.	
3. Member States shall be classified, in terms of their gross national income ratio, as follows:	<u>Amendment 66</u> Member States Regions at NUTS 2 level shall be classified, in terms of their gross national income domestic product (GDP) per capita , as follows:	3. For the purposes of a thematic concentration at national level , Member States shall be classified, in terms of their gross national income ratio, as follows:	<i>Provisional common understanding in trilogue on 25/11/2020</i> 3. For the purposes of a thematic concentration at national level , Member States shall be classified, in terms of their gross national income ratio, as follows:	55.
(a) those with a gross national income ratio equal to or above 100 % of the EU average (‘group 1’);	<u>Amendment 67</u> (a) those with a gross national income ratio equal to or GDP per capita above 100 % of the EU average GDP of the EU27 (‘group 1’);	(a) those with a gross national income ratio equal to or above 100 % of the EU average (‘group 1’);	<i>Provisional common understanding in trilogue on 25/11/2020</i> (a) those with a gross national income ratio equal to or above 100 % of the EU average (‘group 1’);	56.
(b) those with a gross national income ratio equal to or above 75 % and below 100 % of the EU	<u>Amendment 68</u> (b) those with a gross	(b) those with a gross national income ratio equal to or above 75 % and below 100	<i>Provisional common understanding in trilogue on 25/11/2020</i>	57.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
average ('group 2');	national income ratio equal to or above 75 % and below GDP per capita between 75 % and 100 % of the EU average GDP of the EU27 ('group 2');	% of the EU average ('group 2');	(b) those with a gross national income ratio equal to or above 75 % and below 100 % of the EU average ('group 2');	
(c) those with a gross national income ratio below 75 % of the EU average ('group 3').	<u>Amendment 69</u> (c) those with a gross national income ratio below GDP per capita less than 75 % of the EU average GDP of the EU27 average ('group 3').	(c) those with a gross national income ratio below 75 % of the EU average ('group 3').	<i>Provisional common understanding in trilogue on 25/11/2020</i> (c) those with a gross national income ratio below 75 % of the EU average ('group 3').	58.
For the purposes of this Article, the gross national income ratio means the ratio between the gross national income <i>per capita</i> of a Member State, measured in purchasing power standards and calculated on the basis of Union figures for the period from 2014 to 2016, and the average gross national income per capita in purchasing power standards of the 27 Member States for that same reference period.	<u>Amendment 70</u> For the purposes of this Article, the gross national income ratio means classification of a region under one of the three categories of regions shall be determined on the basis of the ratio between the gross national income domestic product per capita of a Member State each region , measured in purchasing power standards (PPS) and calculated on the basis of Union figures for the period from 2014 to 2016, and the average	For the purposes of this Article, the gross national income ratio means the ratio between the gross national income <i>per capita</i> of a Member State, measured in purchasing power standards and calculated on the basis of Union figures for the period from 2014 to 2016 2015 to 2017, and the average gross national income per capita in purchasing power standards of the 27 Member States for that same reference period.	<i>Provisional common understanding in trilogue on 25/11/2020</i> For the purposes of this Article, the gross national income ratio means the ratio between the gross national income <i>per capita</i> of a Member State, measured in purchasing power standards and calculated on the basis of Union figures for the period from 2014 to 2016 2015 to 2017, and the average gross national income per capita in purchasing power standards of the 27 Member States for that same reference period.	59.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	gross national income per capita in purchasing power standards GDP of the 27 Member States EU27 for that same reference period.			
With regard to programmes under the Investment for Jobs and growth goal for the outermost regions, they shall be classified as falling within group 3.	<i>[no change]</i>	<i>[no change]</i> With regard to programmes under the Investment for Jobs and growth goal for the outermost regions, they shall be classified as falling within group 3.	<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>[no change]</i> With regard to programmes under the Investment for Jobs and growth goal for the outermost regions, they shall be classified as falling within group 3.	60.
		With regard to programmes under the Investment for Jobs and growth goal for island Member States which receive support from the Cohesion Fund, they shall be classified as falling within group 3.	<i>Provisional common understanding in trilogue on 25/11/2020</i> With regard to programmes under the Investment for Jobs and growth goal for island Member States which receive support from the Cohesion Fund, they shall be classified as falling within group 3.	60a.
		3a. For the purposes of a	<i>Provisional common understanding in trilogue on</i>	60b.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		<p>thematic concentration at the level of categories of regions, regions shall be classified in accordance with Article 102(2) CPR, as follows:</p> <p>(a) more developed regions;</p> <p>(b) transition regions;</p> <p>(c) less developed regions.</p>	<p>8/12/2020</p> <p>3a. For the purposes of a thematic concentration at the level of categories of regions, regions shall be classified by categories of region in accordance with Article 102(2) CPR, as:</p> <p>(a) more developed regions;</p> <p>(b) transition regions;</p> <p>(c) less developed regions.</p>	
4. Member States shall comply with the following thematic concentration requirements:	<i>[no change]</i>	<p>[no change]</p> <p>4. Member States shall comply with the following thematic concentration requirements:</p>	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>4. Member States shall comply at national level with the following thematic concentration requirements:</p>	61.
(a) Member States of group 1 shall allocate at least 85 % of their total ERDF resources under priorities other than for technical assistance to PO 1 and PO 2, and at least 60 % to PO 1;	<p><u>Amendment 71</u></p> <p>(a) Member States of For the more developed regions category (group 1) they shall allocate at least 85 % of their total ERDF resources under priorities other than for</p>	(a) Member States of group 1 or more developed regions shall allocate at least 85 % of their total ERDF resources under priorities other than for technical assistance to PO 1 and PO 2, and at least 60 30% to	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>(a) Member States of group 1 or more developed regions shall allocate at least 85 % of their total ERDF resources</p>	62.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	technical assistance to PO 1 and PO 2, and at least 60 % to PO 1;	PO 1 PO 2;	referred to in paragraph 1 under priorities other than for technical assistance to PO 1 and PO 2 and at least 30 % to PO 2;	
	<u>Amendment 72</u> (i) at least 50 % of total ERDF resources at national level to PO 1; and		Provisional common understanding in trilogue on 25/11/2020 Covered in row 62	63.
	<u>Amendment 73</u> (ii) at least 30 % of total ERDF resources at national level to PO 2.		Provisional common understanding in trilogue on 25/11/2020 Covered in row 62	64.
(b) Member States of group 2 shall allocate at least 45 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2;	<u>Amendment 74</u> (b) Member States of For the transition regions category (group 2) they shall allocate at least 45 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2;	(b) Member States of group 2 or transition regions shall allocate at least 45-40 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2;	Provisional common understanding in trilogue on 8/12/2020 (b) Member States of group 2 or transition regions shall allocate at least 45-40 % of their total ERDF resources referred to in paragraph 1 under total ERDF resources referred to in paragraph 1 under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2;	65.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<u>Amendment 75</u> (i) <i>at least 40 % of total ERDF resources at national level to PO 1 and</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>Covered in row 65</i>	66.
	<u>Amendment 76</u> (ii) <i>at least 30 % of total ERDF resources at national level to PO 2.</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>Covered in row 65</i>	67.
(c) Member States of group 3 shall allocate at least 35 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2.	<u>Amendment 77</u> (c) Member States of <i>For the less developed regions category (group 3) they shall allocate at least 35 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2.:</i>	(c) Member States of group 3 or less developed regions shall allocate at least 35-25 25 % of their total ERDF resources under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2.	<i>Provisional common understanding in trilogue on 8/12/2020</i> (c) Member States of group 3 or less developed regions shall allocate at least 35-25 25 % of their total ERDF resources referred to in paragraph 1 under priorities other than for technical assistance to PO 1, and at least 30 % to PO 2.	68.
	<u>Amendment 78</u> (i) <i>at least 30 % of total ERDF resources at national level to PO 1 and</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>Covered in row 68</i>	69.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<u>Amendment 79</u> <i>(ii) at least 30 % of total ERDF resources at national level to PO 2.</i>		<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>Covered in row 68</i>	70.
	<u>Amendment 80</u> <i>4a. In duly justified cases, the Member State concerned may request that the concentration level for resources at regional category level be decreased by no more than 5 percentage points, or 10 percentage points in the cases of outermost regions, for the thematic objective determined in accordance with Article 3(4)(a)(i), Article 3(4)(b)(i) and Article 3(4)(c)(i) [new ERDF-Cohesion Fund].</i>		<i>Amendment withdrawn by the EP in trilogue on 25/11/2020</i>	71.
		Where a Member State decides to comply with thematic concentration requirements at the level of categories of regions, the above thresholds shall apply to the total ERDF allocation	<i>Provisional common understanding in trilogue on 8/12/2020</i> Where a Member State decides to comply with thematic concentration requirements at	71a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		for all regions falling in the respective category of region.	the level of categories of regions, the above thresholds set out in the first subparagraph shall apply to the total -ERDF resources referred to in paragraph 1 for all regions falling in the respective category of region.	
		4a. By way of derogation from paragraph 4, where a Member State allocates more than 50% of its total Cohesion Fund allocation to PO2 as calculated after the transfer set out in Article 104(4) [new CPR], the allocation exceeding that 50% share may be taken into account for calculating the thematic concentration requirements set out in paragraph 4. If a Member State decides to comply with thematic concentration at the level of categories of regions, those resources shall be allocated pro rata to the different categories of regions based on their relative share of the total population of the	<i>Provisional common understanding in trilogue on 8/12/2020</i> 4a. Where a Member State allocates to PO 2 more than 50% of its total Cohesion Fund resources other than for technical assistance allocation to PO2 as calculated after the transfer set out in Article 104(4) [new CPR], excluding resources under the specific objective referred to in point (b)(viii) of Article 2(1), the allocation exceeding the 50% may be taken into account when calculating the compliance with the thematic concentration requirements set out in paragraph 4.	71b.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		<p>Member State concerned. Member States shall set out in the Partnership Agreement whether the thematic concentration is calculated at national level or at the level of the category of region and whether the Cohesion Fund resources are taken into account.</p>	<p>If a Member State decides to comply with thematic concentration at the level of categories of regions, the Cohesion Fund resources that are taken into account for thematic concentration requirements in accordance with the first subparagraph, shall be allocated pro rata to the different categories of regions based on their relative share of the total population of the Member State concerned. Member States shall set out in their Partnership Agreement referred to in Article [7] of Regulation (EU) [CPR] whether the Cohesion Fund resources will be taken into account for thematic concentration requirement for PO2.</p>	
			<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>4b. The resources under the specific objective referred to in</p>	71c.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>point (a)(v) of Article 2(1) shall be programmed under a dedicated priority.</p> <p>By way of derogation from paragraph 4, 40% of such resources shall be taken into account when calculating compliance with the thematic concentration requirements for PO1 set out in paragraph 4.</p> <p>The resources taken into account for thematic concentration requirements in accordance with the second subparagraph shall not exceed 40 % of the minimum thematic concentration requirements for PO1 set out in paragraph 4.</p>	
			<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>4c. The resources under the specific objective referred to in point (b)(viii) of Article 2(1)</p>	71d.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>shall be programmed under a dedicated priority.</p> <p>By way of derogation from paragraph 4, 50% of such resources shall be taken into account when calculating compliance with the thematic concentration requirements for PO 2 set out in paragraph 4.</p> <p>The resources taken into account for thematic concentration requirements in accordance with the second subparagraph shall not exceed 50% of the minimum thematic concentration requirements for PO2 set out in paragraph 4.</p>	
<p>5. The thematic concentration requirements set out in paragraph 4 shall be complied with throughout the entire programming period, including when ERDF allocations are transferred between priorities of a programme or between programmes and at the mid-term review in accordance with Article</p>	<p><i>[no change]</i></p>	<p>[no change]</p> <p>5. The thematic concentration requirements set out in paragraph 4 shall be complied with throughout the entire programming period, including when ERDF allocations are transferred between priorities of a programme or between</p>	<p><i>Provisional common understanding in trilogue on 25/11/2020</i></p> <p>[no change]</p> <p>5. The thematic concentration requirements set out in paragraph 4 shall be complied with throughout the entire programming period,</p>	<p>72.</p>

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
[14] of Regulation (EU) 2018/xxxx [new CPR].		programmes and at the mid- term review in accordance with Article [14] of Regulation (EU) 2018/xxxx [new CPR].	including when ERDF allocations are transferred between priorities of a programme or between programmes and at the mid-term review in accordance with Article [14] of Regulation (EU) 2018/xxxx [new CPR].	
6. Where the ERDF allocation with regard to PO 1 or PO 2 or both of a given programme is reduced following a decommitment under Article [99] of Regulation (EU) 2018/xxxx [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with the thematic concentration requirement set out in paragraph 4 shall not be re- assessed.	<u>Amendment 81</u> 6. Where the ERDF allocation with regard to concerning PO 1 or PO 2, the main policy objectives , or both of a given programme is reduced following a decommitment under Article [99] of Regulation (EU) 2018/xxxx [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with the thematic concentration requirement set out in paragraph 4 shall not be re-assessed.	[no change] 6. Where the ERDF allocation with regard to PO 1 or PO 2 or both of a given programme is reduced following a decommitment under Article [99] of Regulation (EU) 2018/xxxx [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with the thematic concentration requirement set out in paragraph 4 shall not be re- assessed.	<i>Provisional common understanding on 8/12/2020</i> [no change] 6. Where the ERDF allocation with regard to PO 1 or PO 2 or both of a given programme is reduced following a decommitment under Article [99] of Regulation (EU) 2018/xxxx [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with the thematic concentration requirement set out in paragraph 4 shall not be re- assessed.	73.
		7. This Article shall not apply to the additional funding for northern sparsely	<i>Provisional common understanding in trilogue on 25/11/2020</i>	73a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)452
		populated regions referred to in Article 104(1)(e).	7. This Article shall not apply to the additional funding for northern sparsely populated regions referred to in Article 104(1)(e).	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
<i>Article 4¹⁶</i> <i>Scope of support from the ERDF</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on</i>	74.

¹⁶ EP position on two recitals linked to Article 4:
Recital (15): In order to enable the ERDF to provide support under ETC/Interreg in terms of both investments in infrastructure and the associated investments, training and integration activities, **for the improvement and development of administrative skills and competences**, it is necessary to provide that the ERDF may also provide support for activities under the specific objectives of the ESF+, set up under Regulation (EU) 2018/XXX of the European Parliament and of the Council [new ESF+]¹⁶. [Am. 12]
Recital (16): In order to concentrate the use of limited resources in the most efficient way, the support given to by the ERDF to productive investments under the relevant specific objective, should be ~~limited~~ **directed** to only micro, small and medium-sized enterprises ('SMEs') within the meaning of Commission Recommendation 2003/361/EC¹⁶, ~~except where investments involve cooperation with SMEs in research and innovation activities~~ **and to enterprises other than SMEs, without prejudice to jobs related to the same or similar activity in other European regions, within the meaning of Article 60 of Regulation (EU) .../... [new CPR]**. [Am. 190/rev]
Recital (19): This Regulation should set out the different types of activities the costs of which may be supported by means of investments from the ERDF and the Cohesion Fund, under their respective objectives as set out in the **TFEU including crowdfunding**. The Cohesion Fund should be able to support investments in the environment and in TEN-T. With regard to the ERDF, the list of activities should **take into account specific national and regional development needs as well as endogenous potential and be simplified and it should be able to support investments in infrastructure, including research and innovation infrastructure and facilities, cultural and heritage infrastructure, sustainable tourism infrastructure also through the tourist districts, services to enterprises, as well as investments in housing**, investments in relation to access to services **with a particular focus on disadvantaged, marginalised and segregated communities**, productive investments in SME's, equipment, software and intangible assets, **incentives during the transition period of regions in the process of decarbonisation**, as well as measures with regard to information, communication, studies, networking, cooperation, exchange of experiences **between partners** and activities involving clusters. In order to support the programme implementation, both funds should also be able to support technical assistance activities. Finally, in order to support provide for a broader range of interventions for Interreg programmes, the scope should be enlarged to also include the sharing a broad range of facilities and human resources and costs linked to measures within the scope of the ESF+. [AM 18]
To be seen together with lines 36 and 37 together with all recitals: COM technical input for recital 19: *This Regulation should set out the different types of activities the costs of which may be supported by means of investments from the ERDF and the Cohesion Fund, under their respective objectives as set out in the TFEU including crowdfunding. The Cohesion Fund should be able to support investments in the environment and in TEN-T. With regard to the ERDF, the list of activities should take into account specific national and regional development needs as well as endogenous potential and be simplified and it should be able to support investments in infrastructure, including for research and innovation infrastructure and facilities, business infrastructure for SMEs, investment in housing for marginalised communities and disadvantaged groups, including low income households and migrants infrastructure, cultural and heritage infrastructure, sustainable tourism infrastructure also through the tourist districts, and services to enterprises, as well as investments in housing*, investments in relation to access to services **with a particular focus on disadvantaged, marginalised and segregated communities**, productive investments in SME's, equipment, software and intangible assets, ~~incentives during the transition period of regions in the process of decarbonisation~~, as well as measures with regard to information, communication, studies, networking, cooperation, exchange of experiences **between partners** and activities involving clusters. In order to support the programme implementation, both funds should also be able to support technical assistance activities. Finally, in order to support provide for a broader range of interventions for Interreg programmes, the scope should be enlarged to also include the sharing a broad range of facilities and human

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			28/10/2020 [no change]	
1. The ERDF shall support the following:	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	75.
(a) investments in infrastructure;	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	76.
	<u>Amendment 83 and 191/rev</u> (aa) investments in research, development and innovation (R&D&I);		Provisional common understanding in trilogue on 28/10/2020 (a)bis activities for applied research and innovation, including industrial research, experimental development and feasibility studies; Provisional common understanding on the CPR codes of intervention:	77.

resources and costs linked to measures within the scope of the ESF+.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p><u>CPR Annex I - Codes 001-003</u></p> <p>001: Investment in fixed assets, including research infrastructure, in micro enterprises directly linked to research and innovation activities;</p> <p>002: Investment in fixed assets, including research infrastructure, in small and medium-sized enterprises (including private research centres) directly linked to research and innovation activities;</p> <p>003: Investment in fixed assets, including research infrastructure, in public research centres and higher education directly linked to research and innovation activities;</p>	
(b) investments in access to services;	<i>[no change]</i>	<i>[no change]</i>	<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p><i>[no change]</i></p>	78.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
(c) productive investments in SMEs;	<u>Amendments 84 and 192/rev</u> (c) productive investments <i>and investments which help to safeguard existing jobs and create new jobs in SMEs and any support in SMEs in the form of grants and financial instruments;</i>	(c) productive investments in SMEs; ¹⁷	<i>Provisional common understanding in trilogue on 28/10/2020</i> (c) productive investments in SMEs and investments aiming at safeguarding existing jobs and creating new jobs;	79.
(d) equipment, software and intangible assets;	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>[no change]</i>	80.
		(d)bis networking, cooperation, exchange of experience and activities involving clusters;	<i>Provisional common understanding</i> (d) bis networking, cooperation, exchange of	81.

¹⁷ Council position: N.B. Recital 19 will be amended as follows:

(19) This Regulation should set out the different types of activities the costs of which may be supported by means of investments from the ERDF and the Cohesion Fund, under their respective objectives as set out in the TFEU. The Cohesion Fund should be able to support investments in the environment and in TEN-T. With regard to the ERDF, the list of activities should be simplified and it should be able to support investments in infrastructure, investments in relation to access to services, productive investments in SME's, equipment, software and intangible assets, as well as measures with regard to information, communication, studies, networking, cooperation, exchange of experiences and activities involving clusters. **Productive investment should be understood as investment in fixed capital or immaterial assets of enterprises, in view of producing goods and services thereby contributing to gross capital formation and employment.** In order to support the programme implementation, both funds should also be able to support technical assistance activities. Finally, in order to support provide for a broader range of interventions for Interreg programmes, the scope should be enlarged to also include the sharing a broad range of facilities and human resources and costs linked to measures within the scope of the ESF+.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>experience and activities involving innovation clusters including between businesses, research organisations and public authorities;</p> <p><u>CPR Annex I – Code 019</u></p> <p>019 Support for innovation clusters support including between businesses, research organisations and public authorities and business networks primarily benefiting SMEs</p>	
(e) information, communication, studies, networking, cooperation, exchange of experience and activities involving clusters;	[no change]	(e) information, communication, and studies , networking, cooperation, exchange of experience and activities involving clusters;	<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p>(e) information, communication, and studies, networking, cooperation, exchange of experience and activities involving clusters;</p>	82.
(f) technical assistance.	[no change]	[no change]	<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p>[no change]</p>	83.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
<p>In addition, productive investments in enterprises other than SMEs can be supported when they involve cooperation with SMEs in research and innovation activities supported under point (a)(i) of Article 2 (1).</p>	<p><u>Amendment 193/rev</u> In addition, Productive investments in enterprises other than SMEs can be supported when they involve cooperation with SMEs <i>or business infrastructure that benefits SMEs.</i></p> <p><i>In addition, productive investments in enterprises other than SMEs can also be supported in research and innovation activities supported under point (a)(i) of Article 2 (1) and in energy efficiency and renewable energy activities under points (b)(i) and (ii) of Article 2 (1) respectively, in accordance with point (a) of Article 59(1) and Article 60 of Regulation (EU) .../...[new CPR].</i></p>	<p>In addition, productive investments in enterprises other than SMEs can be supported;</p> <p>- through financial instruments;</p> <p>- when they involve cooperation with SMEs in research and innovation activities supported under point (a)(i) of Article 2 (1);</p> <p><u>or</u></p> <p>- when primarily supporting energy efficiency measures and renewable energy under point (b)(i) and (ii) of Article 2(1).</p>	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>In addition, productive investments in enterprises other than SMEs can be supported:</p> <p>- when they involve cooperation with SMEs in research and innovation activities supported under point (a)(i) of Article 2(1);</p> <p>- when primarily supporting energy efficiency measures and renewable energy under points (b)(i) and (ii) of Article 2(1);</p> <p>- in small mid-cap and mid-cap companies as defined in Article 2(6) and 2(7) of Regulation (EU) No 2015/1017 of the European Parliament and the Council¹⁸ through financial instruments; or</p> <p>- in small mid-cap companies as defined in Article 2(6) of</p>	84.

¹⁸ Regulation (EU) No 2015/1017 of the European Parliament and the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)452
			<p>Regulation (EU) No 2015/1017 in research and innovation activities supported under point (a)(i) of Article 2(1).</p> <p>A new recital (next to recital 19)</p> <p>In the context of the ERDF support for productive investment it is opportune to clarify that productive investment should be understood as investment in fixed capital or immaterial assets of enterprises, in view of producing goods and services thereby contributing to gross capital formation and employment. It should also be provided, that under certain conditions the ERDF and the Cohesion Fund might support investment in enterprises other than SMEs. Furthermore, based on the experience of previous programming periods the ERDF and the Cohesion Fund should also support investment in enterprises other than SMEs, including in</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			particular utilities, when they concern investment in infrastructure ensuring access to services available to the public in the field of energy, environment and biodiversity, transport and digital connectivity.	
		Productive investments in small mid-cap companies as defined in Article 2(6) of Regulation (EU) No 2015/1017 of the European Parliament and the Council¹⁹ can also be supported in research and innovation activities supported under point (a)(i) of Article 2(1).	<i>Provisional common understanding in trilogue on 28/10/2020</i> [deleted as covered by row 84]	85.
In order to contribute to the specific objective under PO 1 set out in point (a) (iv) of Article 2(1), the ERDF shall also support training, life long learning and education activities.	<u>Amendments 87 and 194/rev</u> In order to contribute to the specific objective under PO 1 set out in point (a) (iv) of Article 2(1), the ERDF shall also support training, mentoring , life long learning,	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> In order to contribute to the specific objective under PO 1 set out in point (a) (iv) of Article	86.

¹⁹ Regulation (EU) No 2015/1017 of the European Parliament and the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>reskilling</i> and education activities.		2(1), the ERDF shall also support training, life-long learning, reskilling and education activities.	
In order to contribute to the specific objective under PO 2 set out in point (b)(iv) of Article 2(1) and to the specific objective under PO 4 set out in point (d) (iv) of that Article, the ERDF shall also support the purchase of supplies necessary for strengthening the resilience of health systems and for strengthening disaster resilience.	[no change]	[no change]	<i>Provisional common understanding in trilogue on 25/11/2020</i> [no change] In order to contribute to the specific objective under PO 2 set out in point (b)(iv) of Article 2(1) and to the specific objective under PO 4 set out in point (d) (iv) of that Article, the ERDF shall also support the purchase of supplies necessary for strengthening the resilience of health systems and for strengthening disaster resilience.	86a.
2. Under the European territorial cooperation goal (Interreg), the ERDF may also support:	[no change]	[no change]	<i>Provisional common understanding in trilogue on 28/10/2020</i> [no change]	87.
(a) sharing of facilities and of human resources;	[no change]	[no change]	<i>Provisional common understanding in trilogue on 28/10/2020</i>	88.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
(b) accompanying soft investments and other activities linked to PO 4 under the European Social Fund Plus as set out in Regulation (EU) 2018/xxxx [new ESF+].	[no change]	[no change]	[no change] Provisional common understanding in trilogue on 28/10/2020 [no change]	89.
²⁰ Related to rows 175a-175e		²¹ 3. In addition, the ERDF supports the financing of working capital in SMEs in the form of grants, where strictly necessary as a	Provisional common understanding in trilogue on 8/12/2020 ²² 3. In addition, the ERDF supports the financing of	89a.

²⁰ Commission Recital (27a): "(27a) In order to allow for a rapid response to exceptional and unusual circumstances as referred to in the Stability and Growth Pact that may arise during the programming period, temporary measures should be provided for to facilitate the use of the support from the ERDF in response to such circumstances. Furthermore, the implementing powers in relation to the temporary measures for the use of the Funds in response to exceptional and unusual circumstances should be adopted without committee procedures given that the scope of application is determined by the Stability and Growth Pact and limited to the measures set out in this Regulation."

²¹ Council Recital (27a): "(27a) In order to allow for a rapid response to exceptional and unusual circumstances as referred to in the Stability and Growth Pact that may arise during the programming period, **implementing powers should be conferred to the Commission to adopt** temporary measures ~~should be provided for~~ to facilitate the use of the support from the ERDF in response to such circumstances. **The Commission should adopt the measures that are most appropriate in light of the exceptional or unusual circumstances that a Member State is facing while preserving the objectives of the fund.** Furthermore, the implementing powers in relation to the temporary measures for the use of the Funds in response to exceptional and unusual circumstances should be adopted without committee procedures given that the scope of application is determined by the Stability and Growth Pact and limited to the measures set out in this Regulation. **The Commission should also monitor the implementation and assess the appropriateness of the measures.**"

²² Provisional common understanding on recital 27a in trilogue on 8/12/2020: "(27a) In order to allow for a rapid response to exceptional and unusual circumstances as referred to in the Stability and Growth Pact that may arise during the programming period, **implementing powers should be conferred to the Commission to adopt** temporary measures ~~should be provided for~~ to facilitate the use of the support from the ERDF in response to such circumstances. **The Commission should adopt the measures that are most appropriate in light of the exceptional or unusual circumstances that a Member State is facing while preserving the objectives of the fund.** Furthermore, the

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		temporary measure to respond to exceptional or unusual circumstances referred to in Article 15a of [Common Provisions Regulation].	working capital in SMEs in the form of grants, where strictly necessary as a temporary measure to respond to exceptional or unusual circumstances referred to in Article 15a of [Common Provisions Regulation].	
		Where, upon a request submitted by the Member States concerned, the Commission finds that the requirements laid down in the first subparagraph are fulfilled, it shall adopt an implementing decision specifying the period during which the temporary additional support from ERDF is authorised.	<i>Provisional common understanding in trilogue on 8/12/2020</i> Where, upon a request submitted by the Member States concerned, the Commission finds that the requirements laid down in the first subparagraph are fulfilled, it shall adopt an implementing decision specifying the period during which the temporary additional support from ERDF is authorised.	89b.

implementing powers in relation to the temporary measures for the use of the Funds in response to exceptional and unusual circumstances should be adopted without committee procedures given that the scope of application is determined by the Stability and Growth Pact and limited to the measures set out in this Regulation. **The Commission should also monitor the implementation and assess the appropriateness of the measures."**

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		<p>The Commission shall monitor the implementation of this paragraph and assess whether the temporary additional support from ERDF is sufficient to facilitate the use of the fund in response to the exceptional and unusual circumstances. On the basis of its assessment, the Commission shall, where deemed appropriate, make proposals for amendments to this Regulation, including on thematic concentration requirements in Article 3.</p>	<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p>The Commission shall <u>keep the European Parliament and the Council informed about the implementation of this paragraph</u> and assess whether the temporary additional support from ERDF is sufficient to facilitate the use of the fund in response to the exceptional and unusual circumstances. On the basis of its assessment, the Commission shall, where deemed appropriate, make proposals for amendments to this Regulation, including on thematic concentration requirements in Article 3.</p>	89c.
			<p><i>Provisional common understanding in trilogue on 8/12/2020</i></p> <p><u>The European Parliament or the Council may invite the Commission for a structured</u></p>	89d.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<u><i>dialogue on the application of this paragraph according to the procedure foreseen in Article 15a(3) of [Common Provisions Regulation].</i></u>	
<i>Article 5²³ Scope of support from the Cohesion Fund</i>	<i>[no change]</i>	<i>[no change]</i>	Provisional common understanding in trilogue on 28/10/2020 <i>[no change]</i>	90.
1. The Cohesion Fund shall support the following:	<i>[no change]</i>	<i>[no change]</i>	Provisional common understanding in trilogue on 28/10/2020 <i>[no change]</i>	91.
(a) investments in the environment, including investments related to sustainable development and energy presenting environmental benefits;	<u>Amendment 88</u> (a) investments in the environment, including investments related to <i>circular economy</i> , sustainable development and <i>renewable energy</i> presenting environmental benefits;	<i>[no change]</i>	Provisional common understanding in trilogue on 28/10/2020 (a) investments in the environment, including investments related to sustainable development and energy presenting environmental	92.

²³ EP position on Recital (20): Trans-European transport networks projects in accordance with Regulation (EU) No ~~1316/2013~~ **No1316/2013** shall continue to be financed from the Cohesion Fund, ***including tackling the missing links and bottlenecks, in a balanced manner as well as including for improving the safety of existing bridges and tunnels*** via both shared management and the direct implementation mode under the Connecting Europe Facility ('CEF'). ***These networks must boost public services in rural areas, especially in sparsely populated areas and in areas with largely ageing populations, in order to foster interconnectivity between cities and the countryside, promote rural development, bridge the digital divide.*** [Am. 19]

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			benefits, with a particular focus on renewable energy;	
(b) investments in TEN-T;	<u>Amendment 89</u> (b) investments in TEN-T core and comprehensive network;	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change] [EP Amendment 89 is withdrawn]	93.
(c) technical assistance.	<u>Amendment 90</u> (c) technical assistance, including improvement and development of administrative skills and competences of local authorities in managing these funds.	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change] [EP Amendment 90 is withdrawn]	94.
	<u>Amendment 91</u> (ca) information, communication, studies, networking, cooperation, exchange of experience and activities involving clusters;		Provisional common understanding in trilogue on 28/10/2020 (d) information, communication, and studies	95.
Member States shall ensure an appropriate balance between investments under points (a) and	<u>Amendment 92</u> Member States shall ensure an	[no change]	Provisional common understanding in trilogue on 28/10/2020	96.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
(b).	appropriate balance between investments under points (a) and (b), <i>based on the investments and specific requirements of each Member State.</i>		Member States shall ensure an appropriate balance between investments under points (a) and (b), based on the investment and infrastructure needs specific to each Member State.	
2. The amount of the Cohesion Fund transferred to the Connecting Europe Facility ²⁴ shall be used for TEN-T projects.	<u>Amendment 93</u> 2. The amount of the Cohesion Fund transferred to the Connecting Europe Facility ²³ shall be <i>proportional and shall be</i> used for TEN-T projects.	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	97.
<i>Article 6²⁵</i> <i>Exclusion from the scope of the ERDF and the Cohesion Fund</i>	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	98.
1. The ERDF and the	[no change]	[no change]	Provisional common understanding in trilogue on	99.

²⁴ Reference

²⁵ EP position on Recital (21): At the same time, it is important to **identify synergies on the one hand and** clarify those activities which fall outside the scope of the ERDF and the Cohesion Fund, ~~including investments to achieve the reduction of greenhouse gas emissions from activities listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council²⁵~~ **on the other hand; this** in order to **multiplication effects or** avoid duplication of available financing, ~~which already exists as part of that Directive~~. In addition, it should be explicitly set out that the overseas countries and territories listed in Annex II of the TFEU are not eligible for support from the ERDF and the Cohesion Fund. [Am. 20]

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Cohesion Fund shall not support:			28/10/2020 [no change]	
(a) the decommissioning or the construction of nuclear power stations;	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	100.
(b) investment to achieve the reduction of greenhouse gas emissions from activities listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council ²⁶ ;	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	101.
(c) the manufacturing, processing and marketing of tobacco and tobacco products;	[no change]	[no change]	Provisional common understanding in trilogue on 28/10/2020 [no change]	102.
(d) undertakings in difficulty, as defined in point 18 of Article 2 of Commission Regulation (EU) No 651/2014²⁷;	[no change]	[no change]	Provisional common understanding to be validated at trilogue level [no change]	Former 103.

²⁶ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC.

²⁷ Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1).

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
(d) undertakings in difficulty, as defined in point 18 of Article 2 Article 2(18) of Commission Regulation (EU) No 651/2014, unless authorised under a temporary State aid framework established to address exceptional circumstances;		(d) undertakings in difficulty, as defined in Article 2(18) of Commission Regulation (EU) No 651/2014, unless authorised under de minimis aid , a temporary State aid framework established to address exceptional circumstances or under a temporary derogation to address exceptional circumstances under State aid rules;	<i>Provisional common understanding in trilogue on 28/10/2020</i> (d) undertakings in difficulty, as defined in point 18 of Article 2 Article 2(18) of Commission Regulation (EU) No 651/2014, unless authorised under de minimis aid or a temporary State aid framework rules established to address exceptional circumstances;	103.
(e) investment in airport infrastructure except for outermost regions;	<u>Amendment 94</u> (e) investment in new regional airport and in airport infrastructure, except for:	(e) investment in airport infrastructure, except for:	<i>Provisional common understanding in trilogue on 28/10/2020</i> (e) investment in new regional airport and in airport infrastructure, except for outermost regions or for in existing regional airports as defined in Article 2(153) of Commission Regulation (EU) No. 651/2014, in any of the following cases: - in environmental impact mitigation measures; or - in security, safety and air	104.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>traffic management systems resulting from SESAR.</p> <p><u>New sentence to be added to existing recital:</u></p> <p>ERDF may support targeted environmental mitigation, security and safety measures in regional airports as long as the primary objective of the investments would be clearly identified in terms of EU environmental, security or safety standards and would be in line with the State aid rules.</p>	
	<p><u>Amendment 95</u></p> <p><i>(ea) investment related to outermost regions;</i></p>		<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p>[deleted, covered by line 104]</p>	105.
	<p><u>Amendment 96</u></p> <p><i>(eb) support linked to core TEN-T networks;</i></p>		<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p>[deleted, covered by line 104]</p>	106.
	<p><u>Amendment 97</u></p>		<p><i>Provisional common understanding in trilogue on</i></p>	107.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>(ec) Investment related to environmental protection and aimed to mitigate or reduce its negative environmental impact.</i>		28/10/2020 [deleted, covered by line 104]	
		(i) investment in security, safety and air traffic management systems, in particular those resulting from the SESAR system, for existing airports;	<i>Provisional common understanding in trilogue on 28/10/2020</i> [deleted, covered by line 104]	108.
		(ii) in outermost regions;	<i>Provisional common understanding in trilogue on 28/10/2020</i> [deleted, covered by line 104]	109.
(f) investment in disposal of waste in landfill;	<u>Amendment 98</u> (f) investment in disposal of waste in landfill, <i>except in the outermost regions and for support for decommissioning, reconverting or making safe existing facilities and without prejudice to Article 4(2) of Directive (EU) 2008/98 of the European Parliament and of</i>	(f) investments in increasing the capacities for disposal of waste in landfill;	<i>Provisional common understanding in trilogue on 25/11/2020</i> (f) investments in disposal of waste in landfill, except: (i) for the outermost regions, in duly justified cases only; or (ii) for investments for	110.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>the Council</i> ²⁸ ;		decommissioning, reconvertng or making safe existing landfills provided that such investments do not increase their capacity;	
(g) investment in facilities for the treatment of residual waste;	<u>Amendment 99</u> (g) investment in facilities for the treatment of residual waste <i>with the exception of outermost regions and in case of state-of-the-art recycling solutions in line with the principles of the circular economy and the waste hierarchy fully respecting the targets laid down in Art 11(2) of Directive (EU) 2008/98 and provided that Member States have established their waste management plans according to Art. 29 of Directive (EU) 2018/851. Residual waste should be understood as primarily non separately</i>	(g)-investments increasing the capacities in facilities for the treatment of residual waste; ²⁹	<i>Provisional common understanding in trilogue on 25/11/2020</i> (g) investments increasing the capacity of facilities for the treatment of residual waste, except for: (i) the outermost regions in duly justified cases only; (ii) investment in technologies to recover materials from residual waste for circular economy purposes; <u>Recital (new)</u> In case of investments increasing the capacity of facilities for the treatment of	111.

²⁸ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

²⁹ Council position: N.B: As regards Article 6(g), the following sentence will be inserted in a recital of the ERDF/CF Regulation: "Residual waste should be understood as primarily non separately collected municipal waste and rejects from waste treatment".

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>collected municipal waste and rejects from waste treatment;</i>		residual waste, residual waste should be understood as primarily non separately collected municipal waste and rejects from waste treatment.	
(h) investment related to production, processing, distribution, storage or combustion of fossil fuels, with the exception of investment related to clean vehicles as defined in Article 4 of Directive 2009/33/EC of the European Parliament and of the Council ³⁰ ;	<u>Amendment 100</u> (h) investment related to production, processing, transport , distribution, storage or combustion of fossil fuels; with the exception of investment: related to clean vehicles as defined in Article 4 of Directive 2009/33/EC of the European Parliament and of the Council²⁶;	(h) investment related to production, processing, distribution, storage or combustion of fossil fuels, with the exception of investment related to clean vehicles as defined in Article 4 of Directive 2009/33/EC of the European Parliament and of the Council;	<i>Provisional common understanding in trilogue on 8/12/2020</i> (h) ³¹ investment related to production, processing, transport , distribution, storage or combustion of fossil fuels, with the exception of investment:	112.
		(i) the replacement of coal- based heating systems by gas- based heating systems for climate mitigation purposes³²	<i>Provisional common understanding in trilogue on 8/12/2020</i> (i) the replacement of solid	113.

³⁰ Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (OJ L 120, 15.5.2009, p. 5).

³¹ Provisional common understanding in trilogue on 8/12/2020 on a new recital: (x) The ERDF and the Cohesion Fund should support activities that respect the climate and environmental standards and priorities of the Union and do no significant harm to the environmental objectives within the meaning of Article 17 of Regulation (EU) No 2020/852 and that ensure the transition towards a low carbon economy in the pathway to achieve climate neutrality at the latest by 2050.

³² Council position: The following recital will be added:

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		³³ ;	<p>fossil fuels fired, namely coal, peat, lignite, oil-shale, heating systems with gas-fired heating systems for the purpose of:</p> <ul style="list-style-type: none"> - upgrading district heating and cooling systems to the status of efficient district heating and cooling as referred to in Article 2(41) of the Directive 2012/27/EU; - upgrading combined heat and power installations to the status of 'high-efficiency co-generation' as referred to in Article 2(34) of the Directive 2012/27/EU; - ³⁴investment in natural gas-fired boilers and heating systems in housing and 	

(9a) Modernisation of district heating networks could be supported with a view to improving energy efficiency of efficient district heating systems, as defined in Directive 2012/27/EU, pursuant to objectives laid down in National Energy and Climate Plans.

³³ Council position: The following recital will be added:

(9b) With a view to promoting renewable energy, support could be provided for district heating boilers supplied by a combination of gas and renewable energy sources. In such cases support from the Funds should correspond pro-rata to the share of renewable energy input to such boilers.

³⁴ Provisional common understanding in trilogue on 8/12/2020 on recital (9b): With a view to promoting renewable energy, support could be provided for district heating boilers supplied by a combination of gas and renewable energy sources. In such cases support from the Funds should correspond pro-rata to the share of renewable energy input to such boilers.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			buildings replacing coal, peat-, lignite-, oil-shale -based installations;	
		(ii) investment in the distribution and transport of natural gas substituting coal.	<i>Provisional common understanding in trilogue on 8/12/2020</i> (ii) investment in the expansion and repurposing, conversion or retrofitting of gas transmission and distribution networks provided that such investment makes the networks ready for adding renewable and low carbon gases, such as hydrogen, biomethane and synthesis gas, into the system and allows to substitute solid fossil fuels installations;	114.
		The total EU investment in (i) and (ii) shall not exceed an overall amount of 1% of the total programmes allocation from the ERDF and Cohesion fund under the Investment for jobs and growth goal for the Member State concerned;	<i>Provisional common understanding in trilogue on 8/12/2020</i> [deleted]	115.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		(iii) investment related to clean vehicles as defined in [the recast of Directive 2009/33/EC of the European Parliament and of the Council³⁵];	<i>Provisional common understanding in trilogue on 8/12/2020</i> (iii) investment in: – clean vehicles for public purposes as defined in the [recast of Directive 2009/33/EC of the European Parliament and of the Council]; and – vehicles, aircraft and vessels designed and constructed or adapted for use by civil protection and fire services.	116.
	<u>Amendment 101</u> <i>1a. The exceptions mentioned in point h shall be limited to an amount up to 1 % of the total ERDF-CF resources at national level.</i>		<i>Provisional common understanding in trilogue on 8/12/2020</i> The total amount of Union support for EU investment referred to in points (i) and (ii) of point (h) shall not exceed the following limits of the total programmes allocation from the ERDF and the Cohesion Fund under the Investment for	117.

³⁵ Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (OJ L 120, 15.5.2009, p. 5).

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)452
			<p>jobs and growth goal for the Member State concerned:</p> <p>(a) For Member States whose gross national income per capita is below 60% of the EU average GNI per capita, or for Member States whose gross national income per capita is below 90% of the EU average GNI per capita and which have a share of solid fossil fuels in gross inland consumption equal to or above 25%, the limit shall be 1.55%.</p> <p>(b) For other Member States whose gross national income per capita is below 90% of the EU average GNI per capita, the limit shall be 1%.</p> <p>(c) For Member States whose gross national income per capita is equal to or above 90% of the EU average GNI per capita, the limit shall be 0.2%. For the purposes of this Article, the gross national income ratio means the ratio between the gross national income per capita of a Member</p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>State, measured in purchasing power standards and calculated on the basis of Union figures for the period from 2015 to 2017, and the average gross national income per capita in purchasing power standards of the 27 Member States for that same reference period.</p> <p>For the purpose of this Article, the share of solid fossil fuels in consumption means the share of coal, lignite, peat and oil-shale measured in 2018.</p> <p>Operations supported by the ERDF and the Cohesion Fund under points (i) and (ii) of point (h) shall be selected by the managing authority by 31 December 2025. Such operations cannot be phased to the next programming period.</p>	
(i) investment in broadband infrastructure in areas in which there are at least two broadband	<u>Amendment 102</u> (i) investment in broadband infrastructure in areas in which	(i) investment in broadband infrastructure in areas in which there are at least two broadband networks of equivalent category	<i>Provisional common understanding in trilogue on 28/10/2020</i>	118.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
networks of equivalent category;	there are at least two broadband networks of equivalent category; <i>deleted</i>	<u>one Very High Capacity Network;</u>	[deleted]	
(j) funding for the purchase of rolling stock for use in rail transport, except if it is linked to the:	<u>Amendments 103</u> (j) — funding for the purchase of rolling stock for use in rail transport, except if it is linked to the:	[no change]	<i>Provisional common understanding in trilogue on 25/11/2020</i> [deleted]	119.
(i) discharge of a publicly tendered public service obligation under Regulation 1370/2007 as amended;	(i) discharge of a publicly tendered public service obligation under Regulation 1370/2007 as amended;	(i) discharge of a publicly tendered public service obligation and public service contracts under direct award, in accordance with the provisions under Regulation 1370/2007 as amended;	<i>Provisional common understanding in trilogue on 25/11/2020</i> [deleted]	120.
(ii) provision of rail transport services on lines fully opened to competition, and the beneficiary is a new entrant eligible for funding under Regulation (EU) 2018/xxxx [Invest EU regulation].	(ii) provision of rail transport services on lines fully opened to competition, and the beneficiary is a new entrant eligible for funding under Regulation (EU) 2018/xxxx [Invest EU regulation].	(ii) provision of rail transport services on lines fully opened to competition, and the beneficiary is a new entrant eligible for funding under Regulation (EU) 2018/xxxx [Invest EU regulation].	<i>Provisional common understanding in trilogue on 25/11/2020</i> [deleted]	121.
	<u>Amendment 104</u>		<i>Provisional common understanding in trilogue on</i>	122.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>(ja) investments in the construction of institutional care facilities that segregate or infringe on personal choice and independence;</i>		28/10/2020 EP dropped Article text, instead new recital (x) The ERDF should support and promote transition from institutional to community or family based care through supporting facilities that would seek to prevent segregation from the community, would facilitate the integration of people to the society and would seek to ensure independent living conditions.	
		1a. With regard to operations falling under Article 111 of Regulation No .../... [CPR] point (g) shall not apply.	<i>Council amendment withdrawn.</i>	123.
2. In addition, the Cohesion Fund shall not support investment in housing unless related to the promotion of energy efficiency or renewable energy use.	<u>Amendment 105</u> 2. In addition, the Cohesion Fund shall not support investment in housing unless related to the promotion of energy <i>and resource</i> efficiency or renewable energy use <i>and</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 25/11/2020</i> <i>[no change]</i> 2. In addition, the Cohesion Fund shall not support	124.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>accessible living conditions for older people and persons with disabilities and seismic retrofitting.</i>		investment in housing unless related to the promotion of energy efficiency or renewable energy use. The following sentence is placed in an existing recital: The Cohesion Fund may also support combined energy and seismic retrofitting.	
3. Overseas countries and territories shall not be eligible for support from the ERDF or the Cohesion Fund, but may participate in Interreg programmes in accordance with the conditions set out in Regulation (EU) 2018/xxxx [ETC (Interreg)].	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>[no change]</i>	125.
	<u><i>Amendment 106</i></u> <i>Article 6 a</i> <i>Partnership</i> <i>1. Each Member State shall ensure the meaningful and inclusive participation of social partners, civil society</i>		<i>Provisional common understanding in trilogue on 28/10/2020</i> <i>[EP amendment withdrawn]</i>	126.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>organisations and service users in the management, programming, delivery, monitoring and evaluation of activities and policies supported by the ERDF and the Cohesion Fund under shared management, according to Article 6 of the proposed CPR Regulation "Commission Delegated Regulation (EU) No 240/2014.</i>			
<i>Article 7³⁶ Indicators</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Article 7 Indicators</i>	127.
1. Common output and result indicators, as set out in the Annex I with regard to the ERDF and to the Cohesion Fund, and, where necessary, programme-specific output and result indicators shall be used in accordance with point (a) of the second subparagraph of	<u>Amendment 107</u> 1. Common output and result indicators, as set out and defined in the Annex I with regard to the ERDF and to the Cohesion Fund, and, where relevant , programme-specific	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 1. Common output and result indicators, as set out and defined in the Annex I with regard to the ERDF and to the Cohesion Fund,	128.

³⁶ EP position on Recital (23): Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate the Funds on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, ~~in particular on Member States~~. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Funds on the ground. **[Am. 21]**

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Article [12(1)], point (d)(ii) of Article [17(3)] and point (b) of Article [37(2)] of Regulation (EU) 2018/xxxx [new CPR].	output and result indicators shall be used in accordance with point (a) of the second subparagraph of Article [12(1)], point (d)(ii) of Article [17(3)] and point (b) of Article [37(2)] of Regulation (EU) 2018/xxxx [new CPR].		and, where necessary <i>relevant</i> , programme-specific output and result indicators shall be used in accordance with point (a) of the second subparagraph of Article [12(1)], point (d)(ii) of Article [17(3)] and point (b) of Article [37(2)] of Regulation (EU) 2018/xxxx [new CPR].	
2. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 2. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	129.
3. In compliance with its reporting requirement pursuant to Article [38(3)(e)(i)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex II.	<i>[no change]</i>	3. In compliance with its reporting requirement pursuant to Article [38 41(3)(e)(ih)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex II.	<i>Provisional common understanding in trilogue on 22/09/2020</i> 3. In compliance with its reporting requirement pursuant to Article [38 41(3)(e)(ih)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with	130.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
<p>4. The Commission is empowered to adopt delegated acts in accordance with Article 13 to amend Annex I in order to make the necessary adjustments to the list of indicators to be used by Member States and to amend Annex II in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.</p>	<p>[no change]</p>	<p>4. The Commission is empowered to adopt delegated acts in accordance with Article 13 to amend Annex I in order to make the necessary adjustments to the list of indicators to be used by Member States and to amend Annex II in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.</p>	<p>Annex II.</p> <p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p>4. The Commission is empowered to adopt delegated acts in accordance with Article 13 to amend Annex I in order to make the necessary adjustments to the list of indicators to be used by Member States and to amend Annex II in order to make the relevant adjustments to the information on performance to be provided to the European Parliament and the Council.</p>	<p>131.</p>
	<p><u>Amendment 108³⁷</u></p> <p>4a. Member States may make a duly justified request for further flexibility within the current framework of Stability and Growth Pact for</p>		<p><i>Provisional common understanding in trilogue on 25/11/2020</i></p> <p>4a. The Commission shall assess how the strategic importance of the investments co-financed by the ERDF and</p>	<p>132.</p>

³⁷ EP position on (Recital 17a): *In order to ensure the strategic importance of investments co-financed by the ERDF and CF, Members States could make a duly justified request for further flexibility within the current framework of Stability and Growth Pact for the public or equivalent structural expenditure. [Am. 15]*

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>the public or equivalent structural expenditure, supported by the public administration by way of co-financing of investments activated as part of ERDF and CF. When defining the fiscal adjustment under either the preventive or the corrective arm of the Stability and Growth Pact, the Commission shall carefully assess this request in a manner reflecting the strategic importance of investments co-financed by the ERDF and CF.</i>		CF is taken into account in the context of the implementation of the Stability and Growth Pact and submit a report to the co-legislators. <u>New recital:</u> (x) Within the framework of the relevant rules under the Stability and Growth Pact as clarified in the Code of Conduct, Member States may make a duly justified request for further flexibility for the public or equivalent structural expenditure supported by the public administration by way of co-financing of investments activated as part of ERDF and CF. The Commission should evaluate this request according to the Stability and Growth Pact and the Code of Conduct.	
CHAPTER II Specific provisions on the treatment of particular territorial features	[no change]	CHAPTER II Specific provisions on the treatment of particular territorial features and Interregional Innovation	Provisional common understanding in trilogue on 22/09/2020 CHAPTER II Specific provisions on the treatment of particular	133.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		Investments	territorial features	
<i>Article 8³⁸ Integrated territorial development</i>	[no change]	Article 8 Integrated territorial development	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Article 8 Integrated territorial development</i>	134.
1. The ERDF may support integrated territorial development within programmes under both goals referred to in Article 4(2) of Regulation (EU) 2018/xxxx [new CPR] in accordance with Chapter II of Title III of that	<u>Amendment 109</u> 1. The ERDF may shall support integrated territorial development within programmes under both goals referred to in Article 4(2) of	1. The ERDF may support integrated territorial development within programmes under both goals referred to in Article 4(2) of Regulation (EU) 2018/xxxx [new CPR] in accordance with	<i>Provisional common understanding in trilogue on 22/09/2020</i> 1. The ERDF may support integrated territorial development within programmes under both goals referred to in Article 4(2)	135.

³⁸ EP position on two recitals linked to Article 8: Recital (24): In order to maximise the contribution to territorial development, *and to address more effectively economic, demographic, environmental and social challenges, as envisaged in Article 174 TFEU, in areas with natural or demographic disadvantages including ageing, rural desertification and demographic decline but also demographic pressure or where it is difficult to access basic services*, actions in this field should be based on *programmes, axes or integrated territorial strategies including in urban areas and rural communities. These actions should be the two sides of the same coin, based on both the central urban hubs and their surroundings as well as the more remote rural. These strategies may also benefit from a multifund and integrated approach involving the ERDF, ESF+, EMFF and EAFRD. A minimum target of 5% of ERDF resources should be earmarked at national level for integrated territorial development.* Therefore, the ERDF support should be delivered through the forms set out in Article 22 of Regulation (EU) 2018/xxxx [new CPR] ensuring appropriate involvement of local, regional and urban authorities, *economic and social partners and representatives of civil society and non-governmental organisations.* [Am. 22]
Recital (29): Since the objective of this Regulation, namely to reinforce economic, social and territorial cohesion by redressing the main regional imbalances in the Union *through citizens oriented approach aimed at supporting community led development and fostering active citizenship*, cannot be sufficiently achieved by the Member States but can rather, by reason of the extent of the disparities between the levels of development of the various regions and the backwardness of the least favoured regions and the limit on the financial resources of the Member States and regions, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. [Am. 27]

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Regulation[new CPR].	Regulation (EU) 2018/xxxx [new CPR] in accordance with Chapter II of Title III of that Regulation[new CPR].	Chapter II of Title III of that Regulation[new CPR].	of Regulation (EU) 2018/xxxx [new CPR] in accordance with Chapter II of Title III of that Regulation[new CPR].	
	<p><u>Amendment 110</u></p> <p><i>1a. At least 5% of the ERDF resources available at national level under the Investment for jobs and growth goal, other than for technical assistance, shall be allocated to integrated territorial development in non-urban areas with natural, geographic or demographic handicaps or disadvantages or which have difficulty accessing basic services. Out of this amount, at least 17,5 % shall be allocated to rural areas and communities taking into account provisions of a Smart Villages Pact to develop projects such as smart villages.</i></p>		<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p><i>See new Art 8a in row 137a.</i></p>	136.
			<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p>	136a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p>(xx) To improve the resilience of communities in rural areas and their economic, social and environmental conditions, support from the ERDF should be used to develop projects such as smart villages, as referred to in the European Parliament resolution of 3 October 2018 on EU Agenda for Rural, Mountainous and Remote Areas, in particular by developing new opportunities, such as decentralised services and energy solutions, digital technologies and innovations.</p> <p><i>Placement of the new recital would need to be considered taking into account results of negotiations on Article 1a (rows 6-8), related recital 1 of the COM proposal as well as recitals proposed by the EP in row 42 targeting different types of disadvantaged areas.</i></p>	
2. Member States shall implement integrated territorial development, supported by the	<u>Amendment 111</u> 2. Member States shall	2. Member States shall implement integrated territorial development, supported by the	<i>Provisional common understanding in trilogue on 22/09/2020</i>	137.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
ERDF, exclusively through the forms referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR].	implement integrated territorial development, supported by the ERDF, exclusively through a <i>specific axis or programme</i> or through the <i>other</i> forms referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR], <i>and may benefit from a multifund and integrated approach involving the ERDF, ESF+, EMFF and EAFRD.</i>	ERDF, exclusively through the forms referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR].	2. Member States shall implement integrated territorial development, supported by the ERDF, exclusively through the forms referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR].	
			<i>Provisional common understanding in trilogue on 22/09/2020</i> Article 8a Support for disadvantaged areas In accordance with Article 174 TFEU, the ERDF shall pay special attention to addressing the challenges of disadvantaged regions and areas, notably rural areas and areas which suffer from severe and permanent natural or demographic handicaps. Member States shall, where appropriate, set out an	137a

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)452
			integrated approach to addressing demographic challenges or specific needs of such regions and areas in their partnership agreements in accordance with Article 8(1)(ga) of the of Regulation (EU) 2018/xxxx [new CPR]. Such an integrated approach may include a commitment on dedicated funding for that purpose.	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
<i>Article 9³⁹ Sustainable urban development</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020 Article 9 Sustainable urban development⁴⁰</i>	138.
1. The ERDF shall support integrated territorial development based on territorial strategies in accordance with Article [23] of Regulation (EU) 2018/xxxx [new CPR] focused on urban areas ('sustainable urban development') within programmes under both	<u>Amendment 112</u> 1. To address economic, environmental, climate, demographic and social challenges, the ERDF shall support integrated territorial development based on		<i>Provisional common understanding in trilogue on 8/12/2020</i> 1. To address economic, environmental, climate, demographic and social challenges, the ERDF shall support integrated territorial development based on territorial	139.

³⁹ EP position on (Recital 25): Within the framework of sustainable urban development, it is considered necessary to support integrated territorial development in order to more effectively tackle the economic, environmental, climate, demographic, **technology** and social **and cultural** challenges affecting urban areas, including functional urban areas **and rural communities**, while taking into account the need to promote urban-rural linkages, **including through peri-urban areas where appropriate**. The principles for selecting the urban areas where integrated actions for sustainable urban development are to be implemented, and the indicative amounts for those actions, should be set out in the programmes under the Investment for jobs and growth goal with **. Said actions may also benefit from a multifund and integrated approach involving the ERDF, ESF+, EMFF and the EAFRD.** A minimum target of ~~6%~~ **10%** of the ERDF resources allocated **should be earmarked** at national level for that purpose **the sustainable urban development priority**. It should also be established that this percentage should be respected throughout the programming period in the case of transfer between priorities within a programme or between programmes, including at the mid-term review. **[Am. 24]**

⁴⁰ Compromise text for recital 25 confirmed at trilogue level: Within the framework of sustainable urban development, it is considered necessary to support integrated territorial development in order to more effectively tackle the economic, environmental, climate, demographic and social challenges affecting urban areas, including functional urban areas, while taking into account the need to promote urban-rural linkages. **Support targeting urban areas may take a form of a separate programme or a separate priority and may benefit from a multi-fund approach.** The principles for selecting the urban areas where integrated actions for sustainable urban development are to be implemented, and the indicative amounts for those actions, should be set out in the programmes under the Investment for jobs and growth goal with a minimum target of **8%** of the ERDF resources allocated at national level for that purpose. It should also be established that this percentage should be respected throughout the programming period in the case of transfer between priorities within a programme or between programmes, including at the mid-term review.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
goals referred to in Article 4(2) of that Regulation.	territorial strategies in accordance with Article [23] of Regulation (EU) 2018/xxxx [new CPR], <i>which may also benefit from a multifund and integrated approach involving the ERDF and the ESF+, and</i> focused on <i>functional</i> urban areas ('sustainable urban development') within programmes under both goals referred to in Article 4(2) of that Regulation.		or community-led local development strategies in accordance with Article [23] or [26] of Regulation (EU) 2018/xxxx [new CPR] respectively, that are focused on urban areas, including functional urban areas ('sustainable urban development') within programmes under both goals referred to in Article 4(2) of that Regulation.	
			<i>Provisional common understanding in trilogue on 22/09/2020</i> Special attention shall be given to tackling environmental and climate challenges, notably the transition towards a climate-neutral economy by 2050, to harnessing the potential of digital technologies for innovation purposes, and to support the development of functional urban areas. In this context, sustainable urban development resources programmed under priorities	139a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			corresponding to policy objectives 1 and 2 shall count towards the thematic concentration requirements under Article 3.	
2. At least 6% of the ERDF resources at national level under the Investment for jobs and growth goal, other than for technical assistance, shall be allocated to sustainable urban development in the form of community-led local development, integrated territorial investments or another territorial tool under PO5.	<u>Amendment 113</u> At least 6% 10% of the ERDF resources at national level under the Investment for jobs and growth goal, other than for technical assistance, shall be allocated to sustainable urban development in the form of a specific programme, a specific priority axis , community-led local development, integrated territorial investments or another other territorial tools, as set out in point (c) of Article 22 of Regulation (EU) 2018/xxxx (new CPR). The 'urban authorities' referred to in Article 6 of Regulation (EU) 2018/XXXX [new CPR] shall be empowered to choose the measures and projects involved. Operations carried out under POs other than PO5	21. At least 6% of the ERDF resources at national level under the Investment for jobs and growth goal, other than for technical assistance, shall be allocated to sustainable urban development in one or more of the forms of community-led local development, integrated territorial investments or another territorial tool under PO5. referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR].	<i>Provisional common understanding in trilogue on 22/09/2020</i> 2. At least 8 % of the ERDF resources at national level under the Investment for jobs and growth goal, other than for technical assistance, shall be allocated to sustainable urban development in one or more of the forms of community-led local development, integrated territorial investments or another territorial tool under PO5. referred to in Article [22] of Regulation (EU) 2018/xxxx [new CPR].	140.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>may, if consistent, contribute to reaching the 10% minimum threshold for sustainable urban development. Investments made under PO5 (i) should count as contributing to this earmarking of 10%, as well as operations carried out under other POs, if consistent with sustainable urban development.</i>			
			<i>Provisional common understanding in trilogue on 8/12/2020</i> The relevant territorial authorities or bodies shall select or shall be involved in the selection of operations in accordance with Article 23(3) and point (d) of Article 27(3) of Regulation (EU) 2018/xxxx [new CPR]	140a.
The programme or programmes concerned shall set out the planned amounts for this purpose under point (d)(vii) of Article [17(3)] of Regulation (EU)	<i>[no change]</i>	The programme or programmes concerned shall set out the planned amounts for this purpose under point (d)(vii) (viii) of Article [17(3)] of Regulation	<i>Provisional common understanding in trilogue on 22/09/2020</i> The programme or programmes concerned shall set out the	141.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
2018/xxxx [new CPR].		(EU) 2018/xxxx [new CPR].	planned amounts for this purpose under point (d)(vii) of Article [17(3)] of Regulation (EU) 2018/xxxx [new CPR].	
3. The percentage allocated to sustainable urban development under paragraph 2 shall be complied with throughout the entire programming period when ERDF allocations are transferred between priorities of a programme or between programmes, including at the mid-term review in accordance with Article [14] of Regulation (EU) 2018/xxxx [new CPR].	[no change]	3 2. The percentage allocated to sustainable urban development under paragraph 2 1 shall be complied with throughout the entire programming period when ERDF allocations are transferred between priorities of a programme or between programmes, including at the mid-term review in accordance with Article [14] of Regulation (EU) 2018/xxxx [new CPR].	<i>Provisional common understanding in trilogue on 22/09/2020</i> 3. The percentage allocated to sustainable urban development under paragraph 2 shall be complied with throughout the entire programming period when ERDF allocations are transferred between priorities of a programme or between programmes, including at the mid-term review in accordance with Article [14] of Regulation (EU) 2018/xxxx [new CPR].	142.
4. Where the ERDF allocation is reduced following a decommitment under Article [99] of Regulation (EU) No [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with paragraph 2 shall not be re-	[no change]	3. Where the ERDF allocation is reduced following a decommitment under Article [99] of Regulation (EU) No [new CPR], or due to financial corrections by the Commission in accordance with Article [98] of that Regulation, compliance with paragraph 2 1	<i>Provisional common understanding in trilogue on 22/09/2020</i> 4. Where the ERDF allocation is reduced following a decommitment under Article [99] of Regulation (EU) No [new CPR], or due to financial corrections by the	143.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
assessed.		shall not be re-assessed.	Commission in accordance with Article [98] of that Regulation, compliance with paragraph 2 shall not be re-assessed.	
<i>Article 10⁴¹ European Urban Initiative</i>	<i>[no change]</i>	<i>[no change]</i> ⁴²	<i>Provisional common understanding in trilogue on 22/09/2020 Article 10 European Urban Initiative</i>	144.
1. The ERDF shall also support the European Urban Initiative, implemented by the Commission in direct and indirect management.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020 1. The ERDF shall also support the European Urban Initiative, implemented by the Commission in direct and indirect management.</i>	144a.
This initiative shall cover all urban areas and shall support the Urban	<u>Amendment 114</u>	This initiative shall cover all urban areas and shall support	<i>Provisional common understanding in trilogue on 22/09/2020</i>	145.

⁴¹ EP position on (Recital 26): In order to identify or provide solutions which address issues relating to sustainable urban development at Union level, the Urban Innovative Actions in the area of sustainable urban development should be replaced by **continued and developed into** a European Urban Initiative, to be implemented under direct or indirect management. That initiative should cover all urban areas and support the Urban Agenda for the European Union⁴¹ **aiming to stimulate growth, liveability and innovation and to identify and successfully tackle social challenges**. [Am. 25]

⁴² Council position: N.B.: The Council mandate for the ERDF/CF Regulation foresees the URBACT programme to be moved from the ERDF/CF Regulation to the Interreg Regulation, in order to ensure continuity with the current programming period. Therefore, the Interreg Regulation is amended accordingly, in line with the formulation of current Article 7(1)(c)(i) of Regulation (EU) No 1299/2013 (current ETC Regulation).

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Agenda of the Union.	This initiative shall cover all functional urban areas and shall support the partnerships and organisational costs of the Urban Agenda of the Union. Local authorities should be actively involved in establishing and implementing the European Urban Initiative.	the Urban Agenda of for the Union EU.	This initiative shall cover all urban areas, including functional urban areas , and shall support the Urban Agenda of for the Union EU, including support for the participation of local authorities in the thematic partnerships thereunder.	
			<p><i>Provisional common understanding in trilogue on 28/10/2020</i></p> <p><i>(26) In order to identify or provide solutions, which address issues relating to sustainable urban development at Union level, the Urban Innovative Actions in the area of sustainable urban development should be replaced by a European Urban Initiative, to be implemented under direct or indirect management. That initiative should cover all urban areas, including functional urban areas and support the Urban Agenda for the European Union. To stimulate participation of</i></p>	145a.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			<p><i><u>local authorities in the thematic partnerships under the Urban Agenda, ERDF should provide support for organisational costs related to such participation.</u></i> <i>The initiative may include inter-governmental cooperation on urban matters, in particular cooperation aimed at capacity building at local level to achieve United Nations Sustainable Development Goals. Member States, regional and local authorities should be actively involved in managing and implementing the European Urban Initiative. Actions agreed within such a management model could include exchange for regional and local representatives. Actions undertaken within the European Urban Initiative should promote urban-rural linkages within functional urban areas. Cooperation with European Network for Rural Development is of particular importance in this respect.</i></p>	

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
2. The European Urban Initiative shall consist of the following three strands, all with regard to sustainable urban development:	<i>[no change]</i>	2. The European Urban Initiative shall consist of the following three two strands, all with regard to sustainable urban development:	<i>Provisional common understanding in trilogue on 22/09/2020</i> 2. The European Urban Initiative shall consist of the following three two strands, all with regard to sustainable urban development:	146.
(a) support of capacity-building;	<u>Amendment 115</u> (a) support of capacity-building, <i>including actions of exchange for regional and local representatives at subnational level;</i>	(a) support of capacity-building;	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Reflected in recital 26.</i> <i>[deleted]</i>	147.
(b) support of innovative actions;	<u>Amendment 116</u> (b) support of innovative actions <i>which may receive additional co-funding for regulation (EU) 2018/xxx (European Agricultural Fund for Rural Development) and be provided jointly with the European Network for Rural Development in particular with regard to rural and urban links and projects supporting</i>	(a) (b) support of innovative actions;	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Reflected in recital 26.</i> (a) (b) support of innovative actions;	148.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<i>the development of urban and functional urban areas;</i>			
(c) support of knowledge, policy development and communication.	<u>Amendment 117</u> (c) support of knowledge, territorial impact assessments , policy development and communication.	(b) support of capacity and knowledge building , policy development and communication.	<i>Provisional common understanding in trilogue on 22/09/2020</i> (b) support of capacity and knowledge building, territorial impact assessments , policy development and communication.	149.
Upon request from one or more Member States, the European Urban Initiative may also support inter-governmental cooperation on urban matters.	<u>Amendment 118</u> Upon request from one or more Member States, the European Urban Initiative may also support inter- governmental cooperation on urban matters such as the reference framework on sustainable cities, the territorial agenda of the European Union and the adjustment of the UN Sustainable Development Goals to the local level circumstances.	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Reflected in recital 26.</i> Upon request from one or more Member States, the European Urban Initiative may also support inter-governmental cooperation on urban matters. Particular attention should be given to cooperation aimed at capacity building at local level to achieve United Nations Sustainable Development Goals as referred to in the resolution 'The 2030 Agenda	150.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			for Sustainable Development' adopted by the UN General Assembly on 25 September 2015.	
	<p><u>Amendment 119</u></p> <p><i>The Commission shall submit an annual report to the European Parliament on developments in connection with the European Urban Initiative.</i></p>		<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p>The Commission shall submit an annual report every two years to the European Parliament and to the Council on developments in connection with the European Urban Initiative.</p>	151.
		<p>3. The governance model of the European Urban Initiative shall include the involvement of Member States, regional authorities and cities and shall ensure appropriate coordination and complementarities with the dedicated programme under Article XX of [Interreg Regulation] dealing with sustainable urban development.</p>	<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p>3. The governance model of the European Urban Initiative shall include the involvement of Member States, regional <u>and local</u> authorities and cities and shall ensure appropriate coordination and complementarities with the dedicated programme under Article XX of [Interreg Regulation] dealing with</p>	152.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			sustainable urban development.	
	<p><u>Amendment 120</u></p> <p><i>Article 10a⁴³</i></p> <p><i>Areas facing natural or demographic handicaps and challenges</i></p> <p><i>1. In programmes that are co-funded by the ERDF and cover areas facing severe and permanent natural or demographic handicaps and challenges such as those referred to in Article 174 TFEU, special attention shall be paid to addressing the challenges faced by those areas.</i></p> <p><i>In particular, NUTS level 3 areas or clusters of local</i></p>		<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p><i>[deleted]</i></p> <p><i>See new Art 8a in row 137a.</i></p> <p><i>Second part of EP amendment reflected in row 42</i></p>	153.

⁴³ EP position on Recital (18a): *The ERDF should address the problems of accessibility to, and remoteness from, large markets, faced by areas with an extremely low population density, as referred to in Protocol No 6 on special provisions for Objective 6 in the framework of the Structural Funds in Finland and Sweden to the 1994 Act of Accession. The ERDF should also address the specific difficulties encountered by certain islands, border regions, mountain regions and sparsely populated areas, the geographical situation of which slows down their development, with a view to supporting their sustainable development. [Am. 17].*

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<p><i>administrative units (LAUs) with a population density of below 12.5 inhabitants per km² for sparsely populated areas or below 8 inhabitants per km² for very sparsely populated areas, or with an average population decrease of more than 1% between 2007 and 2017 shall be subject to specific regional and national plans to enhance attractiveness, increase business investment and boost the accessibility of digital and public services, including a fund in the cooperation agreement. A dedicated funding may be earmarked in the Partnership Agreement.</i></p>			
		<p>Article 10bis</p>	<p><i>Provisional agreement in Interreg TM on 26/11/2020 as per conclusions of the Interreg political trilogue on 26/10 that Interregional Innovation Investments would be included in ERDF.</i></p> <p><i>Provisional common understanding in trilogue on</i></p>	154.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			8/12/2020 Article 10bis ⁴⁴	
		Interregional Innovation Investments	<i>Provisional common understanding in trilogue on 8/12/2020</i> Interregional Innovation Investments	155.
		1. The ERDF shall support the Interregional Innovation Investments Instrument, implemented by the Commission under direct and indirect management.	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>Second part of the sentence covered in row 161b</i> 1. The ERDF shall support the Interregional Innovation Investments Instrument.	156.
		2. The Interregional Innovation Investments Instrument shall support the	<i>Provisional common understanding in trilogue on 8/12/2020</i>	157.

⁴⁴ *Provisional agreement on recital in Interreg TM on 26/11/2020, provisional common understanding in ERDF/CF trilogue on 8/12/2020: "The commercialisation and scaling up of interregional innovation projects should be promoted over the whole territory of the Union through the new interregional innovation investments which are to be managed by the Commission. By supporting innovation projects in smart specialisation areas, including pilot projects and capacity building measures, they will, in particular, benefit less developed regions, boosting their innovation eco-systems and their capacity to integrate in larger EU value chains. They should also contribute to the implementation of the Communication from the Commission 'Strengthening Innovation in Europe's Regions: Strategies for resilient, inclusive and sustainable growth', in particular to support thematic smart specialisation platforms on critical fields."*

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		commercialisation and scaling up of interregional innovation projects having the potential to encourage the development of European value chains.	2. The Interregional Innovation Investments Instrument shall support the commercialisation and scaling up of interregional innovation projects having the potential to encourage the development of European value chains.	
		3. The Interregional Innovation Investments Instrument shall cover the entire territory of the Union. Third countries can be covered by this instrument in line with the arrangements foreseen in Article XXX of the [Horizon Europe programme].	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[deleted, covered in row 163a]</i>	158.
		4. The Interregional Innovation Investments Instrument shall consist of the following two strands:	<i>Provisional common understanding in trilogue on 8/12/2020</i> 3. The Interregional Innovation Investments Instrument shall consist of the following two strands, supported equally:	159.
		(a) Financial and advisory support for investments in	<i>Provisional common understanding in trilogue on</i>	160.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		interregional innovation projects;	8/12/2020 (a) Financial and advisory support for investments in interregional innovation projects in shared smart specialisation areas,	
		(b) Financial and advisory support for the development of value chains in less developed regions.	<i>Provisional common understanding in trilogue on 8/12/2020</i> (b) Financial and advisory support, and capacity building for the development of value chains in less developed regions.	161.
			<i>Provisional common understanding in trilogue on 8/12/2020</i> 4. Up to 2% of the resources may be dedicated to learning and evaluation activities, in order to capitalise on and disseminate the outcome of projects supported under the two strands.	161a.
			<i>Provisional common understanding in trilogue on 8/12/2020</i>	161b.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			5. The Commission shall implement these investments under direct or indirect management.	
		5. The governance model of the Interregional Innovation Investments Instrument shall include the set-up of a dedicated expert group composed of representatives from Member States, regional authorities and cities, representatives of business, research and civil society bodies. The expert group shall support the Commission in defining a long-term work programme and in preparing calls for proposals.	<i>Provisional common understanding in trilogue on 8/12/2020</i> 6. In its work, the Commission shall be supported by a group of experts. The expert group shall be composed of representatives from Member States, regional authorities and cities, representatives of business, research and civil society bodies. The composition of the expert group shall aim to ensure gender balance. The expert group shall support the Commission in defining a long-term work programme and in preparing calls for proposals.	162.
		6. The governance model shall also ensure appropriate coordination and complementarities with	<i>Provisional common understanding in trilogue on 8/12/2020</i> 7. When implementing this	163.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
		ERDF programmes under the Investment for jobs and growth goal, as well as with Interreg programmes, in particular under strand 'Interreg C' as defined in Article XX of [Interreg Regulation] ⁴⁵ .	instrument, the Commission shall ensure coordination and synergy with other EU funding programmes and instruments and in particular with strand 'Interreg C' as defined in Article 3 of [Interreg Regulation].	
			<i>Provisional common understanding in trilogue on 8/12/2020</i> 8. The Interregional Innovation Investments Instrument shall cover the entire territory of the Union. Third countries can participate in this instrument, in accordance with the arrangements laid down in Article 12 of the [Horizon Europe programme].	163a.
<i>Article 11⁴⁶ Outermost regions</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on</i>	164.

⁴⁵ Council position: Strand 'Interreg C' as defined in the Presidency paper for GAC (Cohesion).

⁴⁶ EP position on Recital (27): Specific attention should be paid to outermost regions, namely by adopting measures under Article 349 of the TFEU providing for an additional allocation for the outermost regions to offset the additional costs incurred in these regions as a result of one or several of the permanent restraints referred to in Article 349 of

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			22/09/2020 <i>Article 11 Outermost regions</i>	
1. The specific additional allocation for the outermost regions shall be used to offset the additional costs incurred in these regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU.	<u>Amendment 121</u> 1. The Article 3 shall not apply to the specific additional allocation for the outermost regions. This specific additional allocation for the outermost regions shall be used to offset the additional costs incurred in these regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU.	1. The specific additional allocation for the outermost regions shall be used to offset the additional costs incurred in these regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU. Article 3 shall not apply to the specific additional allocation for the outermost regions. ⁴⁷	<i>Provisional common understanding in trilogue on 22/09/2020</i> 1. The Article 3 shall not apply to the specific additional allocation for the outermost regions. This specific additional allocation for the outermost regions shall be used to offset the additional costs incurred in these regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU.	165.

the TFEU, namely remoteness, insularity, small size, difficult topography and climate, economic dependence on a few products, the permanence and combination of which severely restrain their development. This allocation can cover investments, operating costs and public service obligations aimed at offsetting additional costs caused by such restraints. Operating aid may cover expenditure on freight transport services, *green logistics, mobility management* and start-up aid for transport services as well as expenditure on operations linked to storage constraints, the excessive size and maintenance of production tools, and the lack of human capital in the local market. ***This allocation shall not be subject to the thematic concentration provided for in this Regulation.*** In order to protect the integrity of the internal market, and as is the case for all operations co-financed by the ERDF and the Cohesion Fund, any ERDF support to the financing of operating and investment aid in the outermost regions should comply with State aid rules as set out in Articles 107 and 108 of the TFEU. [Am. 26].

⁴⁷ Council position: N.B.: A provision on the specific additional allocation for the northernmost regions with very low population density will be discussed in the context of the discussions on thematic concentration (Art.3). It should be noted that, since according to Art.7(6)ESF+ the specific ESF+ allocation is not part of the regular thematic concentration requirements, the specific ERDF allocation is not to be counted as part of ERDF thematic concentration requirements either.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
2. The allocation referred to in paragraph 1 shall support:	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 2. The allocation referred to in paragraph 1 shall support:	166.
(a) the activities within the scope as set out in Article 4;	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> (a) the activities within the scope as set out in Article 4;	167.
(b) by way of derogation from Article 4, measures covering operating costs with-a view to offsetting the additional costs incurred in the outermost regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> (b) by way of derogation from Article 4, measures covering operating costs with-a view to offsetting the additional costs incurred in the outermost regions as a result of one or several of the permanent restraints to their development listed in Article 349 of the TFEU.	168.
The allocation referred to in paragraph 1 may also support expenditure covering compensation granted for the provision of public service	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> The allocation referred to in	169.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
obligation and contracts in the outermost regions.			paragraph 1 may also support expenditure covering compensation granted for the provision of public service obligation and contracts in the outermost regions.	
3. The allocation, referred to in paragraph 1, shall not support:	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 3. The allocation, referred to in paragraph 1, shall not support:	170.
(a) operations involving products listed in Annex I to the TFEU;	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> (a) operations involving products listed in Annex I to the TFEU;	171.
(b) aid for the transport of persons authorised under point (a) of Article 107(2) of the TFEU;	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> (b) aid for the transport of persons authorised under point (a) of Article 107(2) of the TFEU;	172.
(c) tax exemptions and exemption of social charges	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i>	173.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			(c) tax exemptions and exemption of social charges	
(d) public services obligations not discharged by undertakings and where the State acts by exercising public power.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> (d) public services obligations not discharged by undertakings and where the State acts by exercising public power.	174.
	<u>Amendment 122</u> <i>3a. By way of derogation from Article 4(1), the ERDF may support productive investment in enterprises in the outermost regions, irrespective of their size.</i>	4. By way of derogation from point (c) of paragraph 1 of Article 4, the ERDF may support productive investments in enterprises in the outermost regions, irrespective of the size of those enterprises.	<i>Provisional common understanding in trilogue on 22/09/2020</i> 4. By way of derogation from point (c) of paragraph 1 of Article 4, the ERDF may support productive investments in enterprises in the outermost regions, irrespective of the size of those enterprises.	175.
CHAPTER IIa Temporary measures in response to exceptional and unusual circumstances		<i>Deleted</i>	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175a.
Article 11a	Article 11a	<i>Deleted</i>	<i>Provisional common understanding in trilogue on</i>	175b.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Temporary measures for the use of the ERDF in response to exceptional and unusual circumstances	Temporary measures for the use of the ERDF in response to exceptional and unusual circumstances		8/12/2020 [Deleted]	
Where the Council after [date of entry into force of this Regulation], has recognised the occurrence of an unusual event outside the control of one or more Member States which has a major impact on the financial position of the general government or a severe economic downturn for the euro area or the Union as a whole referred to in the tenth subparagraph of Article 5(1), the fourth subparagraph of Article 6(3), the tenth subparagraph of Article 9(1) and the fourth subparagraph of Article 10(3) of Regulation (EC) No 1466/97 ⁴⁸ or the occurrence of unexpected adverse economic events with major unfavourable consequences for government	1. Where the Council after [date of entry into force of this Regulation], has recognised the occurrence of an unusual event outside the control of one or more Member States which has a major impact on the financial position of the general government or a severe economic downturn for the euro area or the Union as a whole referred to in the tenth subparagraph of Article 5(1), the fourth subparagraph of Article 6(3), the tenth subparagraph of Article 9(1) and the fourth subparagraph of Article 10(3) of Regulation (EC) No 1466/97 ⁽⁵⁰⁾ or the occurrence of unexpected adverse economic events with major unfavourable	Deleted	Provisional common understanding in trilogue on 8/12/2020 [Deleted]	175c.

⁴⁸ Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (OJ L 209, 2.8.1997, p. 1).

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
finances referred to in Articles 3(5) and 5(2) of Regulation (EC) No 1467/97⁴⁹, the Commission may, by way of an implementing decision and for the period defined in that decision:	consequences for government finances referred to in Articles 3(5) and 5(2) of Regulation (EC) No 1467/97 ⁽⁵¹⁾ , the Commission may, by way of an implementing decision and for the period defined in that decision of maximum 12 months:			
(a) extend the scope of support of the ERDF, by way of derogation from Article 4, in order to support measures that are strictly necessary to respond to such exceptional or unusual circumstances, in particular through financing of working capital for SMEs in the form of grants;	(a) extend the scope of support of the ERDF, by way of derogation from Article 4, in order to support measures that are strictly necessary to respond to such exceptional or unusual circumstances, in particular through financing of working capital for SMEs in the form of grants;	<i>Deleted</i>	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175d.
(b) reduce thematic concentration requirements and minimum allocation requirements established for	(b) reduce thematic concentration requirements and minimum allocation requirements established for	<i>Deleted</i>	<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175e.

⁵⁰ Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (OJ L 209, 2.8.1997, p. 1).

⁴⁹ Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure (OJ L 209, 2.8.1997, p. 6).

⁵¹ Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure (OJ L 209, 2.8.1997, p. 6).

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
sustainable urban development, by way of derogation from Article 3 and Article 9(2).	sustainable urban development, by way of derogation from Article 3 and Article 9(2).			
	2. The Commission shall keep the European Parliament informed of the implementation of this Article. When the conditions set out in paragraph 1 are fulfilled, the Commission shall immediately inform the European Parliament and the Council whether it intends to adopt the implementing decision referred to in that paragraph.		<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175f.
	3. The European Parliament may invite the Commission for a structured dialogue on the application of this Article, Before adopting the implementing decision, the Commission shall give due consideration to the positions taken and the opinions expressed by the European Parliament through the structured dialogue.		<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175g.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	4. The measures adopted under paragraph 1 shall remain into force for a period not exceeding twelve months. If after this period the specific circumstances that led to the adoption of these temporary measures persist, the Commission shall reassess the situation and put forward a legislative proposal, as appropriate, amending this Regulation, providing for the necessary flexibility to address these circumstances.		<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175h.
	5. The Commission shall notify the European Parliament and the Council of the implementing decision adopted under paragraph 1 without delay, at the latest within two working days of its adoption.		<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>[Deleted]</i>	175i.
CHAPTER III Final provisions	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> CHAPTER III	176.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			Final provisions	
<i>Article 12 Transitional provisions</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Article 12 Transitional provisions</i>	177.
Regulations (EC) No 1300/2013 and 1301/2013 or any act adopted thereunder shall continue to apply to programmes and operations supported by the ERDF or the Cohesion Fund under the 2014- 2020 programming period.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> Regulations (EC) No 1300/2013 and 1301/2013 or any act adopted thereunder shall continue to apply to programmes and operations supported by the ERDF or the Cohesion Fund under the 2014-2020 programming period.	178.
<i>Article 13 Exercise of the delegation</i>	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>Article 13 Exercise of the delegation</i>	179.
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i>	180.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
Article.			1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
2. The power to adopt delegated acts referred to in Article 7(4) shall be conferred on the Commission for an indeterminate period of time from the date of the entry into force of this Regulation.	<u>Amendment 123</u> 2. The power to adopt delegated acts referred to in Article 7(4) shall be conferred on the Commission for an indeterminate period of time from the date of the entry into force of this Regulation until 31 December 2027 .	[no change]	<i>Provisional common understanding in trilogue on 22/09/2020</i> 2. The power to adopt delegated acts referred to in Article 7(4) shall be conferred on the Commission for an indeterminate period of time from the date of the entry into force of this Regulation. <i>Same wording in all regulations should be envisaged</i>	181.
3. The delegation of power referred to in Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later	[no change]	[no change]	<i>Provisional common understanding in trilogue on 22/09/2020</i> 3. The delegation of power referred to in Article 7(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that	182.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
date specified therein. It shall not affect the validity of any delegated acts already in force.			decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ⁵² .	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 ⁵³ .	183.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to	184.

⁵² OJ L 123, 12.5.2016, p. 13.

⁵³ OJ L 123, 12.5.2016, p. 13.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
			the European Parliament and to the Council.	
6. A delegated act adopted pursuant to Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> 6. A delegated act adopted pursuant to Article 7(4) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	185.
	<u>Amendment 124</u> <i>Article 13a</i>		<i>Provisional common understanding in trilogue on 22/09/2020</i> <i>EP amendment withdrawn</i>	186.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
	<p align="center"><i>Repeal</i></p> <p><i>Without prejudice to Article 12 of this Regulation, Regulations (EC) No 1301/2013 and (EC) No 1300/2013 are repealed with effect from 1 January 2021.</i></p>			
	<p><u>Amendment 125</u></p> <p align="center"><i>Article 13b</i></p> <p align="center"><i>Review</i></p> <p><i>The European Parliament and the Council shall review this Regulation by 31 December 2027, in accordance with Article 177 TFEU.</i></p>		<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p align="center"><i>Article 13b</i></p> <p align="center"><i>Review</i></p> <p><i>The European Parliament and the Council shall review this Regulation by 31 December 2027, in accordance with Article 177 TFEU.</i></p>	187.
<p align="center"><i>Article 14</i> <i>Entry into force</i></p>	[no change]	[no change]	<p><i>Provisional common understanding in trilogue on 22/09/2020</i></p> <p><i>Article 14</i> <i>Entry into force</i></p>	188.
This Regulation shall enter into force on the twentieth day	[no change]	[no change]	<i>Provisional common understanding in trilogue on</i>	189.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)4 52
following that of its publication in the <i>Official Journal of the European Union</i> .			22/09/2020 This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	
This Regulation shall be binding in its entirety and directly applicable in all Member States.	<i>[no change]</i>	<i>[no change]</i>	<i>Provisional common understanding in trilogue on 22/09/2020</i> This Regulation shall be binding in its entirety and directly applicable in all Member States.	190.
			<i>Provisional common understanding in trilogue on 8/12/2020</i> <i>New recital</i> (x)Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement, and the commitment to the United Nations Sustainable Development Goals, the actions under this Regulation should contribute to the achievement of a 30% target of all MFF expenditure spent on	191.

Commission proposal COM(2018)372 final (as amended by COM(2020) 452 final)	European Parliament's first reading (27/03/19)	Council position (COREPER partial mandate of 15 February 2019, supplemented on 22 July 2020)	Compromise proposal, comments	Row Affected by COM(2020)452
			mainstreaming climate objectives and should contribute to the ambition of providing 7.5% of annual spending under the MFF to biodiversity objectives in the year 2024 and 10% of annual spending under the MFF to biodiversity objectives in 2026 and 2027, while considering the existing overlaps between climate and biodiversity goals.	

Table 3 in Annex I CPR

TERRITORIAL DELIVERY MECHANISM AND TERRITORIAL FOCUS		
INTEGRATED TERRITORIAL INVESTMENT (ITI)		ITI focused on sustainable urban development
11	Urban neighbourhoods	x
12	Cities, towns and suburbs	x
13	Functional urban areas	x
13a	Rural areas	
14	Mountainous areas	
15	Islands and coastal areas	
16	Sparsely populated areas	
17	Other types of territories targeted	
COMMUNITY LED LOCAL DEVELOPMENT (CLLD)		CLLD focused on sustainable urban development
21	Urban neighbourhoods	x
22	Cities, towns and suburbs	x
23	Functional urban areas	x

23a	Rural areas	
24	Mountainous areas	
25	Islands and coastal areas	
26	Sparsely populated areas	
27	Other types of territories targeted	
	OTHER TYPE OF TERRITORIAL TOOL UNDER POLICY OBJECTIVE 5	Other type of territorial tool focused on sustainable urban development
31	Urban neighbourhoods	x
32	Cities, towns and suburbs	x
33	Functional urban areas	x
33a	Rural areas	13a
34	Mountainous areas	
35	Islands and coastal areas	
36	Sparsely populated areas	
37	Other types of territories targeted	

OTHER APPROACHES ¹	
41	Urban neighbourhoods
42	Cities, towns and suburbs
43	Functional urban areas
43a	Rural areas
44	Mountainous areas
45	Islands and coastal areas
46	Sparsely populated areas
47	Other types of territories targeted
48	No territorial targeting