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NOTE

From:	Presidency
To:	Permanent Representatives Committee
Subject:	Omnibus III - mandate for negotiations with the European Parliament

1. Following the adoption by the Commission of the proposal for a Regulation on the simplification of agricultural rules, the so-called Omnibus III Regulation, a unanimous mandate was adopted by Coreper II on 3 September for the first trilogue, which was planned to take place on 17 October. The mandate was based on the horizontally-driven approach to simplification set out by the European Council and re-confirmed at its latest meeting on 23 October.

2. The Parliament's Plenary adopted its position on 8 October. Unlike the Council's mandate, a number of Parliament's amendments also address issues, which go beyond the simplification of agricultural rules during the current CAP programming period.

3. At two inter-institutional technical meetings, it did not prove possible to limit the focus of the negotiations to the main objective of the Commission's proposal, i.e. to achieve simplification to the benefit of farmers and administrations. Hence, an agreement on the agenda could not be found, and the Presidency could not engage in the negotiations at the first trilogue on 17 October.

4. The Presidency is, however, committed to concluding an agreement on the Omnibus III regulation well before the end of the year to allow farmers and administrations to benefit from the simplification in the two remaining years of the current CAP programming period 2023-27.

5. Without changing the main orientation of Council's current mandate, the Presidency proposes to consider four principles for dealing with the proposed amendments from the Parliament.

6. Maintain focus on simplification: First, certain amendments, while representing entirely legitimate political objectives, are considered outside the scope of the simplification exercise and should therefore be referred to other negotiation tracks. In some cases, the European Parliament's amendments pertain to the MFF 2021-27 and to the proposed MFF for 2028-2034. It would be more appropriate to discuss these proposals of the European Parliament in the context of other legislative proposals for the agricultural sector, such as the proposal on the CAP post-2027.

7. Openness to discuss proposals related to political priorities: Second, the Council could show openness to discuss a limited number of European Parliament amendments, which are not central to the simplification exercise but also do not add administrative burdens for farmers or national administrations. This concerns proposals related to interventions in particular to the benefit of young farmers, producer organizations and business start-ups. These proposals should be implementable in the last two years of the programing period.

8. Flexibility as concerns proposals contributing to simplification: Third, on certain issues, the Council could show flexibility in the direction of the European Parliament, where these proposals could be seen as contributing to simplification. This relates in particular to controls, the thresholds for certain types of farms to be covered by certain rules, or regarding the amounts that may be granted in support of certain schemes. These proposals should be easily implementable in the last two years of the programing period.

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9. Flexibility provided amendments to CAP strategic plans are voluntary: Fourth, given that only two years remain of the current CAP programming period 2023-27, and in view of the fact that certain changes will require amendments to the CAP Strategic Plans of the Member States, the Council could show some flexibility provided that the thrust of the objectives of such amendments be formulated as voluntary or give options for Member States and do not involve new obligations for Member States.

10. The Presidency invites Coreper to consider the principles outlined above with regard to the amendments introduced by the European Parliament. These principles – along with the original Council mandate of 3 September - would allow the Presidency to resume negotiations with the European Parliament in order to conclude an agreement on the Omnibus III regulation.

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