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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Friends of the Presidency Group on the Connecting Europe Facility (CEF)
N° prev. doc.:	ST 5744/21
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014

Delegations will find attached written comments by the Czech Republic and Croatia on the 4-column table distributed under ST 5744/21.

Comments by Croatia

The comment by Croatia refers to line 205 where Croatia would prefer version 2 of the EP proposal, in the document ST 5744/21.

GENERAL COMMENT:

In general we would like to point out that considering the exclusion of 30% of the amount from the national envelopes, and additionally, that the funds of the national envelopes not used by the end of 2023 will enter in the common envelope on competition basis, we would support as flexible conditions as possible, for the use of the cohesion envelope, and the acceptance of all projects applications that meet the criteria until the allocation for the country is exhausted.

Comments by the Czech Republic

ANNEX

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	RECITALS			
20.	(4) Reflecting the importance of tackling climate change in line with Union's commitments to implement the Paris Agreement, and the commitment to the United Nations Sustainable Development Goals, this Regulation should therefore mainstream climate action and lead to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives ³ . Actions under this Programme are expected to contribute 60% of the overall financial envelope of the Programme to climate objectives, based <i>inter alia</i> on the following Rio markers: i) 100% for the expenditures relating to railway infrastructure, alternative	(4) Reflecting the importance of tackling climate change in line with Union's commitments to implement the Paris Agreement, and the commitment to the United Nations Sustainable Development Goals, this Regulation should therefore mainstream climate action and lead to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives ¹ . Actions under this Programme should contribute 60% of the overall financial envelope of the Programme to climate objectives, based <i>inter alia</i> on the following Rio markers: (i) 100% for the expenditures relating to railway infrastructure, charging infrastructure alternative and sustainable fuels,	(4) Reflecting the importance of tackling climate change in line with Union's commitments to implement the Paris Agreement, and the commitment to the United Nations Sustainable Development Goals, this Regulation should therefore mainstream climate action and lead to the achievement of an overall target of 30% of the EU budget expenditures supporting climate objectives ⁴ . Actions under this Programme should contribute 60% of the overall financial envelope of the Programme to climate objectives, based <i>inter alia</i> on the following Rio markers: i) 100% for the expenditures relating to railway infrastructure, charging infrastructure alternative and sustainable fuels,	<u>Provisionally agreed compromise marked in grey:</u> <u>New Presidency proposal for compromise marked in bold-underline:</u> (4) Reflecting the importance of tackling climate change in line with Union's commitments to implement the Paris Agreement, and the commitment to the United Nations Sustainable Development Goals, this Regulation should therefore mainstream climate action and lead to the achievement of an overall target of <u>at least</u> 30% of the EU budget expenditures supporting climate objectives and it should contribute

¹ COM(2018)0321, p. 13.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	fuels, clean urban transport, electricity transmission, electricity storage, smart grids, CO₂ transportation and renewable energy; ii) 40% for inland waterways and multimodal transport, and gas infrastructure - if enabling increased use of renewable hydrogen or bio-methane. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. In order to prevent that infrastructure is vulnerable to potential long term climate change impacts and to ensure that the cost of greenhouse gas emissions arising from the project is included in the project's economic evaluation, projects supported by the Programme should be subject to climate proofing in accordance with guidance that should be developed by the Commission coherently with the guidance developed for other programmes of the Union where relevant. ⁽³⁾ COM(2018) 321, page 13	clean urban transport, electricity transmission, electricity storage, smart grids, CO₂ transportation and renewable energy; (ii) 40% for inland waterways and multimodal transport, and gas infrastructure - if enabling increased use of renewable hydrogen or bio-methane. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. In order to prevent that infrastructure is vulnerable to potential long term climate change impacts and to ensure that the cost of greenhouse gas emissions arising from the project is included in the project's economic evaluation, projects supported by the Programme should be subject to climate proofing in accordance with guidance that should be developed by the Commission coherently with the guidance developed for other programmes of the Union where relevant. ⁽¹⁾ COM(2018) 321, page 13	clean urban transport, electricity transmission, electricity storage, smart grids, CO₂ transportation and renewable energy; ii) 40% for inland waterways and multimodal transport, and gas infrastructure - if enabling increased use of renewable hydrogen or bio-methane. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. In order to prevent that infrastructure is vulnerable to potential long term climate change impacts and to ensure that the cost of greenhouse gas emissions arising from the project is included in the project's economic evaluation, projects supported by the Programme should be subject to climate proofing in accordance with guidance that should be developed by the Commission coherently with the guidance developed for other programmes of the Union where relevant. ⁽⁴⁾ COM(2018) 321, page 13	<u>to the ambition of 7.5% of the Budget reflecting biodiversity expenditures in 2024 and 10% in 2026 and 2027 while considering the existing overlaps between climate and biodiversity objectives.</u> Actions under this Programme should contribute 60% of the overall financial envelope of the Programme to climate objectives, based inter alia on the following Rio markers: i) 100% for the expenditures relating to railway infrastructure, charging infrastructure alternative and sustainable fuels, clean urban transport, electricity transmission, electricity storage, smart grids, CO₂ transportation and renewable energy; ii) 40% for inland waterways and multimodal transport, and gas infrastructure - if enabling increased use of renewable hydrogen or bio-methane. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. In order to prevent that infrastructure is vulnerable to potential long term climate change impacts and to ensure that the cost of greenhouse gas emissions arising from the project is included in the project's economic

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				evaluation, projects supported by the Programme should be subject to climate proofing in accordance with guidance that should be developed by the Commission coherently with the guidance developed for other programmes of the Union where relevant.
20a.				Presidency proposal for new recital based on Article 8 of the Treaty on the Functioning of the European Union: <u>(4a) According to Article 8 of the Treaty on the Functioning of the European Union, in all its activities, the Union shall aim to eliminate inequalities and to promote equality between men and women. Gender equality, as well as rights and equal opportunities for all, and the mainstreaming of these objectives should be taken into account and promoted throughout the assessment, preparation, implementation and monitoring of the programme.</u> <u>EP proposal:</u> The programme should be subject, when available, to the methodologies

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				set out by the Commission for monitoring expenditure contributing to halting and reversing the decline of biodiversity in view of working towards 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 and for measuring the relevant expenditure at programme level in the 2021-2027 MFF regarding the promotion of equality between women and men as well as rights and equal opportunities for all, and the mainstreaming of these objectives as well as gender-mainstreaming, including by strengthening the assessment of gender impacts under the Better Regulation framework in impact assessments and evaluations.
45.	(13) In order to improve the completion of transport projects in less developed parts of the network, a Cohesion Fund allocation should be transferred to the Programme to finance transport projects in the Member States eligible for financing from the Cohesion Fund. In an initial phase and within a limit of 70% of the	(13) In order to improve the completion of transport projects in less developed parts of the network, a Cohesion Fund allocation should be transferred to the Programme to finance transport projects in the Member States eligible for financing from the Cohesion Fund. In an initial phase [...] the selection of projects	(13) In order to improve the completion of transport projects in less developed parts of the network, a Cohesion Fund allocation should be transferred to the Programme to finance transport projects in the Member States eligible for financing from the Cohesion Fund. In an initial phase and within a limit of 70% of the	<u>EP proposal version 1:</u> (13) In order to improve the completion of transport projects in less developed parts of the network, a Cohesion Fund allocation should be transferred to the Programme to finance transport projects in the Member States eligible for financing

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	transferred envelope, the selection of projects eligible for financing should respect the national allocations under the Cohesion Fund. The remaining 30% of the transferred envelope should be allocated on a competitive basis to projects located in the Member States eligible for financing from the Cohesion Fund with priority to cross-border links and missing links. The Commission should support Member States eligible for financing from the Cohesion Fund in their efforts to develop an appropriate pipeline of projects, in particular by strengthening the institutional capacity of the public administrations concerned.	eligible for financing should respect the national allocations under the Cohesion Fund. [...] <i>At the end of the initial phase, resources transferred to the Programme which have not been committed to a transport infrastructure project</i> should be allocated on a competitive basis to projects located in the Member States eligible for financing from the Cohesion Fund with priority to cross-border links and missing links. The Commission should support Member States eligible for financing from the Cohesion Fund in their efforts to develop an appropriate pipeline of projects, in particular by strengthening the institutional capacity of the public administrations concerned.	transferred envelope, the selection of projects eligible for financing should respect the national allocations under the Cohesion Fund. The remaining 30% of the transferred envelope should be allocated on a competitive basis to projects located in the Member States eligible for financing from the Cohesion Fund with priority to cross-border links and missing links. The Commission should support Member States eligible for financing from the Cohesion Fund in their efforts to develop an appropriate pipeline of projects, in particular by strengthening the institutional capacity of the public administrations concerned. <u>In addition, with a view to improve more specifically the completion of cross-border railway projects in less developed parts of the network, a dedicated amount of the envelope from the European Strategic Investment cluster shall be used for projects for the completion of missing major cross-border railway links between Member states eligible for funding from the Cohesion Fund.</u>	from the Cohesion Fund. In an initial phase and within a limit of 70% of the transferred envelope, selection of projects eligible for financing should respect the national allocations under the Cohesion Fund. The remaining 30% of the transferred envelope should be allocated on a competitive basis to projects located in the Member States eligible for financing from the Cohesion Fund with priority to cross-border links and missing links. <u>One Member State may benefit of an amount up to 10 % of the amount allocated for the competition. Unallocated amounts following competition should return to the Member States that did not benefit of the competition.</u> The Commission should support Member States eligible for financing from the Cohesion Fund in their efforts to develop an appropriate pipeline of projects, in particular by strengthening the institutional capacity of the public administrations concerned. <u>EP proposal version 2:</u> (13) In order to improve the completion of transport projects in less developed parts of the network, a

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				Cohesion Fund allocation should be transferred to the Programme to finance transport projects in the Member States eligible for financing from the Cohesion Fund. In an initial phase and within a limit of 70% of the transferred envelope, selection of projects eligible for financing should respect the national allocations under the Cohesion Fund. The remaining 30% of the transferred envelope should be allocated on a competitive basis to projects located in the Member States eligible for financing from the Cohesion Fund with priority to cross-border links and missing links. <u>The total amount allocated to actions in a Member State should not exceed 150 % of the share of that Member State in the total amount transferred from Cohesion Fund.</u> The Commission should support Member States eligible for financing from the Cohesion Fund in their efforts to develop an appropriate pipeline of projects, in particular by strengthening the institutional capacity of the public administrations concerned.
91.			<u>(33a) The CEF should be established for a period of seven years to align its duration with that</u>	

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
			<u>of the multiannual financial framework laid down in Council Regulation (EU, Euratom) No [reference to the MFF Regulation to be inserted].</u>	
95.	(36) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors.	(36) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors.	(36) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors.	(36) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors.
95a.	Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	Rules adopted on the basis of Article 322 TFEU also concern other conditionalities to protect the budget . ²⁰ the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	<u>Presidency compromise proposal:</u> <u>Rules adopted on the basis of Article 322 TFEU also include a general regime of conditionality for the protection of the Union budget.</u> <u>EP proposal:</u> (36) Horizontal financial rules adopted by the European Parliament and the

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OJ C 373, 20.12.2013, p. 1.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
			(20) <u>This recital may have to be updated pending the outcome of negotiations on the conditionality regime.</u>	Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors and in the Regulation of the European Parliament and of the Council XXXXX on a general regime of conditionality for the protection of the Union budget.
96a.				<u>Presidency compromise proposal for new recital 37a (see also line 220):</u> <u>The reciprocal participation of legal entities established in the Union in equivalent programmes of third countries participating in the Programme should be provided for, as far as possible.</u>
97.	(38) Third countries which are members of the European Economic Area (EEA) may participate in Union	(38) Third countries which are members of the European Economic Area (EEA) may participate in Union	(38) Third countries which are members of the European Economic Area (EEA) may participate in Union	(38) Third countries which are members of the European Economic Area (EEA) may participate in Union

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	programmes in the framework of the cooperation established under the EEA agreement, which provides for the implementation of the programmes by a decision under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) as well as the European Court of Auditors to comprehensively exert their respective competences.	programmes in the framework of the cooperation established under the EEA agreement, which provides for the implementation of the programmes by a decision under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) as well as the European Court of Auditors to comprehensively exert their respective competences.	programmes in the framework of the cooperation established under the <u>Agreement of the European Economic Area</u> ³ EEA agreement, which provides for the implementation of the programmes <u>by on the basis of</u> a decision <u>adopted</u> under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation <u>requiring third countries</u> to grant the necessary rights for and access <u>required for</u> to the authorizing officer responsible, the European Anti-Fraud Office (OLAF) as well as the European <u>and the</u> Court of Auditors to comprehensively exert <u>exercise</u> their respective competences.	programmes in the framework of the cooperation established under the Agreement of the European Economic Area ⁴ , which provides for the implementation of the programmes on the basis of a decision adopted under that agreement. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation requiring third countries to grant the necessary rights and access required for the authorising officer responsible, the European Anti-Fraud Office (OLAF) and the Court of Auditors to comprehensively exercise their respective competences.
102.	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁷ , Council Regulation (Euratom, EC) No 2988/95 ¹⁸ , Council Regulation (Euratom, EC) No 2185/96 ¹⁹ and Council Regulation	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁷ , Council Regulation (Euratom, EC) No 2988/95 ¹⁸ , Council Regulation (Euratom, EC) No 2185/96 ¹⁹ and Council Regulation (EU) 2017/193 ²⁰ ,	(40) In accordance with <u>Regulations (EU, Euroatom) 2018/1046</u> ¹⁹ (the "Financial Regulation") <u>and</u> , Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁹ , Council Regulations (Euratom, EC) No 2988/95 ²⁰ <u>and</u> (Euratom, EC) No	(40) In accordance with Regulations (EU, Euroatom) 2018/1046 ¹⁹ (the "Financial Regulation") and, (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁹ , Council Regulations (Euratom, EC) No 2988/95 ²⁰ and (Euratom, EC) No 2185/96 ²¹ and

³ OJ L 1, 3.1.1994, p. 3.

⁴ OJ L 1, 3.1.1994, p. 3.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	(EU) 2017/193 ²⁰ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council ²¹ . In accordance with the Financial Regulation, any person or entity	the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council ²¹ . In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the	2185/96 ²¹ and Council Regulation (EU) 2017/193 ²² , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulations (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council ²³ . In accordance with the Financial	Council Regulation (EU) 2017/193 ²² , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulations (EU, Euratom) No 883/2013 and (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council ²³ . In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully

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	receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. ⁽¹⁷⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1 ⁽¹⁸⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1). ⁽¹⁹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the	Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the European Public Prosecutor's Office (EPPO) and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. ⁽¹⁷⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1 ⁽¹⁸⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1). ⁽¹⁹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other	Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests of the Union, to grant the necessary rights and access to the Commission, OLAF, the European Public Prosecutor's Office (EPPO) <u>in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939</u>, and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. ^(18a) <u>Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).</u> ⁽¹⁹⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September	cooperate in the protection of the financial interests of the Union, to grant the necessary rights and access to the Commission, OLAF, EPPO in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. ^(18a) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1). ⁽¹⁹⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292,15.11.1996, p.2). ⁽²⁰⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p.1). ⁽²¹⁾ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).	irregularities (OJ L292,15.11.1996, p.2). ⁽²⁰⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p.1). ⁽²¹⁾ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).	883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1 ⁽²⁰⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1). ⁽²¹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292,15.11.1996, p.2). ⁽²²⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p.1). ⁽²³⁾ Directive (EU) 2017/1371 of the European Parliament and of the	2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999,(OJ L248, 18.9.2013, p. 1 ⁽²⁰⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1). ⁽²¹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L292,15.11.1996, p.2). ⁽²²⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L283, 31.10.2017, p.1). ⁽²³⁾ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
			Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).	interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).
109.		<i>(43a) The Commission's Communication of 3 October 2017 'Making Public Procurement work in and for Europe'¹, notes that the EU is the world's most open market for procurement, but access for our companies in other countries is not always reciprocal. Beneficiaries of CEF should therefore make full use of the strategic procurement possibilities offered by Directive 2014/25/EU.</i> ¹ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS <i>Making Public Procurement work in and for Europe COM/2017/0572 final</i>	(43a) The Commission's Communication of October 2017 'Making Public Procurement work in and for Europe'¹, notes that the EU is the world's most open market for procurement, but access for our companies in other countries is not always reciprocal. Beneficiaries of CEF should therefore make full use of the strategic procurement possibilities offered by Directive 2014/25/EU. ¹ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Making Public Procurement work in and for Europe COM/2017/0572 final	<u>Presidency proposal:</u> Keep Council position. See also Presidency compromise proposal for new recital 37a in line 95b and in Article 5, line 220.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
125.	CHAPTER I GENERAL PROVISIONS			
126.	Article 1 Subject matter			
127.	This Regulation establishes the Connecting Europe Facility (the 'Programme').	This Regulation establishes the Connecting Europe Facility (the 'Programme').	This Regulation establishes the Connecting Europe Facility (the 'Programme') <u>for the period from 1 January 2021 to 31 December 2027.</u>	<u>Provisionally agreed compromise:</u> This Regulation establishes the Connecting Europe Facility (the "Programme") for the period of the Multi-annual financial framework (MFF) 2021-2027.
181.	Article 4 Budget			
183.	1. The financial envelope for the implementation of the Programme for the period 2021-2027 is set at EUR 42,265,493,000 in current prices.	1. The financial envelope for the implementation of the Programme for the period 2021-2027 is set at <u>EUR 43 850 768 000 in constant prices (EUR XXX in current prices).</u>	1. The financial envelope for the implementation of the Programme for the period 2021-2027 is set at <u>EUR 33,710,000,000</u> in current prices.	<u>Presidency compromise for new sentence (sectoral climate target):</u> 1. The financial envelope for the implementation of the Programme for the period 2021-2027 is set at EUR 33,710,000,000 ^{XX} in current prices. <u>Presidency compromise for new sentence:</u> <u>In line with the Union objective of mainstreaming climate actions into EU sectoral policies and EU funds, this Programme shall contribute, through its actions, where appropriate, 60% of its overall</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				<u>financial envelope to climate objectives.</u> <u>Presidency compromise proposal for footnote (insert reference to 2018 constant prices):</u> <u>(xx) The financial envelope of the Programme for the period 2021-2027 in constant 2018 prices is EUR 29 896 000 000 and is distributed as follows: (a) transport: EUR 22 884 000 000, of which (i) EUR 11 384 000 000 from the MFF 2021-2017 Heading 1(2), European Strategic Investment, out of which EUR 1 384 000 to be spent exclusively for the completion of missing major cross-border railway links between Member States eligible for funding from the Cohesion Fund; (ii) EUR 10 000 000 000 transferred from the Cohesion Fund; (iii) EUR 1 500 000 000 from Heading 5(13), Defence; (b) energy: EUR 5 180 000 000; (c) digital: EUR 1 832 000 000.</u>
184.	2. The distribution of this amount shall be as follows:	2. The distribution of this amount shall be as follows:	2. The distribution of this amount shall be as follows:	2. The distribution of this amount shall be as follows:
186.	(a) up to EUR 30,615,493,000 for the specific objectives referred to in Article 3(2)(a), of which:	(a) EUR 33 513 524 000 in constant prices (EUR XXX in current prices) for the specific objectives referred to in Article 3(2)(a), of which:	(a) EUR 25,807,000,000 for the specific objectives referred to in Article 3(2)(a), of which:	EP accepts Council position.
188.	(i) EUR 12,830,000,000 from the European Strategic Investment cluster;	(i) EUR 17 746 000 000 in constant prices (EUR XXX in current prices) from the European Strategic Investment cluster;	(i) EUR 12,830,000,000 from the European Strategic Investment cluster, out of which EUR 1,559,800,000 to be spent exclusively for the	EP proposal: See also PART II of the Annex, line 6. (i) EUR 12,830,000,000 from

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
			<u>completion of missing major cross-border railway links between Member States eligible for funding from the Cohesion Fund;</u>	MFF 2021-2027 Heading 1(2) the European Strategic Investment cluster
190.	(ii) EUR 11,285,493,000 transferred from the Cohesion Fund to be spent in line with this Regulation exclusively in Member States eligible for funding from the Cohesion Fund;	(ii) EUR 10 000 000 000 in constant prices (EUR 11,285,493,000 in current prices) transferred from the Cohesion Fund to be spent in line with this Regulation exclusively in Member States eligible for funding from the Cohesion Fund;	(ii) EUR 11,286,000,000 transferred from the Cohesion Fund to be spent in line with this Regulation exclusively in Member States eligible for funding from the Cohesion Fund;	EP accepts Council position.
192.	(iii) EUR 6,500,000,000 from the Defence cluster for the specific objective referred to in Article 3(2)(a)(ii);	(iii) EUR 5 767 524 000 in constant prices (EUR 6,500,000,000 in current prices) from the Defence cluster for the specific objective referred to in Article 3(2)(a)(ii).	(iii) EUR 1,691,000,000 from the Defence cluster for the specific objective referred to in Article 3(2)(a)(ii);	Provisionally agreed compromise: (iii) EUR 1,691,000,000 from MFF 2021-2027 Heading 5(13) the Defence cluster for the specific objective referred to in Article 3(2)(a)(ii);
194.	(b) up to EUR 8,650,000,000 for the specific objectives referred to in Article 3(2)(b), out of which up to 10% for the cross-border projects in the field of renewable energy	(b) EUR 8 650 000 000 for the specific objectives referred to in Article 3(2)(b), out of which 15%, subject to market uptake, for cross border projects in the field of renewable energy. If the 15% threshold is reached, the European Commission shall increase this amount up to 20%, subject to market uptake.	(b) EUR 5,838,000,000 for the specific objectives referred to in Article 3(2)(b), out of which 15%, subject to market uptake, for cross border projects in the field of renewable energy. If the 15% threshold is reached, the European Commission shall increase this amount up to 20%, subject to market uptake.	EP accepts Council position.
195.	(c) up to EUR 3,000,000,000 for the specific objectives referred to in Article 3(2)(c).	(c) EUR 2 662 000 000 in constant prices (EUR 3 000 000 000 in current prices) for the specific objectives referred to in Article 3(2)(c).	(c) EUR 2,065,000,000 for the specific objectives referred to in Article 3(2)(c).	EP accepts Council position.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
196.	3. The Commission shall not depart from the amount referred to in subparagraph 2 (a) (ii).	3. The Commission shall not depart from the amount referred to in subparagraph 2 (a) (ii).	3. The Commission shall not depart from the amount referred to in subparagraph 2(a)(ii).	3. The Commission shall not depart from the amount referred to in subparagraph 2(a)(ii).
198.	4. The amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Programme and the sector-specific guidelines, such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems. This amount may also be used to finance accompanying measures to support the preparation of projects.	4. <i>Up to 1% of the</i> amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Programme and the sector-specific guidelines, such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems. This amount may also be used to finance accompanying measures to support the preparation of projects <i>in particular to provide advisory to project promoters on funding opportunities in order to assist in the structuring of their project finance.</i>	4. Up to 1% of the amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Programme and the sector-specific guidelines, such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems. This amount may also be used to finance accompanying measures to support the preparation of projects in particular to provide advisory to project promoters on funding opportunities in order to assist in the structuring of their project finance.	4. Up to 1% of the amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the Programme and the sector-specific guidelines, such as preparatory, monitoring, control, audit and evaluation activities including corporate information and technology systems. This amount may also be used to finance accompanying measures to support the preparation of projects in particular to provide advisory to project promoters on funding opportunities in order to assist in the structuring of their project finance.
199.	5. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	5. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	5. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.	5. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.
203.	7. The amount transferred from the Cohesion Fund shall be implemented in accordance with this Regulation, subject to paragraph 8 and	7. The amount transferred from the Cohesion Fund shall be implemented in accordance with this Regulation, subject to paragraph 8 and without	7. The amount transferred from the Cohesion Fund shall be implemented in accordance with this Regulation, subject to paragraph 8 and without	7. The amount transferred from the Cohesion Fund shall be implemented in accordance with this Regulation, subject to paragraph 8 and

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	without prejudice to Article 14(2)(b).	prejudice to Article 14(2)(b).	prejudice to Article 14(2)(b).	without prejudice to Article 14(2)(b).
205.	8. As regards the amounts transferred from the Cohesion Fund, 30% of these amounts shall be made available immediately to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation, with priority to cross-border and missing links. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70% of the resources transferred. As of 1 January 2024, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation.	8. As regards the amounts transferred from the Cohesion Fund, ■ until 31 December ■ 2022, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund ■ . As of 1 January ■ 2023, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available, on a competitive basis, to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation.	8. As regards the amounts transferred from the Cohesion Fund, 30% of these amounts shall be made available immediately to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation, with priority to cross-border and missing links. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70% of the resources transferred. As of 1 January 2024, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation.	<u>Presidency proposal (as provisionally agreed during the CPR negotiations, and validated by Coreper 2, see ST 13693/20):</u> 8. As regards the amounts transferred from the Cohesion Fund, 30% of these amounts shall be made available immediately to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation, with priority to cross-border and missing links. Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70% of the resources transferred. As of 1 January 2024, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation. <u>Member States whose GNI per capita, measured in PPS for the period 2015-2017, is less than 60 %</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				<u>of the average GNI per capita of the EU-27, shall be guaranteed, until 1 January 2025, 70% of 70% of the amount they have transferred to the CEF.</u> <u>EP proposal (see also line 45):</u> <u>Version 1:</u> 8) As regards the amounts transferred from the Cohesion Fund, 30% of these amounts shall be made available immediately, <u>on a competitive basis,</u> to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation, with priority to cross-border and missing links. <u>The maximum amount that one Member State may benefit shall be 10 % of the amount allocated for the competition. As of 1 January 2023 unallocated amounts following competition shall be distributed to the Member States that did not benefit of the competition.</u> Until 31 December 2023 the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70%

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				of the resources transferred. As of 1 January 2024, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation. <u>EP proposal - Version 2 (see also line 45):</u> (8) As regards the amounts transferred from the Cohesion Fund, 30% of these amounts shall be made available immediately, <u>on a competitive basis,</u> to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation, with priority to cross-border and missing links. <u>As of 1 January 2023 unallocated amounts following competition shall be distributed to the Member States that did not benefit of the competition.</u> Until 31 December 2023, the selection of projects eligible for financing shall respect the national allocations under the Cohesion Fund with regard to 70%

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				of the resources transferred. As of 1 January 2024, resources transferred to the Programme which have not been committed to a transport infrastructure project shall be made available to all Member States eligible for funding from the Cohesion Fund to finance transport infrastructure projects in accordance with this Regulation. <u>Until 31 December 2026, the total amount allocated, from Article 4(2)(a)(ii), to actions in a Member state shall not exceed 150% of the share of that Member State in the total amount tranferred from the Cohesion Fund.</u>
205a.				<u>Presidency proposal (as provisionally agreed during the CPR negotiations and validated by Coreper 2, cf. ST 13693/20):</u> <u>8-a. In order to support Member States eligible for funding from the Cohesion Fund, which may experience difficulties in designing projects that are of a sufficient maturity, quality, or both, and which have sufficient added value for the Union, particular attention shall be given to programme</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				<u>support actions aimed at strengthening institutional capacity and the efficiency of public administrations and public services in relation to the development and implementation of projects listed in this Regulation .</u> <u>The Commission shall do its utmost to enable Member States eligible for funding from the Cohesion Fund to attain, by the end of the period 2021-2027, the highest possible absorption of the amount transferred to the CEF, including through the organisation of additional calls.</u> <u>Particular attention and support under the first and second subparagraph shall be given to those Member States whose GNI per capita, measured in PPS for the period 2015- 2017, is less than 60 % of the average GNI per capita of the EU-27.</u>
205. ab				<u>EP proposal:</u> Member States whose GNI per capita, measured in PPS for the period 2015-

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				2017, is less than 60 % of the average GNI per capita of the EU-27, shall be guaranteed, until 1 January 2025, 50% of the amount they have transferred to the CEF.
206.		<i>8a. The amount transferred from the Cohesion Fund shall not be used to finance cross-sectoral work programmes and blending operations.</i>	8a. The amount transferred from the Cohesion Fund shall not be used to finance cross-sectoral work programmes and blending operations.	8a. The amount transferred from the Cohesion Fund shall not be used to finance cross-sectoral work programmes and blending operations.
208.	9. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with [point (a) of Article 62(1)] of the Financial Regulation or indirectly in accordance with point (c) of that Article. Where possible those resources shall be used for the benefit of the Member State concerned.	9. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with [point (a) of Article 62(1)] of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned.	9. Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned.	<u>Provisionally agreed compromise:</u> Resources allocated to Member States under shared management may, at their request, be transferred to the Programme. <u>The transfer is subject to the conditions set out in Article 21 of the CPR Regulation.</u> The Commission shall implement those resources directly in accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article. Those resources shall be used for the benefit of the Member State concerned.
208a		<i>9a. Without prejudice to Article 4 paragraph 9, in the digital sector, resources allocated to Member States</i>	10. Without prejudice to Article 4 paragraph 9, in the digital sector, resources allocated to Member States	EP and Council position identical.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>under shared management may, at their request, be transferred to the Programme, including to complement the funding of eligible actions under Article 9 paragraph 4 up to 100% of the total eligible cost where possible, without prejudice to the co-financing principle laid in Article 190 of the Financial Regulation and to the State Aid Rules. Those resources shall be used for the benefit of the Member State concerned only.</i>	under shared management may, at their request, be transferred to the Programme, including to complement the funding of eligible actions under Article 9 paragraph 4 up to 100% of the total eligible cost where possible, without prejudice to the co-financing principle laid in Article 190 of the Financial Regulation and to the State Aid Rules. Those resources shall be used for the benefit of the Member State concerned only.	
209.	<i>Article 5</i> <i>Third countries associated to the Programme</i>			
210.	1. The Programme shall be open to the following third countries:	1. The Programme shall be open to the following third countries:	1. The Programme shall be open to the following third countries:	1. The Programme shall be open to the following third countries:
211.	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement;	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement;	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement;	(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement;
212.	(b) acceding countries, candidates and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and	(b) acceding countries, candidates and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and association	(b) acceding countries, candidates and potential candidates, in accordance with the general principles and general terms and conditions for their participation of those countries in Union programmes established in the respective framework agreements and	(b) acceding countries, candidates and potential candidates, in accordance with the general principles and general terms and conditions for their participation of those countries in Union programmes established in the respective framework agreements and

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;	council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;	association council <u>Association Council</u> decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them <u>those countries</u> ;	Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;
213.	(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;	(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;	(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and association council <u>Association Council</u> decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;	(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and Association Council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;
214.	(d) other third countries, in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:	(d) other third countries, in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:	(d) other third countries, in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:	(d) other third countries, in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:
215.	– ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;	– ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;	<u>(i)</u> ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;	(i) ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;
216.	– lays down the conditions of participation in the programmes, including the calculation of financial	– lays down the conditions of participation in the programmes, including the calculation of financial	<u>(ii)</u> lays down the conditions of participation in the programmes, including the calculation of financial	(ii) lays down the conditions of participation in the programmes, including the calculation of financial

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;	contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;	contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;	contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;
217.	– does not confer to the third country a decisional power on the programme;	– does not confer to the third country a decisional power on the programme;	(iii) does not confer to the third country a decisional power on the programme;	(iii) does not confer to the third country a decisional power on the programme;
218.	– guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	– guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	(iv) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	(iv) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.
220.		AM 74 – <i>provide reciprocity in accessing similar programmes in the third country, especially public procurement.</i>		<u>Presidency compromise proposal:</u> <u>To accept new EP position with the addition of "where applicable":</u> <u>(v) provide reciprocity in accessing similar programmes in the third country, where applicable.</u>
222.	2. The third countries referred to in paragraph 1, and entities established in these countries, may not receive financial assistance under this Regulation except where it is indispensable to the achievement of the objectives of a given project of common interest and under the conditions set in the work programmes referred to in Article 19.	2. The third countries referred to in paragraph 1, and entities established in these countries, may not receive financial assistance under this Regulation except where it is indispensable to the achievement of the objectives of a given project of common interest and under the conditions set in the work programmes referred to in Article 19 <i>and according to the provisions set by Article 8 of</i>	2. Without prejudice to Article 8 of Regulation (EU) No 1315/2013, the third countries referred to in paragraph 1, and entities established in these countries, may not receive financial assistance under this Regulation except where it is indispensable to the achievement of the objectives of a given project of common interest and under the conditions set in the work programmes	<u>Provisionally agreed compromise:</u> Without prejudice to Article 8 of Regulation (EU) No 1315/2013, the third countries referred to in paragraph 1, and entities established in these countries, may not receive financial assistance under this Regulation except where it is indispensable to the achievement of the objectives of a given project of common interest <u>or a project in accordance with Article</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>Regulation (EU) No 1315/2013.</i>	referred to in Article 19.	7(1) of this Regulation and under the conditions set in the work programmes referred to in Article 19.
245.	<i>Article 8</i> <i>Projects of common interest in the area of digital connectivity infrastructure</i>			
247.	1. Projects of common interest in the area of digital connectivity infrastructure shall contribute to the specific objective provided for in Article 3(2)(c).	1. Projects of common interest in the area of digital connectivity infrastructure <i>are those projects that are expected to make an important contribution to the Union's strategic connectivity objectives and/or provide the network infrastructure supporting the digital transformation of the economy and society as well as the European Digital Single Market.</i>	1. Projects of common interest in the area of digital connectivity infrastructure <i>are those projects that are expected to make an important contribution to the Union's strategic connectivity objectives and/or provide the network infrastructure supporting the digital transformation of the economy and society as well as the European Digital Single Market.</i>	Part of common understanding.
249.		<i>1a. Projects of common interest in the area of digital connectivity infrastructure shall comply with the criteria below:</i> <i>(a) contribute to the specific objective provided for in point (c) of Article 3(2);</i> <i>(b) deploy the best available and suited technology for the specific project, which proposes the best balance in terms of data flow capacity, transmission security, network resilience, cyber security and cost efficiency.</i>	1a. Projects of common interest in the area of digital connectivity infrastructure shall comply with the criteria below: (a) contribute to the specific objective provided for in point (c) of Article 3(2); (b) deploy <i>the best available and suited</i> technology for the specific project, which proposes the best balance in terms of data flow capacity, transmission security, network resilience, cyber security and cost efficiency.	Part of common understanding.

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
250.	2. Studies aiming at the development and identification of projects of common interest in the area of digital connectivity infrastructure shall be eligible for funding under this Regulation.	2. Studies aiming at the development and identification of projects of common interest in the area of digital connectivity infrastructure shall be eligible for funding under this Regulation.	2. Studies aiming at the development and identification of projects of common interest in the area of digital connectivity infrastructure shall be eligible for funding under this Regulation.	Part of common understanding.
251.	3. Without prejudice to the award criteria laid down in Article 13, priority for funding shall be determined taking into account the following criteria:	3. Without prejudice to the award criteria laid down in Article 13, priority for funding shall be determined taking into account the following criteria:	3. Without prejudice to the award criteria laid down in Article 13, priority for funding shall be determined taking into account the following criteria:	Part of common understanding.
253.	(a) actions contributing to access to very high capacity networks capable of providing Gigabit connectivity for socio-economic drivers shall be prioritised taking into account the function of the socio-economic drivers, the relevance of the digital services and applications enabled by providing the underlying connectivity, and the potential socio-economic benefits to citizens, business and local communities, including the potential positive spill-overs in terms of connectivity, in accordance with Part V of the Annex;	(a) actions contributing to deployment of and access to very high capacity networks, including 5G and other state-of-the-art connectivity, in line with EU strategic connectivity targets in areas where socioeconomic drivers are located shall be prioritized taking into account their connectivity needs and the additional area coverage generated, including households , in accordance with Part V of the Annex. Stand-alone deployments to socio-economic drivers can be supported except in economically disproportionate or physically impracticable cases;	(a) actions contributing to deployment of and access to very high capacity networks, including 5G and other state-of-the-art connectivity, in line with EU strategic connectivity targets in areas where socioeconomic drivers are located shall be prioritized taking into account their connectivity needs and the additional area coverage generated, including households , in accordance with Part V of the Annex. Stand-alone deployments to socio-economic drivers can be supported except in economically disproportionate or physically impracticable cases.	<u>Provisionally agreed compromise:</u> (a) actions contributing to deployment of and access to very high capacity networks, including 5G and other state-of-the-art connectivity, in line with EU strategic connectivity targets in areas where socioeconomic drivers are located shall be prioritized taking into account their connectivity needs and the additional area coverage generated, including households, in accordance with Part V, <u>Section 1</u> of the Annex. Stand-alone deployments to socio-economic drivers can be supported except in economically disproportionate or physically impracticable cases.
254.	(b) actions contributing to the	(b) actions contributing to the	(b) actions contributing to the	<u>Provisionally agreed compromise:</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	provision of very high-quality local wireless connectivity in local communities, in accordance with Part V of the Annex;	provision of very high-quality local wireless connectivity in local communities, in accordance with Part V of the Annex;	provision of very high-quality local wireless connectivity in local communities, in accordance with Part V of the Annex;	(b) actions contributing to the provision of very high-quality local wireless connectivity in local communities, in accordance with Part V, Section 2 of the Annex;
256.	(c) with regard to actions contributing to the deployment of 5G systems, priority shall be given to deployment of 5G corridors along major terrestrial transport paths, including the trans-European transport networks. The extent to which the action contributes to ensuring coverage along major transport paths enabling the uninterrupted provision of synergy digital services, while maximising potential positive spill-overs for territories and population in the vicinity of the project deployment area shall also be taken into account. An indicative list of projects that could benefit from support is included in Part V of the Annex;	(c) ■ actions contributing to the deployment of 5G corridors along major transport paths , including on the trans-European transport networks, shall be prioritized to ensure coverage along major transport paths, enabling the uninterrupted provision of synergy digital services, taking into account its socio-economic relevance relative to any currently installed technological solutions in a forward looking approach . An indicative list of projects that could benefit from support is included in Part V of the Annex;	(c) actions contributing to the deployment of 5G corridors along major transport paths , including on the trans-European transport networks, shall be prioritized to ensure coverage along major transport paths, enabling the uninterrupted provision of synergy digital services, taking into account its socio-economic relevance relative to any currently installed technological solutions in a forward looking approach . An indicative list of projects that could benefit from support is included in Part V of the Annex;	<u>Provisionally agreed compromise:</u> (c) actions contributing to the deployment of 5G corridors along major transport paths, including on the trans-European transport networks, <u>such as those listed in Part V, section 3 of the Annex</u> , shall be prioritized to ensure coverage along major transport paths, enabling the uninterrupted provision of synergy digital services, taking into account its socio-economic relevance relative to any currently installed technological solutions in a forward looking approach. An indicative list of projects that could benefit from support is included in Part V of the Annex;
258.	(d) projects aiming at the deployment of cross-border backbone networks linking the Union to third countries and reinforcing links within the Union territory, including with submarine cables, shall be prioritised according to the extent to which they	(d) projects aiming at the deployment or significant upgrade of cross-border backbone networks linking the Union to third countries and reinforcing links between electronic communications networks within the Union territory, including	(d) projects aiming at the deployment or significant upgrade of cross-border backbone networks linking the Union to third countries and reinforcing links between electronic communications networks within the Union territory, including submarine	<u>Provisionally agreed to keep common understanding:</u> (d) projects <u>of common interest</u> aiming at the deployment or significant upgrade of cross-border backbone networks linking the Union

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	significantly contribute to increasing the resilience and capacity of electronic communications networks in Union territory;	submarine cables, shall be prioritised according to the extent to which they significantly contribute to the increased <i>performance</i> , resilience and <i>very high</i> capacity of <i>those</i> electronic communications networks;	cables, shall be prioritised according to the extent to which they significantly contribute to the increased performance , resilience and very high capacity of those electronic communications networks;	to third countries and reinforcing links between electronic communications networks within the Union territory, including submarine cables, shall be prioritised according to the extent to which they significantly contribute to the increased performance, resilience and very high capacity of those electronic communications networks;
260.	(f) with regard to projects deploying operational digital platforms, priority shall be given to actions based on state-of-the-art technologies, taking into account aspects such as interoperability, cybersecurity, data privacy and re-use.	(f) with regard to projects deploying operational digital platforms, priority shall be given to actions based on state-of-the-art technologies, taking into account aspects such as interoperability, cybersecurity, data privacy and re-use.	(f) with regard to projects deploying operational digital platforms, priority shall be given to actions based on state-of-the-art technologies, taking into account aspects such as interoperability, cybersecurity, data privacy and re-use.	<u>Provisionally agreed to keep common understanding:</u> (ef) with regard to projects of common interest deploying operational digital platforms, priority shall be given to actions based on state-of-the-art technologies, taking into account aspects such as interoperability, cybersecurity, data privacy and re-use.
264.	CHAPTER II ELIGIBILITY			
265.	<i>Article 9 Eligible actions</i>			
267.	1. Only actions contributing to the achievement of the objectives referred to in Article 3 are eligible for funding. Such actions include in particular studies, works and other accompanying measures necessary for	1. Only actions contributing to the achievement of the objectives referred to in Article 3, taking into account long-term decarbonisation commitments , are eligible for funding. Such actions include studies, works	1. Only actions contributing to the achievement of the objectives referred to in Article 3, taking into account long-term decarbonisation commitments , are eligible for funding. Such actions include studies,	1. Only actions contributing to the achievement of the objectives referred to in Article 3, taking into account long-term decarbonisation commitments, are eligible for funding. Such actions include studies, works

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	the management and implementation of the Programme and the sector-specific guidelines.	and other accompanying measures necessary for the management and implementation of the Programme and the sector-specific guidelines. <i>Studies are eligible only when relating to projects eligible under this Programme.</i>	works and other accompanying measures necessary for the management and implementation of the Programme and the sector-specific guidelines. <i>Studies are eligible only when relating to projects eligible under this Programme.</i>	and other accompanying measures necessary for the management and implementation of the Programme and the sector-specific guidelines. Studies are eligible only when relating to projects eligible under this Programme.
268.	2. In the transport sector, the following actions shall be eligible to receive Union financial assistance under this Regulation:	2. In the transport sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:	2. In the transport sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:	2. In the transport sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:
269	(a) Actions relating to efficient and interconnected networks:	(a) Actions relating to efficient, interconnected, interoperable and multimodal networks for the development of railway, road, inland waterway and maritime infrastructure.	(a) Actions relating to efficient, interconnected, interoperable and multimodal networks for the development of railway, road, inland waterway and maritime infrastructure.	(a) Actions relating to efficient, interconnected, interoperable and multimodal networks for the development of railway, road, inland waterway and maritime infrastructure:
270.	(i) actions implementing the core network in accordance with Chapter III of Regulation (EU) No 1315/2013, including actions relating to urban nodes, maritime ports, inland ports and rail-road terminals of the core network as defined at Annex II to Regulation (EU) No 1315/2013. Actions implementing the core network may include related elements located on the comprehensive network when necessary to optimize the	(i) actions implementing the core network in accordance with Chapter III of Regulation (EU) No 1315/2013, including actions relating to cross border links and missing links, such as those listed in Part III of the Annex to this Regulation, as well as urban nodes, multimodal logistics platforms , maritime ports, inland ports, rail-road terminals and connections to airports of the core network as defined at Annex II to Regulation (EU) No 1315/2013. Actions implementing the core network may include related elements	(i) actions implementing the core network in accordance with Chapter III of Regulation (EU) No 1315/2013, including actions relating to cross border links and missing links, such as those listed in Part III of the Annex to this Regulation, as well as urban nodes, multimodal logistics platforms , maritime ports, inland ports, rail-road terminals and connections to airports of the core network as defined at Annex II to Regulation (EU) No 1315/2013. Actions implementing the core network may include related elements	(i) actions implementing the core network in accordance with Chapter III of Regulation (EU) No 1315/2013, including actions relating to cross border links and missing links, such as those listed in Part III of the Annex to this Regulation, as well as urban nodes, multimodal logistics platforms, maritime ports, inland ports, rail-road terminals and connections to airports of the core network as defined at Annex II to Regulation (EU) No 1315/2013. Actions implementing the

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	investment and according to modalities specified in the work programmes referred to in Article 19 of this Regulation;	located on the comprehensive network when necessary to optimize the investment and according to modalities specified in the work programmes referred to in Article 19 of this Regulation;	located on the comprehensive network when necessary to optimize the investment and according to modalities specified in the work programmes referred to in Article 19 of this Regulation;	core network may include related elements located on the comprehensive network when necessary to optimize the investment and according to modalities specified in the work programmes referred to in Article 19 of this Regulation;
272.	(ii) actions implementing cross-border links of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013, notably the sections listed in Part III of the Annex to this Regulation;	(ii) actions <i>relating to</i> cross-border links of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013, <i>such as those</i> listed in Part III <i>section 2</i> of the Annex to this Regulation, <i>actions referred to in Part III section 3 of the Annex to this Regulation, actions relating to studies for the development of the comprehensive network and actions relating to maritime and inland ports of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013;</i>	ii) actions relating to cross-border links of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013, such as those listed in Part III section 2 of the Annex to this Regulation, actions referred to in Part III section 3 of the Annex to this Regulation, actions relating to studies for the development of the comprehensive network and actions relating to maritime and inland ports of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013;	ii) actions relating to cross-border links of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013, such as those listed in Part III section 2 of the Annex to this Regulation, actions referred to in Part III section 3 of the Annex to this Regulation, actions relating to studies for the development of the comprehensive network and actions relating to maritime and inland ports of the comprehensive network in accordance with Chapter II of Regulation (EU) No 1315/2013;
276.		<i>(iia) actions to re-establish missing regional cross-border rail connections on the TEN-T that were abandoned or dismantled;</i>	<i>(iib) actions to re-establish missing regional cross-border rail connections on the TEN-T that were abandoned or dismantled;</i>	(iib) actions to re-establish missing regional cross-border rail connections on the TEN-T that were abandoned or dismantled;
278.	(iii) actions implementing sections of the comprehensive network located in outermost regions in accordance with Chapter II of Regulation (EU) No 1315/2013, including actions relating to the relevant urban nodes, maritime	(iii) actions implementing sections of the comprehensive network located in outermost regions in accordance with Chapter II of Regulation (EU) No 1315/2013, including actions relating to the relevant urban nodes, maritime	(iii) actions implementing sections of the comprehensive network located in outermost regions in accordance with Chapter II of Regulation (EU) No 1315/2013, including actions relating to the relevant urban nodes, maritime	(iii) actions implementing sections of the comprehensive network located in outermost regions in accordance with Chapter II of Regulation (EU) No 1315/2013, including actions relating to the relevant urban nodes, maritime

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	ports, inland ports and rail-road terminals of the comprehensive network as defined at Annex II to Regulation (EU) No 1315/2013;	ports, inland ports, rail-road terminals, <i>connections to airports and multimodal logistics platforms</i> , of the comprehensive network as defined at Annex II to Regulation (EU) No 1315/2013;	ports, inland ports, rail-road terminals, <i>connections to airports and multimodal logistics platforms</i> , of the comprehensive network as defined at Annex II to Regulation (EU) No 1315/2013;	ports, inland ports, rail-road terminals, connections to airports and multimodal logistics platforms, of the comprehensive network as defined at Annex II to Regulation (EU) No 1315/2013;
281.	(iv) actions supporting projects of common interest in order to connect the trans-European network with infrastructure networks of neighbouring countries as defined in Article 8(1) of Regulation (EU) No 1315/2013;	(iv) actions supporting projects of common interest in order to connect the trans-European network with infrastructure networks of neighbouring countries as defined in Article 8(1) of Regulation (EU) No 1315/2013;	(iv) actions supporting projects of common interest in order to connect the trans-European network with infrastructure networks of neighbouring countries as defined in Article 8(1) of Regulation (EU) No 1315/2013;	(iv) actions supporting projects of common interest in order to connect the trans-European network with infrastructure networks of neighbouring countries as defined in Article 8(1) of Regulation (EU) No 1315/2013;
284.	(b) Actions relating to smart, sustainable, inclusive, safe and secure mobility:	(b) Actions relating to smart, <i>interoperable</i> , sustainable, <i>multimodal</i> , inclusive, <i>accessible</i> , safe and secure mobility:	(b) Actions relating to smart, <i>interoperable</i> , sustainable, <i>multimodal</i> , inclusive, <i>accessible</i> , safe and secure mobility:	(b) Actions relating to smart, interoperable, sustainable, multimodal, inclusive, accessible, safe and secure mobility:
286.	(i) actions supporting motorways of the sea as provided for in Article 21 of Regulation (EU) No 1315/2013;	(i) actions supporting motorways of the sea as provided for in Article 21 of Regulation (EU) No 1315/2013 <i>with a focus on cross-border short sea shipping</i> ;	(i) actions supporting motorways of the sea as provided for in Article 21 of Regulation (EU) No 1315/2013 <i>with a focus on cross-border short sea shipping</i> ;	(i) actions supporting motorways of the sea as provided for in Article 21 of Regulation (EU) No 1315/2013 with a focus on cross-border short sea shipping;
288.	(ii) actions supporting telematic applications systems, including for safety purposes, in accordance with Article 31 of Regulation (EU) No 1315/2013;	(ii) actions supporting telematic applications systems, [] in accordance with Article 31 of Regulation (EU) No 1315/2013, <i>for the respective transport modes, including in particular</i> :	(ii) actions supporting telematic applications systems, [...] in accordance with Article 31 of Regulation (EU) No 1315/2013, for the respective transport modes, including in particular :	(ii) actions supporting telematic applications systems, [...] in accordance with Article 31 of Regulation (EU) No 1315/2013, for the respective transport modes, including in particular:
289.		- <i>for railways: ERTMS</i> ;	- for railways: ERTMS ;	- for railways: ERTMS;

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
290.		- <i>for inland waterways: RIS;</i>	- for inland waterways: RIS;	- for inland waterways: RIS;
291.		- <i>for road transport: ITS;</i>	- for road transport: ITS;	- for road transport: ITS;
292.		- <i>for maritime transport: VTMISS and e-Maritime services, including single-window services such as the maritime single window, port community systems and relevant customs information systems;</i>	- for maritime transport: VTMISS and e-Maritime services, including single-window services such as the maritime single window, port community systems and relevant customs information systems;	- for maritime transport: VTMISS and e-Maritime services, including single-window services such as the maritime single window, port community systems and relevant customs information systems;
293.		- <i>for air transport: air traffic management systems, in particular those resulting from the SESAR system;</i>	- for air transport: air traffic management systems, in particular those resulting from the SESAR system;	- for air transport: air traffic management systems, in particular those resulting from the SESAR system;
295.	(iii) actions supporting freight transport services in accordance with Article 32 of Regulation (EU) No 1315/2013;	(iii) actions supporting sustainable freight transport services in accordance with Article 32 of Regulation (EU) No 1315/2013 and actions to reduce rail freight noise;	(iii) actions supporting sustainable freight transport services in accordance with Article 32 of Regulation (EU) No 1315/2013 and actions to reduce rail freight noise;	(iii) actions supporting sustainable freight transport services in accordance with Article 32 of Regulation (EU) No 1315/2013 and actions to reduce rail freight noise;
297.	(iv) actions supporting new technologies and innovation, including automation, enhanced transport services, modal integration and alternative fuels infrastructure, in accordance with Article 33 of Regulation (EU) No 1315/2013;	(iv) actions supporting new technologies and innovation, including automation, enhanced transport services, modal integration and alternative fuels infrastructure for all modes of transport , in accordance with Article 33 of Regulation (EU) No 1315/2013;	(iv) actions supporting new technologies and innovation, including automation, enhanced transport services, modal integration and alternative fuels infrastructure for all modes of transport , in accordance with Article 33 of Regulation (EU) No 1315/2013;	(iv) actions supporting new technologies and innovation, including automation, enhanced transport services, modal integration and alternative fuels infrastructure for all modes of transport, in accordance with Article 33 of Regulation (EU) No 1315/2013;
299.	(v) actions to remove interoperability barriers, notably when delivering corridor/network effects;	(v) actions to remove interoperability barriers, notably when delivering corridor/network effects, in accordance with Article 3 point (o) of	(v) actions to remove interoperability barriers, notably when delivering corridor/network effects, in accordance with Article 3 (o) of	(v) actions to remove interoperability barriers, notably when delivering corridor/network effects, in accordance with Article 3 (o) of

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>Regulation (EU) No 1315/2013, including with regard to promoting an increase in rail freight traffic including automatic gauge-change facilities;</i> <i>(va) actions to remove interoperability barriers notably in urban nodes as defined in Article 30 of Regulation (EU) No 1315/2013;</i>	Regulation (EU) No 1315/2013, including with regard to promoting an increase in rail freight traffic including automatic gauge-change facilities; (v bis) actions to remove interoperability barriers notably in urban nodes as defined in Article 30 of Regulation (EU) No 1315/2013;	Regulation (EU) No 1315/2013, including with regard to promoting an increase in rail freight traffic including automatic gauge-change facilities; (v bis) actions to remove interoperability barriers notably in urban nodes as defined in Article 30 of Regulation (EU) No 1315/2013;
300.	(vi) actions implementing safe and secure infrastructure and mobility, including road safety, in accordance with Article 34 of Regulation (EU) No 1315/2013;	(vi) actions implementing safe and secure infrastructure and mobility, including road safety, in accordance with Article 34 of Regulation (EU) No 1315/2013;	(vi) actions implementing safe and secure infrastructure and mobility, including road safety, in accordance with Article 34 of Regulation (EU) No 1315/2013;	(vi) actions implementing safe and secure infrastructure and mobility, including road safety, in accordance with Article 34 of Regulation (EU) No 1315/2013;
301.	(vii) actions improving transport infrastructure resilience to climate change and natural disasters;	(vii) actions improving transport infrastructure resilience, <i>in particular</i> to climate change and natural disasters <i>and resilience against cyber security threats;</i>	(vii) actions improving transport infrastructure resilience, in particular to climate change and natural disasters and resilience against cyber security threats.	(vii) actions improving transport infrastructure resilience, in particular to climate change and natural disasters and resilience against cyber security threats.
303.	(viii) actions improving transport infrastructure accessibility for all users in accordance with Article 37 of Regulation (EU) No 1315/2013;	(viii) actions improving transport infrastructure accessibility <i>in all modes of transport and for all users especially users with reduced mobility</i> , in accordance with Article 37 of Regulation (EU) No 1315/2013;	(viii) actions improving transport infrastructure accessibility in all modes of transport and for all users especially users with reduced mobility , in accordance with Article 37 of Regulation (EU) No 1315/2013;	(viii) actions improving transport infrastructure accessibility in all modes of transport and for all users especially users with reduced mobility, in accordance with Article 37 of Regulation (EU) No 1315/2013;
304.	(ix) actions improving transport infrastructure accessibility and availability for security and civil protection purposes.	(ix) <i>actions improving transport infrastructure accessibility and availability for security and civil protection purposes and actions</i>	(ix) actions improving transport infrastructure accessibility and availability for security and civil protection purposes and actions	(ix) actions improving transport infrastructure accessibility and availability for security and civil protection purposes and actions

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>adapting the</i> transport infrastructure for <i>Union external border checks purposes, with the aim of facilitating traffic flows;</i>	adapting the transport infrastructure for Union external border checks purposes, with the aim of facilitating traffic flows.	adapting the transport infrastructure for Union external border checks purposes, with the aim of facilitating traffic flows.
307.	(c) Under the specific objective referred to in Article 3(2)(a)(ii): actions, or specific activities within an action, supporting transport infrastructure on the TEN-T Network in order to adapt it to military mobility requirements with the purpose of enabling a civilian-military dual-use of the infrastructure.	(c) Under the specific objective referred to in Article 3(2)(a)(ii) and in accordance with Article 11a, actions or specific activities within an action, supporting parts, new or existing, of the trans-European transport network suitable for military transport, in order to adapt it to dual use infrastructure requirements.	(c) Under the specific objective referred to in Article 3(2)(a)(ii) and in accordance with Article 11a, specific activities within an action, supporting parts, new or existing, of the trans-European transport network suitable for military transport, in order to adapt it to dual use infrastructure requirements.	(c) Under the specific objective referred to in Article 3(2)(a)(ii) and in accordance with Article 11a, specific activities within an action, supporting parts, new or existing, of the trans-European transport network suitable for military transport, in order to adapt it to dual use infrastructure requirements.
308.	3. In the energy sector, the following actions shall be eligible to receive Union financial assistance under this Regulation:	3. In the energy sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:	3. In the energy sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:	3. In the energy sector only the following actions shall be eligible to receive Union financial assistance under this Regulation:
309.	(a) actions relating to projects of common interest as set out at Article 14 of Regulation (EU) No 347/2013;	(a) actions relating to projects of common interest as set out at Article 14 of Regulation (EU) No 347/2013;	(a) actions relating to projects of common interest as set out at Article 14 of Regulation (EU) No 347/2013;	(a) actions relating to projects of common interest as set out at Article 14 of Regulation (EU) No 347/2013;
310.	(b) actions supporting cross-border projects in the field of renewable energy, including their conception, as defined in Part IV of the Annex to this Regulation, subject to the fulfilment of the conditions laid down in Article 7 of this Regulation.	(b) actions supporting cross-border projects in the field of renewable energy including innovative solutions as well as storage of renewable energy, and their conception, as defined in Part IV of the Annex to this Regulation, subject to the fulfilment of the conditions laid down in Article 7 of this Regulation.	(b) actions supporting cross-border projects in the field of renewable energy including innovative solutions as well as storage of renewable energy, and their conception, as defined in Part IV of the Annex to this Regulation, subject to the fulfilment of the conditions laid down in Article 7 of this Regulation.	(b) actions supporting cross-border projects in the field of renewable energy including innovative solutions as well as storage of renewable energy, and their conception, as defined in Part IV of the Annex to this Regulation, subject to the fulfilment of the conditions laid down in Article 7 of this Regulation.
311.	4. In the digital sector, the following actions shall be eligible to	4. In the digital sector the following actions shall only be eligible	4. In the digital sector the following actions shall only be eligible	4. In the digital sector the following actions shall only be eligible

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
	receive Union financial assistance under this Regulation:	to receive Union financial assistance under this Regulation:	to receive Union financial assistance under this Regulation:	to receive Union financial assistance under this Regulation:
313.	(a) actions supporting Gigabit connectivity of socio-economic drivers;	(a) actions supporting <i>the deployment of and access to very high-capacity networks, including 5G systems, capable of providing</i> Gigabit connectivity <i>in areas where</i> socioeconomic drivers <i>are located</i> ;	(a) actions supporting the deployment of and access to very high-capacity networks, including 5G systems, capable of providing Gigabit connectivity in areas where socioeconomic drivers are located ;	(a) actions supporting the deployment of and access to very high-capacity networks, including 5G systems, capable of providing Gigabit connectivity in areas where socioeconomic drivers are located;
314.	(b) actions supporting the provision of very high-quality local wireless connectivity in local communities that is free of charge and without discriminatory conditions;	(b) actions supporting the provision of very high-quality local wireless connectivity in local communities that is free of charge and without discriminatory conditions;	(b) actions supporting the provision of very high-quality local wireless connectivity in local communities that is free of charge and without discriminatory conditions;	(b) actions supporting the provision of very high-quality local wireless connectivity in local communities that is free of charge and without discriminatory conditions;
315.	(c) actions implementing uninterrupted coverage with 5G systems of all major terrestrial transport paths, including the trans-European transport networks;	(c) actions implementing uninterrupted coverage with 5G systems of all major transport paths, including the trans-European transport networks;	(c) actions implementing uninterrupted coverage with 5G systems of all major transport paths, including the trans-European transport networks;	<u>Provisionally agreed compromise:</u> (c) actions implementing uninterrupted coverage with 5G systems of all major transport paths, including the trans-European transport networks <u>such as those listed in Part V, section 3 of the Annex</u> ;
317.	(d) actions supporting deployment of backbone networks including with submarine cables, across Member States and between the Union and third countries;	(d) actions supporting deployment <i>of new or significant upgrade of existing</i> backbone networks including submarine cables, <i>within and between</i> Member States and between the Union and third countries;	(d) actions supporting deployment of new or significant upgrade of existing backbone networks including submarine cables, within and between Member States and between the Union and third countries;	<u>Provisionally agreed compromise:</u> (d) actions supporting deployment of new or significant upgrade of existing backbone networks including submarine cables, within and between Member States and between the Union

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				and third countries, <u>such as those listed in Part V, section 3 of the Annex, as well as other actions supporting deployment of backbone networks referred to in that section;</u>
319.	(f) actions implementing digital connectivity infrastructure requirements related to cross-border projects in the areas of transport or energy and/or supporting operational digital platforms directly associated to transport or energy infrastructures.	(f) actions implementing digital connectivity infrastructure requirements related to cross-border projects in the areas of transport or energy and/or supporting operational digital platforms directly associated to transport or energy infrastructures.	(f) actions implementing digital connectivity infrastructure requirements related to cross-border projects in the areas of transport or energy and/or supporting operational digital platforms directly associated to transport or energy infrastructures.	(e f) actions implementing digital connectivity infrastructure requirements related to cross-border projects in the areas of transport or energy and/or supporting operational digital platforms directly associated to transport or energy infrastructures.
320.	An indicative list of eligible projects in the digital sector is provided for in Part V of the Annex.	An indicative list of eligible projects in the digital sector is provided for in Part V of the Annex.	An indicative list of eligible projects in the digital sector is provided for in Part V of the Annex.	<u>Provisionally agreed compromise:</u> Sentence deleted.
334.	<i>Article 11</i> <i>Eligible entities</i>			
335.	1. The eligibility criteria set out in this Article shall apply in addition to the criteria set out in Article [197] of the Financial Regulation.	1. The eligibility criteria set out in this Article shall apply in addition to the criteria set out in Article [197] of the Financial Regulation.	1. The eligibility criteria set out in this Article shall apply in addition to the criteria set out in Article [197] of the Financial Regulation.	1. The eligibility criteria set out in this Article shall apply in addition to the criteria set out in Article [197] of the Financial Regulation.
336.	2. The following entities are eligible:	2. The following entities are eligible:	2. The following entities are eligible:	2. The following entities are eligible:
338.	(a) legal entities established in a Member State;	(a) legal entities established in a Member State <i>including joint ventures;</i>	(a) legal entities established in a Member State <i>including joint ventures;</i>	(a) legal entities established in a Member State <i>including joint ventures;</i>
339.	(b) legal entities established in a third country associated to the Programme;	(b) legal entities established in a third country associated to the Programme <i>or overseas countries and</i>	(b) legal entities established in a third country associated to the Programme <i>or overseas countries and</i>	(b) legal entities established in a third country associated to the Programme <i>or overseas countries and</i>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>territories;</i>	<i>territories;</i>	<i>territories;</i>
340.	(c) legal entities created under Union law and international organisations where provided for in the work programmes.	(c) legal entities created under Union law and international organisations where provided for in the work programmes.	(c) legal entities created under Union law and international organisations where provided for in the work programmes.	(c) legal entities created under Union law and international organisations where provided for in the work programmes.
341.	3. Natural persons are not eligible.	3. Natural persons are not eligible.	3. Natural persons are not eligible.	3. Natural persons are not eligible.
341a.				<u>Presidency proposes to accept the EP position for a new paragraph 3a:</u> <u>The work programme may also provide that legal entities established in third countries associated to the programme in accordance with Article 5, and legal entities established in the EU, but controlled by third countries and/or nationals of third countries and/or entities established in third countries, are not eligible for participation in all, or some of the actions under the specific objectives set out in Article 3, paragraph 2 point c, for duly justified security reasons. In such cases, calls for proposals and calls for tenders shall be restricted to entities established, or deemed to be established, in Member States</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
				<u>and controlled by Member States and/or nationals of Member States.</u>
342.	4. Legal entities established in a third country which is not associated to the Programme are exceptionally eligible to receive support under the Programme where this is indispensable for the achievement of the objectives of a given project of common interest or of a cross-border project in the field of renewable energy.	4. Legal entities established in a third country which is not associated to the Programme are exceptionally eligible to receive support under the Programme where this is indispensable for the achievement of the objectives of a given project of common interest <i>in the field of transport, energy and digital</i> or of a cross-border project in the field of renewable energy.	4. Legal entities established in a third country which is not associated to the Programme are exceptionally eligible to receive support under the Programme where this is indispensable for the achievement of the objectives of a given project of common interest <i>in the field of transport, energy and digital</i> or of a cross-border project in the field of renewable energy.	4. Legal entities established in a third country which is not associated to the Programme are exceptionally eligible to receive support under the Programme where this is indispensable for the achievement of the objectives of a given project of common interest in the field of transport, energy and digital or of a cross-border project in the field of renewable energy.
344.	5. The work programmes referred to in Article 19 may provide that only proposals submitted by one or more Member States or, with the agreement of the Member States concerned, by international organisations, joint undertakings, or public or private undertakings or bodies are eligible.	5. <i>Only</i> proposals submitted by one or more Member States or, with the agreement of the Member States concerned, by international organisations, joint undertakings, or public or private undertakings or bodies, <i>including regional or local authorities</i> , are eligible. <i>In case a Member State does not agree with the submission, it shall inform accordingly.</i> <i>A Member State may decide that, for a specific work programme or for specific categories of applications, proposals can be submitted without its agreement. In such case, upon the</i>	5. <i>Only</i> proposals submitted by one or more Member States or, with the agreement of the Member States concerned, by international organisations, joint undertakings, or public or private undertakings or bodies, <i>including regional or local authorities</i> , are eligible. <i>In case a Member State does not agree with the submission, it shall inform accordingly.</i> <i>A Member State may decide that, for a specific work programme or for specific categories of applications, proposals can be submitted without its agreement. In</i>	5. <i>Only</i> proposals submitted by one or more Member States or, with the agreement of the Member States concerned, by international organisations, joint undertakings, or public or private undertakings or bodies, including regional or local authorities, are eligible. In case a Member State does not agree with the submission, it shall inform accordingly. A Member State may decide that, for a specific work programme or for specific categories of applications, proposals can be submitted without its agreement. In such case, upon the

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>request of the Member State concerned, this is indicated in the relevant work programme and call for such proposals.</i>	such case, upon the request of the Member State concerned, this is indicated in the relevant work programme and call.	request of the Member State concerned, this is indicated in the relevant work programme and call.
389.	Article 14 Co-financing rates			
391.	2. For works in the transport sector, the following maximum co-financing rates shall apply:	2. For works in the transport sector, the following maximum co-financing rates shall apply:	2. For works in the transport sector, the following maximum co-financing rates shall apply:	2. For works in the transport sector, the following maximum co-financing rates shall apply:
397.	(b) as regards the amounts transferred from the Cohesion Fund, the maximum co-financing rates shall be those applicable to the Cohesion Fund as referred to in the Regulation (EU) XXX [CPR]. These co-financing rates may be increased to a maximum of 85% for actions relating to cross-border links under the conditions specified in point (c) of this paragraph;	(b) as regards the amounts transferred from the Cohesion Fund, the maximum co-financing rates shall be those applicable to the Cohesion Fund as referred to in the Regulation (EU) XXX [CPR]. These co-financing rates may be increased to a maximum of 85% for actions relating to cross-border links under the conditions specified in point (c) of this paragraph <i>and actions relating to missing links;</i>	(b) as regards the amounts transferred from the Cohesion Fund, <u>and as regards the amount from the European Strategic Investment cluster that will be used for the completion of missing major cross-border railway links between Member states eligible for funding from the Cohesion Fund as of Article 4, paragraph 2, point (a) (i),</u> the maximum co-financing rate <u>shall not exceed 85% of the total eligible costs</u> shall be those applicable to the Cohesion Fund as referred to in the Regulation (EU) XXX [CPR]. These co-financing rates may be increased to a maximum of 85% for actions relating to cross-border links under the conditions specified in point (c) of this paragraph <u>and actions relating to missing links;</u>	<u>EP proposal:</u> (b) as regards the amounts transferred from the Cohesion Fund the maximum co-financing rates shall <u>not exceed 85% of the total eligible costs.</u> (ba) <u>Concerning Member States eligible for funding from the Cohesion Fund, as regards the amount from the European Strategic Investment Heading that will be allocated, in priority, for projects developed for the completion of missing major cross-border railway links as of Annex, Part II, indent 1</u> the maximum co-financing rates shall <u>not exceed 85% of the total eligible costs.</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
434.	Article 18			
	<i>Cumulative, complementary and combined funding</i>		<i>Cumulative <u>and Alternative</u> funding</i>	Cumulative and Alternative <i>funding</i>
438.	1. An action that has received a contribution under the Programme may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	1. An action that has received a contribution under the Programme may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. <i>The implementation shall respect the rules provided in Article 62 of the Financial Regulation.</i> The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	1. An action that has received a contribution under the Programme may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. <i>The implementation shall respect the rules provided in Article 62 of the Financial Regulation.</i> The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	<u>Provisionally agreed compromise:</u> An action that has received a contribution under the Programme may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. <u>The rules of each contributing Union programme shall apply to its respective contribution to the action.</u> The implementation shall respect the rules provided in Article 62 of the Financial Regulation. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
440.	2. Actions which comply with the following cumulative, comparative, conditions:	2. Actions which comply with the following cumulative, comparative, conditions:	2. Actions <u>awarded a Seal of Excellence certification under this programme by complying, which</u> comply with the following cumulative <u>comparative</u> conditions:	<u>Provisionally agreed compromise:</u> <u>The Seal of Excellence certification shall be awarded to</u> actions which comply with the following cumulative, comparative, conditions:

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
441.	(a) they have been assessed in a call for proposals under the Programme;	(a) they have been assessed in a call for proposals under the Programme;	(a) they have been assessed in a call for proposals under the Programme;	(a) they have been assessed in a call for proposals under the Programme;
442.	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;
443.	(c) they may not be financed under that call for proposals due to budgetary constraints;	(c) they may not be financed under that call for proposals due to budgetary constraints;	(c) they may not be financed under that call for proposals due to budgetary constraints;	(c) they may not be financed under that call for proposals due to budgetary constraints.
445.	may receive support from the European Regional Development Fund or the Cohesion Fund in accordance with [paragraph 5 of Article 67] of Regulation (EU) XXX [CPR], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	may receive support from the European Regional Development Fund or the Cohesion Fund in accordance with [Article 67(5)] of Regulation (EU) XXX [CPR], <i>without any further assessment, and</i> provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	may receive support from the [European Regional Development Fund] or the Cohesion Fund in accordance with [paragraph 5 of Article 67] of Regulation (EU) XXX [CPR], <i>without any further assessment, and provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.</i>	<u>Provisionally agreed compromise:</u> <u>These actions</u> may receive support from the European Regional Development Fund or the Cohesion Fund in accordance with <u>the procedure provided in</u> [Article 67(5)] of Regulation (EU) XXX [CPR], <u>or the Cohesion Fund without any further assessment, and provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.</u>

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
503.		<i>(a) to amend Part III of the Annex regarding the definition of the transport core network corridors; and pre-identified sections on the comprehensive network;</i>	(a) to amend Part III of the Annex regarding the definition of the transport core network corridors; and pre-identified sections on the comprehensive network;	(a) to amend Part III of the Annex regarding the definition of the transport core network corridors; and pre-identified sections on the comprehensive network;
504.		<i>(b) to amend Part V of the Annex regarding the identification of digital connectivity projects of common interest.</i>	(b) to amend Part V of the Annex regarding the identification of digital connectivity projects of common interest.	(b) to amend Part V of the Annex regarding the identification of digital connectivity projects of common interest.
520.	Article 27 <i>Repeal and transitional provisions</i>			
521.	1. Regulations (EU) No 1316/2013 and (EU) No 283/2014 shall be repealed.	1. Regulations (EU) No 1316/2013 and (EU) No 283/2014 shall be repealed.	1. Regulations (EU) No 1316/2013 and (EU) No 283/2014 shall be repealed.	1. Regulations (EU) No 1316/2013 and (EU) No 283/2014 shall be repealed.
522.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, pursuant to Regulation (EU) No 1316/2013, which shall continue to apply to the actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, pursuant to Regulation (EU) No 1316/2013, which shall continue to apply to the actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, pursuant to Regulation (EU) No 1316/2013, which shall continue to apply to the actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, pursuant to Regulation (EU) No 1316/2013, which shall continue to apply to the actions concerned until their closure.
524.		<i>The Commission shall evaluate the effectiveness and policy coherence of Regulation (EU) No 347/2013 and submit an evaluation to the European Parliament and to the Council with the result of this review by 31 December 2020. In that evaluation the Commission shall consider, inter</i>	The Commission shall evaluate the effectiveness and policy coherence of Regulation (EU) No 347/2013 and submit an evaluation to the European Parliament and to the Council with the result of this review by 31 December 2020. In that evaluation the	The Commission shall evaluate the effectiveness and policy coherence of Regulation (EU) No 347/2013 and submit an evaluation to the European Parliament and to the Council with the result of this review by 31 December 2020. In that evaluation the Commission shall consider, inter alia,

	COMMISSION PROPOSAL COM(2018) 438 FINAL	EP FIRST READING POSITION	COUNCIL NEGOTIATION MANDATE ST 11137/20	COMPROMISE TEXT BY THE PRESIDENCY / COMMENTS
		<i>alia, the Union energy and climate targets for 2030, the EU long-term decarbonisation commitment, and the energy efficiency first principle. The evaluation may, where appropriate, be accompanied by a legislative proposal to revise that Regulation.</i>	Commission shall consider, inter alia, the Union energy and climate targets for 2030, the EU long-term decarbonisation commitment, and the energy efficiency first principle. The evaluation may, where appropriate, be accompanied by a legislative proposal to revise that Regulation.	the Union energy and climate targets for 2030, the EU long-term decarbonisation commitment, and the energy efficiency first principle. The evaluation may, where appropriate, be accompanied by a legislative proposal to revise that Regulation.
525.	3. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor, the Connecting Europe Facility under Regulation (EU) No 1316/2013.	3. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor, the Connecting Europe Facility under Regulation (EU) No 1316/2013.	3. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor, the Connecting Europe Facility under Regulation (EU) No 1316/2013.	3. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under its predecessor, the Connecting Europe Facility under Regulation (EU) No 1316/2013.
526.	4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 4(5) of this Regulation, to enable the management of actions not completed by 31 December 2027.	4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 4(5) of this Regulation, to enable the management of actions not completed by 31 December 2027.	4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 4(5) of this Regulation, to enable the management of actions not completed by 31 December 2027.	<u>Provisionally agreed compromise:</u> 4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenses provided for in Article 4(5) of this Regulation, to enable the management of actions not completed by 31 December 2027, <u>in accordance with this Regulation.</u>

	ANNEX			
5.	PART II: INDICATIVE PERCENTAGES FOR THE TRANSPORT SECTOR	PART II: INDICATIVE PERCENTAGES FOR THE TRANSPORT SECTOR	PART II: INDICATIVE PERCENTAGES FOR THE TRANSPORT SECTOR	PART II: INDICATIVE PERCENTAGES FOR THE TRANSPORT SECTOR
6.	The budgetary resources referred to in Article 4 paragraph 2 (a) (i) and (ii) shall be distributed as follows: – 60% for the actions listed at Article 9 paragraph 2 (a): "Actions relating to efficient and interconnected networks"; – 40% for the actions listed at Article 9 paragraph 2 (b): "Actions relating to smart, sustainable, inclusive, safe and secure mobility".	The budgetary resources referred to in Article 4 paragraph 2 (a) (i) and (ii) shall be distributed as follows: – 60% for the actions listed at Article 9 paragraph 2 (a): "Actions relating to efficient and interconnected networks"; – 40% for the actions listed at Article 9 paragraph 2 (b): "Actions relating to smart, sustainable, inclusive, safe and secure mobility".	The budgetary resources referred to in Article 4 paragraph 2 (a) (i) [...] shall be distributed as follows: – 60% for the actions listed at Article 9 paragraph 2 (a): "Actions relating to efficient, interconnected and multimodal networks"; – 40% for the actions listed at Article 9 paragraph 2 (b): "Actions relating to smart, sustainable, inclusive, safe and secure mobility".	<u>EP position:</u> The budgetary resources referred to in Article 4 paragraph 2 (a) (i) [...] shall be distributed as follows: – 60% for the actions listed at Article 9 paragraph 2 (a): "Actions relating to efficient, interconnected and multimodal networks" <u>out of which EUR 1,559,800,000 (current prices) to be allocated, in priority, on competitive basis, for the completion of missing major cross-border railway links;</u> – 40% for the actions listed at Article 9 paragraph 2 (b): "Actions relating to smart, sustainable, inclusive, safe and secure mobility"

Markings:

- Parts of the text that were previously excluded from the negotiations are marked in grey highlight.
- Recent changes are marked in **bold underlined** and ~~strikethroughs~~.
- Parts on which Council and EP further aligned their positions are marked in green and remaining open parts in orange.