

Tuesday 19 November 2013

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Draft amending budget No 8/2013 (DAB 2 bis) — Reinforcement of payments by MFF heading and shortage of payment appropriations in the 2013 budget

European Parliament resolution of 19 November 2013 on the Council position on Draft amending budget No 8/2013 of the European Union for the financial year 2013, Section III — Commission (14871/2013 — C7-0387/2013 — 2013/2227(BUD))

(2016/C 436/13)

The European Parliament,

- having regard to Article 314 of the Treaty on the Functioning of the European Union and Article 106a of the Euratom Treaty,
 - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁽¹⁾,
 - having regard to the general budget of the European Union for the financial year 2013, as definitively adopted on 12 December 2012⁽²⁾,
 - having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management⁽³⁾,
 - having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources⁽⁴⁾,
 - having regard to Draft amending budget No 8/2013, which the Commission adopted on 25 September 2013 (COM(2013)0669),
 - having regard to the position on Draft amending budget No 8/2013 which the Council adopted on 30 October and forwarded to Parliament on 31 October 2013 (14871/2013 — C7-0387/2013),
 - having regard to Rule 75b and 75e of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A7-0371/2013),
- A. whereas Draft amending budget No 8 for the year 2013 (DAB 8/2013) concerns the increase of payment appropriations of EUR 3,9 billion across headings 1a, 1b, 2, 3a, 3b and 4 of the multiannual financial framework (MFF), with the aim of meeting the outstanding needs to the end of the year so that legal obligations stemming from past and current commitments can be honoured, financial penalties can be avoided, and beneficiaries can receive the funds envisaged by the agreed Union policies, for which Parliament and Council authorised the related commitment appropriations in previous annual budgets,
- B. whereas the requested additional payment appropriations will reduce the level of outstanding commitments ('reste à liquider', RAL), as well as the risk of rolling over onto 2014 abnormally high levels of unpaid bills,
- C. whereas DAB 8/2013, which updates DAB 2/2013, was presented by the Commission in March 2013 for an amount of EUR 11,2 billion and only partially approved by the budgetary authority in September 2013 for an amount of EUR 7,3 billion,
- D. whereas the overall amount of payment claims pending at the end of 2012 for cohesion policy (2007-2013), amounting to EUR 16,2 billion, had to be rolled over to 2013, consequently reducing the level of payments available in the budget 2013 to cover the payment needs of this year; whereas that amount should reach EUR 20 billion at the end of 2013, under the assumption that DAB 8/2013 is adopted in its entirety,

⁽¹⁾ OJ L 298, 26.10.2012, p. 1.

⁽²⁾ OJ L 66, 8.3.2013.

⁽³⁾ OJ C 139, 14.6.2006, p. 1.

⁽⁴⁾ OJ L 163, 23.6.2007, p. 17.

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- E. whereas the political agreement reached on 27 June 2013 at the highest political level between Parliament, the Council Presidency and the Commission on the MFF for the period 2014-2020 included a political commitment from the Council to take all necessary steps to ensure that the Union's obligations of 2013 are fully honoured, to formally adopt DAB 2/2013 for EUR 7,3 billion, as well as to adopt without delay a further draft amending budget to be proposed by the Commission in early autumn to avoid any shortfall in justified payment appropriations,
- F. whereas, in accordance with Article 41(2) of the Financial Regulation, the Commission has examined the scope for internal redeployment within an overall review of year-end payment needs and proposed the redeployment of EUR 509,8 million in the so-called 'global transfer',
- G. whereas Parliament in its resolution of 3 July 2013 links the adoption by the Council of the further draft amending budget in early autumn with the adoption of the MFF Regulation or budget 2014,
1. Welcomes the presentation of DAB 8/2013 by the Commission on 25 September 2013, which concerns the increase of payment appropriations by EUR 3,9 billion across headings 1a, 1b, 2, 3a, 3b and 4 of the MFF to the overall level proposed already in DAB 2/2013; stresses that with the full adoption of DAB 8/2013, the 2013 payments ceiling will be reached;
 2. Recalls that DAB 8/2013 constitutes, in line with past commitments of all three institutions, the second tranche of DAB 2/2013, as the minimum necessary to honour the Union's legal obligations and past commitments by the end of year 2013, in order to avoid financial penalties and reduce the level of outstanding commitments ('RAL');
 3. Considers that, as repeatedly stated by the Commission, the full adoption of DAB 8/2013 will enable the Union to cover entirely its legal obligations until the end of 2013; is concerned, however, that despite an overall increase in payments of EUR 11,2 billion (DAB 2 and DAB 8/2013), it is still estimated that an important carry-over to the next year of around EUR 20 billion of payment claims related to 2007-2013 Cohesion programmes will still have to take place, as acknowledged by the Commission during the last interinstitutional meeting on payments on 26 September 2013; stresses that the situation is also critical for other programmes outside heading 1b;
 4. Recalls that the adoption by Council of DAB 8/2013 was part of the political agreement on the MFF 2014-2020 and, therefore, fulfils only one of the three conditions for Parliament to give its consent to the MFF Regulation, as set out in its resolution of 3 July 2013;
 5. Accepts the reduction of EUR 14,8 million introduced by Council, only because this amount would be additional to the original EUR 11,2 billion of DAB 2/2013; stresses, in this context, that it maintains its position of principle that the financing of special instruments, like the EU Solidarity Fund, should be financed through fresh appropriations, both in commitments and payments, over and above the MFF ceilings;
 6. Recalls that a Council position under Article 314(3) TFEU is a preparatory act and is valid as from its date of adoption; signals that it considers the Council position on DAB 8/2013, which was transmitted to it by the President-in-office of the Council on 31 October 2013, to be valid for the purposes of Articles 314(3) and 314(4) TFEU as from the date of its adoption on 30 October 2013; rejects and ignores the clause in the accompanying 'decision' by which the Council purports to make the validity of its position on DAB 8/2013 conditional on Parliament's approval of the agreement on the MFF for 2014-2020 and of the Council's position on Draft amending budget No 9/2013;
 7. Approves the Council position on Draft amending budget No 8/2013;
 8. Instructs its President to declare that Amending budget No 8/2013 has been definitively adopted and arrange for its publication in the *Official Journal of the European Union*;
 9. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.
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