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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**7th FINANCIAL REPORT FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT and the COUNCIL
on the EUROPEAN AGRICULTURAL FUND FOR RURAL DEVELOPMENT
(EAFRD)
2013 FINANCIAL YEAR**

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1. BUDGET PROCEDURE

1.1. Financial framework

CAP expenditure is funded within the financial framework 2007-2013 as agreed in the Inter-institutional Agreement between the European Parliament and the Council in May 2006, amended to take into account the Galileo-programme in 2007, the reprogramming of rural development in 2008 and the European Economic Recovery Package (EERP) in 2009. CAP expenditure is part of Heading 2: Preservation and management of natural resources. A specific sub-ceiling has been decided for market related expenditure and direct aids within this heading.

To take account of the transfer of amounts to rural development due to compulsory modulation (including the increase from the CAP Health Check), to the reform of the cotton, tobacco and wine sectors as well as to the voluntary modulation decided for the UK, the expenditure ceiling for market measures and direct aids had to be reduced accordingly.

There was no change introduced into this general financial framework during 2013. The CAP amounts included in heading 2 of the financial framework (2007-2013) are:

Table 1

HEADING 2. Preservation and Management of Natural resources	In million EUR; current prices						
	2007	2008	2009	2010	2011	2012	2013
TOTAL ^{a), b)}	55 143	59 193	56 333	59 955	59 888	60 810	61 289
of which :							
- Rural development ^{a), c), d)}	10 902	13 303	14 002	14 364	14 436	14 617	14 817
- Market related expenditure and direct aids, ^{c)}	44 753	44 592	44 887	44 276	44 467	44 710	44 939

a) After reprogramming of rural development (EUR 1 469 Mio).

b) After transfer of EUR 1 600 million to Galileo in 2007 and of EUR 2 000 million to the European Economic Recovery Package in 2009 and financial needs for ITER 2011.

c) After transfer into Rural Development of the lower expected expenditure resulting from the reforms of the tobacco, cotton and wine CMOs and from the compulsory and voluntary modulation (UK), art 136 of regulation 73/2009 and reduction due to financing of the EERP (D 237/2010 EU).

d) Including the reinforcement of Rural Development by EUR 1 020 million included in the European Economic Recovery Package, of which EUR 600 million is financed in 2009 within heading 2 while, for 2010, EUR 420 million had been allocated to Rural Development on the basis of Commission Decision 2006/636/EC.

1.2. Draft Budget (DB) 2013

The 2013 Draft Budget (DB) was adopted by the Commission and proposed to the Budgetary Authority on 15 April 2012.

The Draft Budget for the European Agricultural Fund for Rural Development (EAFRD) under heading 2 of the Financial Framework 2007-2013 totalled

EUR 14 803 million in commitment appropriations and EUR 12 744 million in payment appropriations.

Table 2

Budget Item	Commitment appropriations (in EUR)	Payment appropriations (in EUR)
05.040501 (Rural dev. programmes)	14 788 920 797	12 735 000 000
05.040502 (Technical assistance)	14 535 000	8 563 000

The Council adopted its position on the 2013 Draft Budget on 25 July 2012. Payment appropriations for EAFRD programmes were reduced by EUR 100 million as compared to the Commission's DB while commitments remained unchanged. The European Parliament adopted its position on 23 October 2012 whereby it restored the Commission's proposal by increasing payment appropriations by EUR 100 million. The Conciliation procedure did not result in an agreement between the two institutions. Therefore the Commission was requested to submit a new Draft Budget that was adopted on 23 November 2012.

1.3. The adoption of the 2013 Budget

The new Draft Budget was approved by the Parliament in a vote on 12 December 2012. The voted budget for the EAFRD in chapter 05 04 amounted to EUR 14 803 million in commitment appropriations and EUR 12 497 million in payment appropriations.

Table 3

Budget Item	Commitment appropriations (in EUR)	Payment appropriations (in EUR)
05.040501 (Rural dev. programmes)	14 788 920 797	12 488 675 553
05.040502 (Technical assistance)	14 535 000	8 463 833

1.4. The adoption of the Amending Budgets

In March 2013 the Commission adopted the Draft Amending Budget No 2 due to a clearly identified lack of available payment appropriations. The budgetary authority approved only part of the amounts requested for EAFRD 2007-2013 programmes in the Amending Budget No 2 on 11 September 2013. Additional payment appropriations were requested in Draft Amending Budget No 8, adopted by the Commission on 25 September 2013. In this amending budget part of the total amount requested was channelled towards the closure of the older programmes. The budgetary authority approved it on 19 November 2013. The total amount of the two amending budgets made available for EAFRD 2007-2013 programmes amounted to EUR 338 million.

2. MANAGEMENT OF APPROPRIATIONS

2.1. Management of Commitment appropriations

2.1.1. EAFRD operational programmes

In 2013 the available commitment appropriations for EAFRD programmes amounted in total to EUR 14 789 million. This amount was entirely committed during the year.

Table 4

Management of commitment appropriations in 2013 – EAFRD	Budget Item 05.040501 (amounts in EUR)
Appropriations at the beginning of 2013	14 788 920 797
Carryover from 2012	-
Appropriations available in 2013	14 788 920 797
Appropriations used in 2013	14 788 920 797

2.1.2. Technical assistance

Article 69(2) of Council regulation (EC) No 1698/2005 stipulates that 0.25% of the resources for Community support to rural development shall be devoted to technical assistance for the Commission. In the 2013 budget, the initial amount available for this purpose was EUR 14.5 million. Of this, EUR 4.5 million were redeployed to other items of the budget. At the end of 2013, the total amount committed was EUR 7.6 million.

2.2. Management of payment appropriations

2.2.1. EAFRD operational programmes

In 2013 the payment appropriations of the voted budget amounted to EUR 12 489 million. In addition, the assigned revenue (recoveries) collected during the year amounted to EUR 212.2 million. The monitoring of the implementation of the budget and the analysis of the expenditure forecasts submitted by Member States in 2013 revealed an additional need of EUR 338 million in payment appropriations. This amount was made available with the Amending Budgets No 2 and No 8.

The total amount paid to Member States for EAFRD programmes in 2013 reached EUR 12 951 million, thus ensuring the full consumption of the voted payment appropriations available in the year. EUR 80 million of assigned revenue were carried over to 2014.

Table 5

Management of payment appropriations in 2013 – EAFRD	Budget Item 05.040501 (amounts in EUR)
Appropriations at the beginning of 2012	12 488 675 553
Transfer to older programmes	-7 215 906
Amending budget No. 2	299 147 246
Amending budget No. 8	39 101 515
Recoveries (assigned revenue)	212 191 255
Appropriations available in 2013	13 031 899 663
Appropriations used in 2013	12 951 405 528

2.2.2. *Technical assistance*

In the 2013 budget, the amount of payment appropriations was EUR 8.5 million. At the end of the year, the total amount of payments was EUR 6.6 million while EUR 1.8 million were redeployed to other items of the budget, leaving only a minor amount unused.

3. IMPLEMENTATION OF THE 2013 EAFRD BUDGET

3.1. Introduction

The last commitments of the programming period 2007-2013 were made in financial year 2013. As regards payments, the pace of the implementation of rural development programmes recorded in 2013 continued at high level even though there is a substantial variability as regards the implementation levels of the different programmes. For some of them the continued impact of the economic and financial crisis hindered the implementation process. Nonetheless, it has to be noted that the 2013 execution was almost as high as the 2012 execution, the highest so far for the rural development programmes in this programming period.

3.2. Implementation of commitment appropriations

3.2.1. *EAFRD operational programmes*

Table 6 shows the amounts committed per Member State in 2013 and the allocation established by Commission decision 2006/636/EC (modification of April 2010 still in force in 2013).

In 2013, the commitment appropriations available for EAFRD programmes, EUR 14 789 million, coincide with the annual allocation as there was no carryover from the previous year. All the available appropriations were committed (EUR 14 789 million).

Table 6

Commission Decision 2006/636/EC (version in force) vs. the amounts committed end of 2013:			
Budget item: 05.040501			<i>(in EUR)</i>
MS	Commission Decision 2006/636/EC – EU funds 2013	Amounts carried over for commitment in 2013	Amounts committed in the budget year 2013
	(a)	(b)	(c=a+b)
AT	532 956 948	-	532 956 948
BE	77 776 632	-	77 776 632
BG	395 699 781	-	395 699 781
CY	21 037 942	-	21 037 942
CZ	424 262 250	-	424 262 250
DE	1 429 714 950	-	1 429 714 950
DK	106 488 551	-	106 488 551
EE	113 302 602	-	113 302 602
ES	1 284 264 263	-	1 284 264 263
FI	288 617 053	-	288 617 053
FR	1 278 994 332	-	1 278 994 332
GR	671 747 957	-	671 747 957
HU	584 609 743	-	584 609 743
IE	351 503 589	-	351 503 589
IT	1 441 205 996	-	1 441 205 996
LT	253 898 173	-	253 898 173
LU	13 212 084	-	13 212 084
LV	151 198 432	-	151 198 432
MT	10 663 325	-	10 663 325
NL	102 750 233	-	102 750 233
PL	1 851 146 247	-	1 851 146 247
PT	589 872 156	-	589 872 156
RO	1 356 173 250	-	1 356 173 250
SE	275 759 282	-	275 759 282
SI	113 031 296	-	113 031 296
SK	319 809 578	-	319 809 578
UK	749 224 152	-	749 224 152
Total	14 788 920 797	-	14 788 920 797

3.2.2. Technical assistance

Table 7 shows the commitment appropriations for technical assistance consumed in 2013. The most important part relates to European Network for Rural Development.

Table 7

Technical assistance – Implementation of commitment appropriations	
Budget Item: 05.040502 <i>(in EUR)</i>	
Description	Amount committed
Contact point of the European Network for rural Development (ENRD)	3 680 715
Expert groups / Coordination committee / Seminars (ENRD)	993 109
Information technology	2 234 949
Protection of symbols	120 000
Experts committee on the evaluation of rural development programmes	200 000
Publications	332 724
Total	7 561 497

3.3. Implementation of payment appropriations

3.3.1. EAFRD operational programmes

Almost all the payments appropriations made available in the voted and in the amending budgets 2013, increased with an assigned revenue from recoveries by EUR 212.2 million, were used. Only EUR 80 million of assigned revenue were carried over to 2014. Therefore at the end of 2013, the total amount paid for EAFRD programmes was EUR 12 951 million. Payments made in 2013 were only slightly below the payments in 2012 (-1.3%).

The table below shows the breakdown of payments made in 2013 by declaration period :

Table 8

Payments 2013 – EAFRD operational programmes million EUR	
Reimbursement of payment claims Q2 2012	1.36
Reimbursement of payment claims Q3 2012	101.41
Reimbursement of payment claims Q4 2012	4 660.86
Reimbursement of payment claims Q1 2013	2 816.76
Reimbursement of payment claims Q2 2013	2 034.25
Reimbursement of payment claims Q3 2013	3 336.77
Total 2013	12 951.41

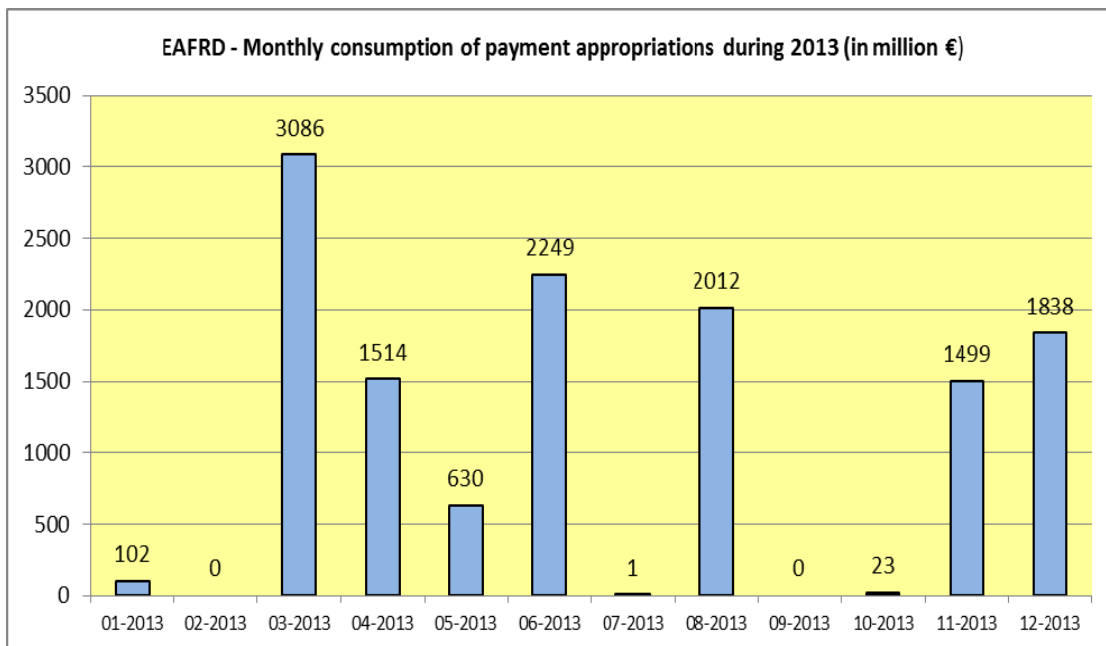
The complete reimbursement of the 3rd quarter 2013 declarations of expenditure for some EAFRD programmes was not possible as total declared payments reached 95% of commitments. The amount involved was EUR 108.1 million.

The monthly consumption of payment appropriations during the year (January to December 2013) is represented in the graph below. The rhythm of consumption is linked to the calendar for sending the four payment declarations (31 January, 30

April, 31 July and 10 November for the payment claims corresponding respectively to Q4 2012, Q1 2013, Q2 2013 and Q3 2013) in accordance with article 16(2) of Regulation (EC) No 883/2006.

The graph shows that the usual rhythm of monthly payments was influenced by the lack of cash available to make effective payments. It imposed a delay on some reimbursements in the first part of 2013 (January to June) and at the end of the year.

Graph 1



The breakdown per Member State and per declaration period of the amounts paid by the Commission in budget year 2013 is shown in table 9.

Table 9

Payments effectively made between 01/01/2013 and 31/12/2013 per declaration of expenditure							(in EUR)
MS	Q2 2012	Q3 2012	Q4 2012	Q1 2013	Q2 2013	Q3 2013	Grand Total
AT		836 515	331 814 190	127 376 837	39 750 259	27 148 330	526 926 131
BE	1 356 815	12 522 568	7 950 799	7 798 596	18 797 420	4 294 812	52 721 009
BG		1 669 350	283 363 404	23 677 587	36 395 710	51 535 641	396 641 691
CY		119 426	8 399 421	371 423	10 335 087	3 807 860	23 033 218
CZ		1 419 545	78 076 553	190 292 418	69 636 922	33 650 485	373 075 923
DE		15 009 317	553 463 531	166 761 462	125 692 227	406 432 805	1 267 359 343
DK		544 800	20 819 553	11 508 507	7 885 609	21 761 441	62 519 910
EE		690 325	22 396 132	58 167 979	23 229 702	22 560 634	127 044 772
ES		5 250 246	436 330 470	156 449 969	172 123 598	268 163 498	1 038 317 781
FI		6 178 408	94 976 540	23 490 311	26 269 035	189 316 579	340 230 873
FR		11 095 350	379 275 505	156 574 508	109 911 877	341 945 860	998 803 101
GR			34 521 995	18 579 197	23 489 616	149 202 302	225 793 111
HU		2 738 423	155 530 753	141 527 471	96 526 426	94 911 768	491 234 841
IE			138 650 958	39 835 609	33 102 547	45 383 475	256 972 589
IT		10 817 054	615 765 572	177 179 662	201 988 864	269 382 496	1 275 133 647
LT		1 855 015	56 882 872	91 036 977	60 142 448	43 010 510	252 927 822
LU		18 613	3 228 406	5 102 824	772 913	972 148	10 094 904
LV		1 585 282	71 590 110	44 718 772	30 626 181	35 512 482	184 032 828
MT		59 570	4 824 853	1 069 305	1 789 859	1 938 604	9 682 192
NL		898 205	26 105 015	13 985 390	16 642 169	41 854 361	99 485 140
PL		14 777 345	525 534 266	592 656 005	374 453 575	313 551 349	1 820 972 541
PT			178 295 471	88 154 509	147 628 609	242 371 875	656 450 463
RO			211 380 555	402 188 251	123 832 849	454 235 474	1 191 637 130
SE		4 894 846	85 504 587	38 310 454	25 814 245	28 347 423	182 871 555
SI		544 448	52 726 850	10 743 015	44 473 003	18 147 799	126 635 115
SK		1 956 562	100 475 797	32 067 414	32 127 021	30 682 158	197 308 952
UK		5 932 692	182 971 651	197 138 808	180 808 724	196 647 072	763 498 948
Total	1 356 815	101 413 906	4 660 855 810	2 816 763 260	2 034 246 495	3 336 769 243	12 951 405 528

The total amount paid in 2013 EUR 12 951 million relates to reimbursements only. No advances were paid in 2013.

Table 10 compares, for each Member State, the EAFRD payments made in 2013 with the payments in 2012. The total payments decreased by 1.3% (EUR 12.95 billion vs. 13.12 billion).

Table 10

Payments made to Member States - Comparison 2013 vs 2012							<i>(in EUR)</i>	
MS	2012			2013			Difference 2013 vs. 2012	
	Interim payments	Prefinancing	Total	Interim payments	Prefinancing	Total	(in EUR)	(in %)
AT	535 931 653	-	535 931 653	526 926 131	-	526 926 131	-9 005 523	-1,68%
BE	68 498 081	-	68 498 081	52 721 009	-	52 721 009	-15 777 072	-23,03%
BG	306 792 409	-	306 792 409	396 641 691	-	396 641 691	89 849 282	29,29%
CY	19 857 677	-	19 857 677	23 033 218	-	23 033 218	3 175 541	15,99%
CZ	418 986 335	-	418 986 335	373 075 923	-	373 075 923	-45 910 412	-10,96%
DE	1 311 026 530	-	1 311 026 530	1 267 359 343	-	1 267 359 343	-43 667 188	-3,33%
DK	62 641 099	-	62 641 099	62 519 910	-	62 519 910	-121 189	-0,19%
EE	129 243 153	-	129 243 153	127 044 772	-	127 044 772	-2 198 381	-1,70%
ES	821 119 814	-	821 119 814	1 038 317 781	-	1 038 317 781	217 197 967	26,45%
FI	302 322 832	-	302 322 832	340 230 873	-	340 230 873	37 908 041	12,54%
FR	933 171 846	-	933 171 846	998 803 101	-	998 803 101	65 631 255	7,03%
GR	330 814 548	-	330 814 548	225 793 111	-	225 793 111	-105 021 437	-31,75%
HU	441 382 786	-	441 382 786	491 234 841	-	491 234 841	49 852 055	11,29%
IE	325 682 973	-	325 682 973	256 972 589	-	256 972 589	-68 710 384	-21,10%
IT	1 307 832 848	-	1 307 832 848	1 275 133 647	-	1 275 133 647	-32 699 201	-2,50%
LT	235 267 314	-	235 267 314	252 927 822	-	252 927 822	17 660 509	7,51%
LU	10 362 740	-	10 362 740	10 094 904	-	10 094 904	-267 836	-2,58%
LV	213 228 656	-	213 228 656	184 032 828	-	184 032 828	-29 195 829	-13,69%
MT	8 942 564	-	8 942 564	9 682 192	-	9 682 192	739 628	8,27%
NL	102 291 084	-	102 291 084	99 485 140	-	99 485 140	-2 805 944	-2,74%
PL	2 027 038 643	-	2 027 038 643	1 820 972 541	-	1 820 972 541	-206 066 103	-10,17%
PT	679 279 269	-	679 279 269	656 450 463	-	656 450 463	-22 828 806	-3,36%
RO	1 101 919 904	-	1 101 919 904	1 191 637 130	-	1 191 637 130	89 717 226	8,14%
SE	293 194 504	-	293 194 504	182 871 555	-	182 871 555	-110 322 949	-37,63%
SI	122 065 747	-	122 065 747	126 635 115	-	126 635 115	4 569 367	3,74%
SK	272 943 075	-	272 943 075	197 308 952	-	197 308 952	-75 634 124	-27,71%
UK	734 754 138	-	734 754 138	763 498 948	-	763 498 948	28 744 810	3,91%
Total	13 116 592 223	-	13 116 592 223	12 951 405 528	-	12 951 405 528	-165 186 695	-1,26%

3.3.2. Technical assistance

In the 2013 budget the amount for payment appropriations was EUR 6.6 million. Table 11 hereafter presents the payments grouped by major directions. The most important part is related to European Network for Rural Development.

Table 11

Technical assistance – Implementation of payment appropriations	
Budget Item: 05.040502 <i>(in EUR)</i>	
Description	Amount paid
Contact point of the European Network for Rural Development (ENRD)	4 587 788
Expert groups / Coordination committee / Seminars (ENRD)	610 428
Information technology	983 786
Experts committee on the evaluation of rural development programmes	88 323
Protection of symbols	108 000
Publications	177 499
Total	6 555 824

3.4. Analysis of expenditure declared by axis and by measure

Table 12 shows the payment claims declared by Member state and by axis/measure for rural development in 2013 (Q4 2012 to Q3 2013), the cumulative declared expenditure from 2007 to 2013 (Q4 2006 to Q3 2013) and also the financial plans of EAFRD programmes (2007-2013; EU27).

In 2013, the expenditure continues to be concentrated in axis 2 (47.9%), followed by axis 1 with 29.8%, axis 3 with 14.2% and axis 4 with 6.6%. This repartition of expenditure still diverges somewhat from the repartition in the financial plans for the 2007-2013 programming period (32.7%, 45.5%, 13.5% and 6.3% for axis 1 to 4 respectively).

Axis 2 measures mainly involve annual payments (e.g. agro-environmental measures) whilst Axis 1, 3 and, to a lesser extent, Axis 4 mainly relate to multi-annual measures that require longer proceedings for their approval and implementation (e.g. investment projects).

Table 12

EAFRD declared expenditure 2013 (Q4 2012-Q3 2013) & Total cumulative expenditure (Q4 2006 to Q3 2013) compared with Financial Plans*						
EAFRD Axis / Measure	Declared expenditure 2013 (Q4 2012 to Q3 2013)		Cumulative declared expenditure (Q4 2006 to Q3 2013)		Financial Plans 2007-2013	
	(million EUR)	(%)	(million EUR)	(%)	(million EUR)	(%)
111 Vocational training and information actions	132,4	1,0%	518,6	0,8%	947,0	1,0%
112 Setting up of young farmers	392,0	3,0%	2096,2	3,2%	2 841,2	3,0%
113 Early retirement	349,3	2,7%	2051,9	3,1%	2 491,0	2,6%
114 Use of advisory services	26,7	0,2%	89,3	0,1%	198,0	0,2%
115 Setting up of management, relief and	5,7	0,0%	24,8	0,0%	50,3	0,1%
121 Modernisation of agricultural holdings	1470,1	11,3%	8203,3	12,5%	11 636,0	12,1%
122 Improvement of the economic value of forest	44,5	0,3%	211,2	0,3%	369,4	0,4%
123 Adding value to agricultural and forestry...	576,2	4,4%	2991,0	4,5%	5 540,0	5,8%
124 Cooperation for development of new products	37,5	0,3%	113,3	0,2%	295,4	0,3%
125 Infrastructure related to the development ...	591,3	4,5%	2338,4	3,6%	4 786,7	5,0%
126 Restoring agricultural production potential	78,3	0,6%	348,6	0,5%	654,1	0,7%
131 Meeting standards based on Community...	3,9	0,0%	59,5	0,1%	69,1	0,1%
132 Participation of farmers in food quality...	16,3	0,1%	65,4	0,1%	131,1	0,1%
133 Information and promotion activities	20,1	0,2%	66,8	0,1%	167,3	0,2%
141 Semi-subsistence farming	73,7	0,6%	609,7	0,9%	807,3	0,8%
142 Producer groups	34,7	0,3%	153,0	0,2%	240,7	0,3%
143 Direct Payment (BG + RO)	1,3	0,0%	7,1	0,0%	15,8	0,0%
144 Holdings undergoing restructuring	14,2	0,1%	146,9	0,2%	200,4	0,2%
Axis 1	3 868,3	29,8%	20 095,0	30,5%	31 440,6	32,7%
211 Natural handicap payments to farmers in ...	1079,7	8,3%	6 265,6	9,5%	6 725,5	7,0%
212 Payments to farmers in areas with handicaps...	993,7	7,6%	6 357,2	9,7%	7 500,9	7,8%
213 Natura 2000 payments and payments linked ..	40,8	0,3%	165,9	0,3%	583,2	0,6%
214 Agri-environment payments	3338,0	25,7%	18 599,1	28,2%	22 929,9	23,9%
215 Animal welfare payments	95,7	0,7%	399,0	0,6%	885,1	0,9%
216 Non-productive investments	113,1	0,9%	328,8	0,5%	544,2	0,6%
221 First afforestation of agricultural land	194,6	1,5%	1 225,6	1,9%	1 710,9	1,8%
222 First establishment of agroforestry systems...	0,2	0,0%	0,5	0,0%	10,7	0,0%
223 First afforestation of non-agricultural land	25,2	0,2%	116,0	0,2%	256,6	0,3%
224 Natura 2000 payments	15,6	0,1%	33,2	0,1%	74,9	0,1%
225 Forest-environment payments	11,4	0,1%	40,9	0,1%	134,4	0,1%
226 Restoring forestry potential and ...	199,1	1,5%	962,2	1,5%	1 622,1	1,7%
227 Non-productive investments	120,1	0,9%	380,4	0,6%	772,6	0,8%
Axis 2	6 227,14	47,9%	34 874,30	53,0%	43 751,13	45,5%
311 Diversification into non-agricultural activities	183,9	1,4%	714,0	1,1%	1 236,8	1,3%
312 Business creation and development	249,0	1,9%	881,3	1,3%	2 046,0	2,1%
313 Encouragement of tourism activities	140,7	1,1%	482,8	0,7%	1 227,0	1,3%
321 Basic services for the economy and rural ...	561,7	4,3%	1963,2	3,0%	3 649,8	3,8%
322 Village renewal and development	503,1	3,9%	2299,1	3,5%	3 338,9	3,5%
323 Conservation and upgrading of the rural....	183,4	1,4%	682,2	1,0%	1 201,6	1,2%
331 Training and information	15,5	0,1%	58,6	0,1%	112,7	0,1%
341 Skills acquisition, animation and implement...	9,7	0,1%	73,6	0,1%	121,9	0,1%
Axis 3	1 847,15	14,2%	7 154,7	10,9%	12 934,5	13,5%
411 Implementing local development strategies...	61,5	0,5%	145,4	0,2%	530,7	0,6%
412 Implementing local development strategies...	10,5	0,1%	21,3	0,0%	152,7	0,2%
413 Implementing local development strategies....	624,0	4,8%	1707,6	2,6%	4143,7	4,3%
421 Implementing cooperation projects	19,3	0,1%	47,0	0,1%	232,3	0,2%
431 Running the local action group, acquiring ...	148,4	1,1%	545,8	0,8%	973,9	1,0%
Axis 4	863,6	6,6%	2467,1	3,7%	6 033,4	6,3%
511 Technical Assistance	191,3	1,5%	833,5	1,3%	1533,2	1,6%
611 BG RO Direct Payments	-0,3	0,0%	437,0	0,7%	437,8	0,5%
Grand total	12 997,1	100,0%	65 861,7	100,0%	96 130,7	100,0%

*Member States declare their expenditure quarterly. However for year n, Q4 declarations are submitted in January of year n+1. Consequently, the corresponding reimbursements by the Commission to the Member States in year n go from Q4 of year n-1 until Q3 of year n.

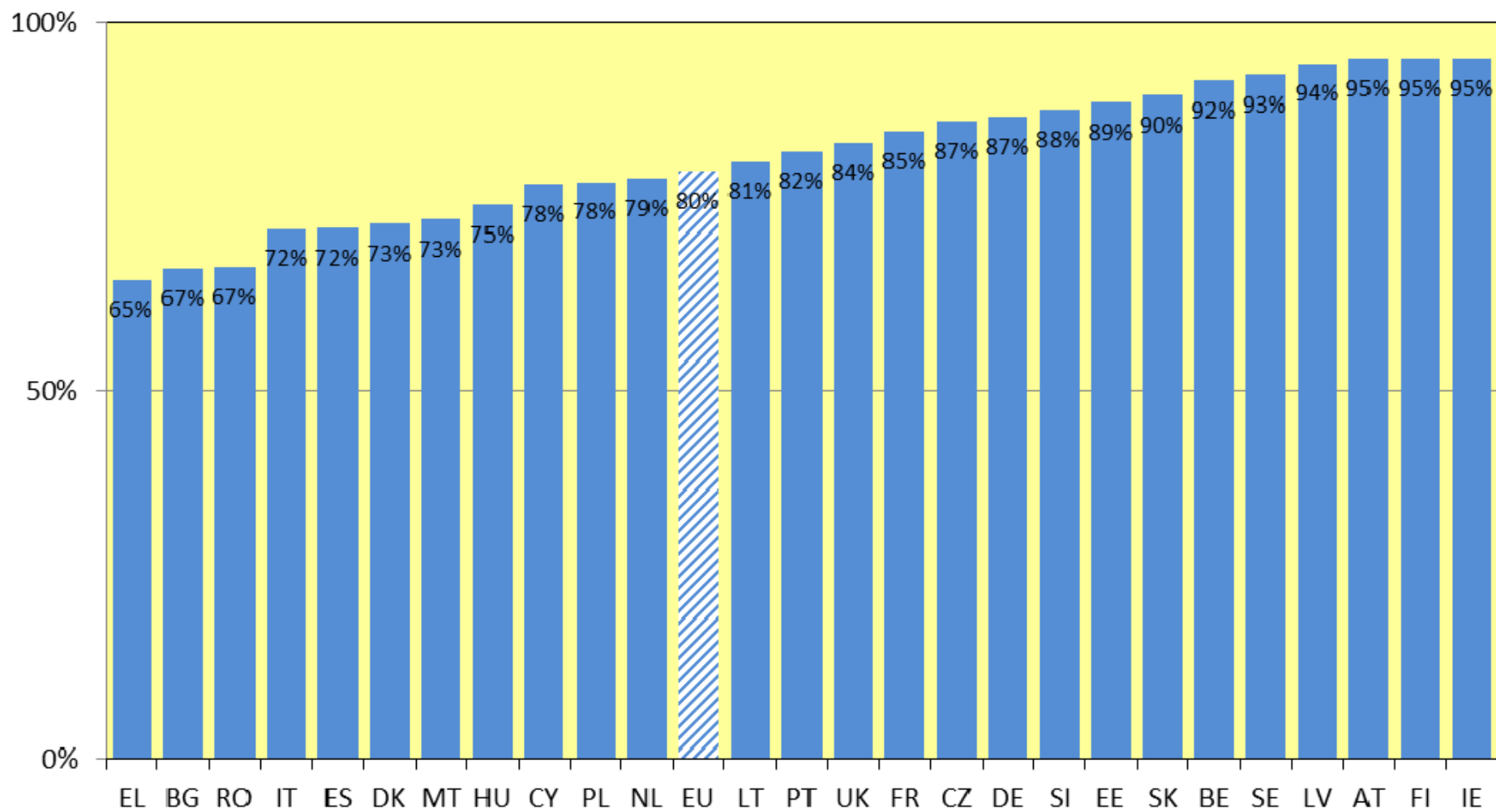
3.5. Implementation of EAFRD programmes

Graph 2 presents the financial implementation rate of rural development programmes per Member State: payments from the beginning of the programming period to 2013, including Q4 2013 that is reimbursed in financial year 2014, compared with the 2007-2013 commitments according to the financial plan. As 2013 was the last year when commitments were made, the implementation rate equals to the absorption rate (payments made from the beginning of the programming period compared to the total 2007-2013 allocation). The average EAFRD financial implementation rate for all EAFRD programmes is 80%.

Graph 2 shows that most Member States have absorbed more than 80% of the 2007-2013 commitments.

Until the end of 2013 the application of the N+2 rule has resulted in relatively small decommitments for the rural development programmes. Those decommitments amount in total to EUR 164.6 million and relate to years 2008, 2009 and 2010. Decommitments in relation to year 2011 will be made in 2014.

Graph 2 - Implementation/Absorption rate of RD programs by Member State (% of the EAFRD payments including payment claims Q4 2013 compared with 2007-2013 allocation)



4. CONTROL MEASURES

4.1. Introduction

The EU legislation provides for a comprehensive system of management and controls which relies on four levels:

(a) compulsory administrative structure at the level of Member States, centred around the establishment of paying agencies and an accreditation authority at high level which is competent for issuing and withdrawing the agency's accreditation. The decision for issuing the accreditation is based on a detailed review by an external audit body;

(b) detailed systems for controls and dissuasive sanctions to be applied by those paying agencies. Article 9(1) of Regulation (EC) No 1290/2005¹ provides for the general obligation of Member States to ensure that transactions financed by the EAGF and the EAFRD are carried out and executed correctly, to prevent and deal with irregularities and to recover amounts unduly paid. In complement to this general obligation, for each aid scheme there is a system of controls and dissuasive sanctions of final beneficiaries which reflects the specific features of the scheme and the risk involved in its administration;

(c) ex-post controls by independent audit bodies on the paying agencies' annual accounts and the functioning of their internal control procedures (under Regulation (EC) No 885/2006²) and by special departments on aid measures other than direct payments covered by the IACS (checks based on Regulation (EC) No 485/2008³);

(d) clearance of accounts through the Commission (both annual financial clearance and multi-annual conformity clearance).

These four levels establish a comprehensive system for the management and control of agricultural expenditure. It includes, on the one hand, all the necessary building blocks to guarantee a sound administration of the expenditure at Member States' level and, on the other hand, allows the Commission to counter the risk of financial losses as a result of any deficiencies in the set-up and operation of those building blocks through the clearance of accounts procedure.

Council Regulation (EC) No 1698/2005⁴, as amended, contains the rules on support for rural development by EAFRD; Commission Regulations (EC) No 1974/2006⁵ and (EU) No 65/2011⁶, as amended, lay down the rules for the application and control of rural development support measures.

The control rules provided by Commission Regulation (EU) No 65/2011 take into account the characteristics of the measures i.e. timing for the submission of the payment claims (aligned with the deadline set for the first pillar for Axis 2

¹ OJ L 209, 11.08.2005, p. 1
² OJ L 171, 23.6.2006, p. 90–110
³ OJ L 143, 3.6.2008, p. 1–9
⁴ OJ L 277, 21.10.2005, p.1
⁵ OJ L 368, 23.12.2006, p.15
⁶ OJ L 25, 28.01.2011 p.8-23

measures), payments made after the finalization of the controls, cross-compliance respect (depending on the measures), and a detailed sanction system.

4.2. Integrated Administration and Control System (IACS)

Council Regulation (EC) No 73/2009⁷ and Commission Regulation (EC) No 1122/2009⁸ which contain the rules on the IACS are also applicable to rural development support under Axis 2 as far as area- and animal-related measures are concerned.

A fully operational IACS consists of: a computerised database, an identification system for agricultural parcels and farmers claiming aid, a system for identification and registration payment entitlements, aid applications and integrated controls system (claim processing, on-the-spot checks and sanctioning mechanisms) and a system for identifying and registering animals where applicable. The IACS is fully automated and provides highly efficient controls by maximising the use of computerised and remote controls.

This system foresees a 100% administrative control covering the eligibility of the claim, complemented by administrative cross-controls with standing databases ensuring that only areas or animals that fulfil all eligible requirements are paid premium and by a minimum 5% of on-the-spot checks to check the existence and eligibility of the area or the animals claimed. If the on-the-spot controls reveal a high number of irregularities, additional controls must be carried out. The sample of transactions is determined on a risk and/or random basis.

The use of standing databases, which are appropriately updated, is well adapted to the schemes whereby aids are directly paid to the farmers and based on the areas or on the number of animals, in that the risk can be reduced to the lowest levels.

For the financial year 2013, the IACS covers around 44.7% of payments made under the EAFRD for measures including inter alia, agri-environment and animal welfare measures, less-favoured areas and areas with environmental restrictions and afforestation of agricultural land.

The Commission services verify the effectiveness of Member States' IACS by means of both on-the-spot auditing and general supervision based on annually supplied financial and statistical data. The Commission continues to consider that the IACS is generally an effective control system for limiting the risk of error or irregular expenditure, provided that it is properly applied.

5. CLEARANCE OF ACCOUNTS

5.1. Financial clearance

5.1.1. Introduction

The financial clearance covers the accounts and control systems set up by the paying agencies. Within this framework, DG AGRI pays particular attention to the certification bodies' conclusions and recommendations (where weaknesses are

⁷ OJ L30, 31.1.2009, p. 16

⁸ OJ L 316, 2.12.2009, p.65

found), following their reviews of the paying agencies' management and control systems. As part of this review, the DG AGRI departments also cover aspects relating to the accreditation criteria for the paying agencies and the protection of the financial interests of the EU as regards the advances paid, securities obtained and intervention stocks.

The Commission adopts an annual clearance of accounts decision clearing the paying agencies' annual accounts on the basis of the certificates and reports from the certification bodies, but without prejudice to any subsequent decisions to recover expenditure which proves not to have been in accordance with the EU rules. The Commission must clear the accounts and adopt its clearance decision by 30 April of the year following the financial year in question.

5.1.2. Financial clearance for financial year 2013

On 29 April 2014, the Commission adopted decision 2014/251/EU on the clearance of accounts of the paying agencies of Member States concerning expenditure financed by the EAFRD. This decision excluded the accounts of six paying agencies as insufficient assurance was obtained on the completeness, accuracy and veracity of their annual accounts. The paying agencies concerned are: SFA (Bulgaria), DAFA (Denmark) Andalucía and Asturias (Spain), OPEKEPE (Greece) and PARDF (Romania).

The total expenditure cleared amounts to EUR 10 744 million while that EUR 2 237 million was disjoined. The net financial impact of recoveries amounted to EUR 12.7 million.

5.1.3. Financial clearance for financial year 2012

A Commission Implementing decision was adopted on 26 April 2013, clearing the 2012 annual accounts for EAFRD. This decision excluded the accounts of 7 paying agencies, as no confirmation could be gained on the completeness, accuracy and veracity of the annual accounts submitted. The paying agencies for which the accounts were disjoined are: DAFA (Denmark), Baden-Württemberg, Thüringen and Helaba (Germany), ASP (France), PARDF (Romania) and Andalucía (Spain).

The decision cleared in total an amount of EUR 10 630 million and disjoined an amount of EUR 2 556 million until a later Decision. The net financial impact resulted in a recovery of EUR 6.4 million from the Member States.

The accounts of the three German paying agencies, namely: Baden-Württemberg, Thüringen and Helaba (Germany), are currently proposed for clearance. The adoption of the Commission Implementing Decision is foreseen for September 2014.

The conformity enquiries for the other four disjoined paying agencies are still ongoing.

5.1.4. Financial clearance for financial year 2011

In April 2012, the Commission adopted a decision clearing the 2011 annual accounts for EAFRD. In this decision, the accounts of 9 paying agencies have been excluded and were subject to a further review, and a subsequent clearance decision when the specific issues communicated by the Commission services in the letter sent to the

Member States (according to Article 10(3) of Regulation (EC) No 885/2006) have been resolved. The paying agencies for which the accounts were disjoined were: Baden-Württemberg, Bayern, Rheinland-Pfalz and Thüringen (Germany), ODARC and ASP (France), PARDF (Romania), Andalucía (Spain) and SGRPID (United Kingdom).

This decision cleared an amount of EUR 9 627 million and disjoined an amount of EUR 2 551 million until a later Decision. The net financial impact resulted in a payment of EUR 4.3 million to the Member States.

The accounts of the paying agencies Baden-Württemberg, Bayern, Rheinland-Pfalz, Thüringen (Germany) and SGRPID (United Kingdom) were cleared with Commission Implementing Decision C(2013)4812 dated 30.07.2013.

The conformity enquiries concerning the EAFRD accounts of the four remaining disjoined paying agencies are still being pursued.

5.1.5. Financial clearance for financial year 2010

In February 2012, the Commission adopted one further decision clearing the 2010 annual accounts of the paying agencies Baden-Württemberg, Bayern, Helaba and Rheinland-Pfalz (Germany) which had been initially disjoined, in respect of their expenditure funded by the EAFRD.

By means of this decision, a total amount of EUR 370 million was cleared for the EAFRD financial year 2010 (3% of the total annual expenditure). The net financial impact of this decision resulted in a payment of EUR 0.5 million to the Member State.

The three remaining paying agencies for which the 2010 EAFRD accounts are still outstanding are Région Wallonne (Belgium), ARBEA (Italy) and Ministry of Agriculture (Luxembourg).

The accounts of the paying agency APA (Slovakia) were cleared with Commission Implementing Decision C(2013)4267 dated 11.07.2013. Concerning the conformity enquiries for the remaining three paying agencies are being further pursued. The total amount concerned is EUR 63 million (1 % of total expenditure for the financial year in question).

5.1.6. Financial clearance for financial year 2009 and before

All EAFRD accounts for the financial years 2007 and 2009 have been cleared.

Concerning the financial year 2008, the last paying agency for which the 2008 EAFRD accounts were still outstanding was OPEKEPE (Greece). The total amount concerned was EUR 224 million. The EAFRD accounts were cleared with Commission Implementing Decision C(2013)6291 dated 01.10.2013.

5.2. Conformity clearance – audits and decisions adopted in 2013

5.2.1. Introduction

It is primarily the Member States' responsibility to satisfy themselves that transactions are carried out and executed correctly. Where Member States fail to

meet this requirement, the Commission applies financial corrections to protect the financial interests of the EU.

The conformity clearance relates to the legality and regularity of transactions. It is designed to exclude expenditure from EU financing which has not been effected in compliance with EU rules, thus shielding the EU budget from expenditure that should not be charged to it (financial corrections). In contrast, it is not a mechanism by which irregular payments to beneficiaries are recovered, which according to the principle of shared management is the sole responsibility of Member States.

Financial corrections are determined on the basis of the nature and gravity of the infringement and the financial damage caused to the EU. Where possible, the amount is calculated on the basis of the loss actually caused or on the basis of an extrapolation. Where this is not possible, flat-rates are used which take account of the severity of the deficiencies in the national control systems in order to reflect the financial risk for the EU.

Where undue payments are or can be identified as a result of the conformity clearance procedures, Member States are required to follow them up by recovery actions against the final beneficiaries. However, even where this is not possible because the financial corrections only relate to deficiencies in the Member States' management and control systems, financial corrections are an important means to improve these systems and thus to prevent or detect and recover irregular payments to final beneficiaries. The conformity clearance thereby contributes to the legality and regularity of the transactions at the level of the final beneficiaries.

5.2.2. Conformity clearance – audits and decisions adopted in 2013

Audits

In 2013, two desk audits and 21 conformity missions were carried out in respect of the EAFRD, of which all enquiries for Axis 2 in EU 27 included the agri-environment measures.

Conformity decisions

In 2013, four conformity decisions were adopted which had a financial impact by excluding from EU financing of EAFRD a total of EUR 228 million:

Decision 2013/123/EU of 26/02/2013 – 40th Decision, financial impact of EUR 104.7 million,

Decision 2013/214/EU of 2/05/2013 – 41st Decision, financial impact of EUR 88.4 million,

Decision 2013/433/EU of 13/08/2013 – 42nd Decision, financial impact of EUR 24.8 million,

Decision 2013/763/EU of 12/12/2013 – 43rd Decision, financial impact of EUR 10.6 million.

5.3. Recoveries

Regarding financial year 2013, the Member States reported the information about irregularity cases by 1 February 2014. The Member States recovered EUR 98.8

million during financial year 2013, and the outstanding amount still to be recovered from beneficiaries at the end of that financial year was EUR 224.2 million. The amounts recovered can be reused by the Member States under the same rural development programme. Regulation (EC) No 1290/2005 introduced an automatic clearing mechanism for non-recovered irregular payments after 4 years or, in case the recovery is challenged in national courts, 8 years after the establishment of the irregularity. The financial consequences of non-recovery are shared by the Member State concerned and the EU on a 50 %-50 % basis. Since under EAFRD, these provisions are applicable only after the closure of the rural development programme, this automatic clearance mechanism did not apply on the cases reported by the Member States for financial year 2013.

5.4. Appeals brought before the Court of Justice against clearance decisions

Judgments handed down

In 2013, two judgements have been handed down by the Court in appeals brought by the Member States against clearance decisions with regard to EAFRD. The Court rejected appeals brought in the following case:

judgement of 17 May 2013 in cases T-294/11 brought by Greece,

judgement of 17 May 2013 in cases T-335/11 brought by Bulgaria.

New appeals

In 2013 nine new appeals were brought by the Member States against clearance decisions:

case C-71/13 P brought by Greece on 11 February 2013,

case T-255/13 brought by Italy on 7 May 2013,

case T-257/13 brought by Poland on 8 May 2013,

case T-259/13 brought by France on 14 May 2013,

case T-346/13 brought by Greece on 2 July 2013,

case C-391/13 P brought by Greece on 8 July 2013,

case T-365/13 brought by Lithuania on 12 July 2013,

case T-367/13 brought by Poland on 15 July 2013,

case T-561/13 brought by Spain on 24 October 2013.

Appeals pending

The situation as at 31 December 2013 with regard to appeals pending is shown, together with the amounts concerned, in Table 13.

Table 13

Appeals against clearance of accounts decisions pending on 31 December 2013 (for EAFRD)		
Case number	Member State	Challenged amount (EUR)
C-71/13 P	GR	-16 480 990.57
C-391/13 P	GR	-12 165 835.99
T-3/11	PT	-213 224.74
T-255/13	IT	-5 599 441.61
T-257/13	PL	-28 763 238.60
T-259/13	FR	-28 955 683.35
T-346/13	GR	-6 175 094.49
T-365/13	LT	-3 448 510.00
T-367/13	PL	-71 610 559.39
T-561/13	ES	-757 968.97
TOTAL		-174 170 547.71

6. BASIC RULES GOVERNING THE EAFRD AND AMENDMENTS MADE IN 2013

6.1. General

Basic legislation

- Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p.1.); as last amended by Regulation of the European Parliament and of the Council (EU) No 1312/2011 of 19 December 2011 (OJL 339, 21.12.2011, p.1.).
- Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2009, p. 15); as last amended by Commission Implementing Regulation 335/2013 of 12 April 2013 (OJL105, 13.4.2013, p.1.).
- Commission Regulation (EU) No 65/2011 of 27 January 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures (OJ L 25,

28.01.2011, p.8); as last amended by Commission Implementing Regulation (EU) No 937/2012 of 12 October 2012 (OJ L 280, 13.10.2012, p.1.).

6.2. Recent modifications

Implementing regulation for rural development, Commission Regulation (EC) No 1974/2006 was amended by Commission Implementing Regulation (EU) No 335/2013. This amendment introduced extensions of on-going agri-environment, animal welfare and forest environment commitments until the end of 2014 claim period, prohibition to undertake new commitments under early retirement, meeting standards and afforestation measures after 31.12.2013 and the use of technical assistance for preparation of the next programming period. Furthermore, it introduced the principle that if the 2007-2013 financial resources are used up, no new commitments should be undertaken and the principle that Member States shall not undertake new commitments under Regulation (EC) No 1698/2005 as of the day from which they start undertaking commitments to beneficiaries pursuant to the legal framework for the 2014-2020 programming period.

6.3. Declarations

- Council Regulation (EC) No 73/2009 of 19 January 2009 (OJ L30, 31.1.2009, p. 16) establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003, *as last amended by Commission Implementing Regulation (EU) No 398/2013 of 30 April 2013 (OJ L 120, 1.5.2013, p. 9–10)*

6.4. Checks

- Council Regulation (EC) No 73/2009 of 19 January 2009 (OJ L30, 31.1.2009, p. 16) establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003, *repealed by Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 (OJ L 347, 20.12.2013, p. 608–670), as last amended by Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 (OJ L 347, 20.12.2013, p. 865–883),*
- Commission Regulation (EC) No 1122/2009 of 30 November 2009 (OJ L 316, 2.12.2009, p. 65) laying down detailed rules for the implementation of Council Regulation (EC) No 73/2009 as regards cross-compliance, modulation and the integrated administration and control system, under the direct support schemes for farmers provided for that Regulation, as well as for the implementation of Council Regulation (EC) No 1234/2007 as regards cross-compliance under the support scheme provided for the wine sector and repealing Commission Regulation (EC) No 796/2004 of 21 April 2004 (OJ L 141, p. 18), *as last amended by Commission Regulation (EU) No 426/2013 of 8 May 2013 (OJ L 127, 9.5.2013, p. 17–19)*

- Council Regulation (EC) No 1698/2005 of 20 September 2005 (OJ L 277, 21.10.2005, p. 1) on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), *repealed by Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 (OJ L 347, 20.12.2013, p. 487–548)*,
- Commission Regulation (EC) No 1974/2006 of 15 December 2006 (OJ L 368, 23.12.2006, p. 15) laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), *as last amended by Commission Implementing Regulation (EU) No 335/2013 of 12 April 2013 (OJ L 105, 13.4.2013, p. 1–3)*,
- Commission Regulation (EU) No 65/2011 of 27 January 2011 (OJ L 25, 28.1.2011, p. 8–23) laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures, *as last amended by Commission Implementing Regulation (EU) No 649/2013 of 8 July 2013 (OJ L 188, 9.7.2013, p. 5–6)*.

6.5. Clearance of accounts

- Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy (OJ L 209, 11.8.2005, p. 1), *repealed by Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December (OJ L 347, 20.12.2013, p. 549–607)*;
- Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD (OJ L 171, 23.6.2006, p. 90), *as last amended by Commission Implementing Regulation (EU) No 375/2012 of 2 May 2012 (OJ L118, 3.5.2012, p. 4)*.