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NOTE

From:	Presidency
To:	Permanent Representatives Committee
No. Cion doc.:	13356/18
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes – Preparation for the trilogue

1. On 22 October 2018 the Commission presented a proposal for a Regulation amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes.

2. The proposal was discussed in the Ad Hoc Working Party JHA Financial Instruments on 24 and 29 October 2018. The Presidency debriefed the Budget Committee on these discussions on 31 October 2018.
 3. At its meeting on 14 November 2018, COREPER agreed on the mandate for negotiations with the European Parliament.
 4. On 23 and 26 November 2018 the JHA Counsellors discussed some compromise proposals with a view to reach an agreement with the European Parliament.
 5. With a view to the COREPER meeting on 28 November, delegations will find in annex a 4-column table on the above subject in preparation for the trilogue that will take place on 29 November.
 6. In the third and fourth column the changes in the text as compared to the Commission proposal are indicated in **bold** and new text as compared to WK 14487/2018 is indicated in **bold underlined**. Deleted text is marked [...].
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Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes			
Commission proposal (st13356/18)	Draft EP amendments (Report A8-0370/2018 19/11/2018)	Council (st14374/18)	Compromise proposals/remarks
018/0371 (COD)		2018/0371 (COD)	
Proposal for a		Proposal for a	Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL		REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions		amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions	amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions

under the national programmes		under the national programmes	under the national programmes
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,
Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Whereas:		Whereas:	Whereas:
	<i>Amendment 1</i>		

(1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the European Parliament and the Council ¹ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in the areas of migration and asylum.	(1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the European Parliament and the Council ² or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in <i>specific</i> areas of migration and asylum. <i>It is also to ensure that such re-commitment or allocation occurs in a transparent manner.</i>	(1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the European Parliament and the Council ³ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in the areas of migration and asylum.	1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the European Parliament and the Council ⁴ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in specific areas of migration and asylum. It is also to ensure that such re-commitment or allocation occurs in a transparent manner.

¹ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

² Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168)

³ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

⁴ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168)

(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU) 2015/1523 ¹ and (EU) 2015/1601 ² . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ³ . Those Decisions have now ceased to apply.		(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU) 2015/1523 ⁴ and (EU) 2015/1601 ⁵ . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ⁶ . Those Decisions have now ceased to apply.	(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU) 2015/1523 ⁷ and (EU) 2015/1601 ⁸ . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ⁹ . Those Decisions have now ceased to apply.

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- ¹ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).
- ² Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).
- ³ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).
- ⁴ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).
- ⁵ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).
- ⁶ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).
- ⁷ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).
- ⁸ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).
- ⁹ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).

(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 remains available in the Member States' national programmes.		(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 remains available in the Member States' national programmes.	(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 and in some cases 2017 remains available in the Member States' national programmes.
(4) Member States should have the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. In addition, it should be possible, duly justified in the revision of Member States' national programmes, to use this funding also to address other challenges in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation. Member States' needs in these areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission.	<i>Amendment 2</i> (4) Member States should have the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. <i>As a minimum, Member States should re-commit 20% of those amounts to actions in national programmes, for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission. For the remainder of those amounts,</i> it should be possible, <i>where</i> duly justified in the revision of Member States' national programmes, to <i>fund specific actions provided for in Chapters II and III</i> in the area of migration and asylum, in line with the Asylum,	(4) Member States should have the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. In addition, it should be possible, duly justified in the revision of Member States' national programmes, to use this funding also to address other challenges in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation. Member States' needs in these areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission.	(4) Member States should have the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. [...] Member States should [...] <u>re-commit or transfer at least 20% of those [...] amounts to [...] actions in national programmes, for the [...] transfer of applicants for or beneficiaries of international protection, for resettlement or other ad-hoc humanitarian admissions, as well as other solidarity support measures in relation to [...] disembarkations in the EU following search and rescue operations. [...] Where a Member State [...] recommits or transfers [...] less than [...] 20%, [...] it should not be possible to transfer</u>

	<p>Migration and Integration Fund Regulation, <i>notably in developing aspects of the Common European Asylum System, in particular family reunification or for supporting legal migration to the Member States and promoting the effective integration of third-country nationals.</i> Member States' needs in <i>those</i> areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission. <i>Member States should ensure that the allocation of funds takes place in full respect of the principles set out in the Financial Regulation, in particular efficiency and transparency.</i></p>		<p><u>the difference between the amounts recommitted or transferred and this minimum percentage [...] to other actions in the national programme. Where duly [...] justified [...] in the revision of Member States' national programmes, Member States may [...] use up to 80% of [...] those amounts [...] to address other challenges in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation. Member States' needs in these areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission. Member States should ensure that the allocation of funds takes place in full respect of the principles set out in the Financial Regulation, in particular efficiency and transparency.</u></p>
	<i>Amendment 3</i>		

(5) The target group eligible for relocation should be expanded to give more flexibility to Member States in carrying out relocations.	(5) The target group eligible for relocation <i>as well as the countries from where relocation takes place</i> should be expanded to give more flexibility to Member States in carrying out relocations. <i>Priority should be given to the relocation of unaccompanied minors, other vulnerable applicants and family members of beneficiaries of international protection.</i>	(5) The target group eligible for relocation should be expanded to give more flexibility to Member States in carrying out relocations. The specific provisions concerning lump sums for resettlement and transfer of beneficiaries of international protection from one Member State to another should reflect this expansion.	(5) The target group eligible for [...] <u>transfers of applicants for or beneficiaries of international protection</u> as well as the [...] Member States from where [...] transfers takes place should be expanded to give more flexibility to Member States in carrying out <u>transfers</u> [...] taking into account the specific needs of unaccompanied minors, <u>or</u> other vulnerable applicants and <u>the specific situation of</u> family members of beneficiaries of international protection. The specific provisions concerning lump sums for resettlement and transfer of beneficiaries of international protection from one Member State to another should reflect this expansion.
(6) Member States and the Commission should have sufficient time to revise the national programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the		(6) Member States and the Commission should have sufficient time to revise the national programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the	(6) Member States and the Commission should have sufficient time to revise the national programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the

Council ¹ should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.		Council ² should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.	Council ³ should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.
(7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other actions prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national	<i>Amendment 4</i> (7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other <i>specific</i> actions prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of	(7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other actions prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national	(7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other actions prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national

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- ¹ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).
- ² Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).
- ³ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).

programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	amounts under the national programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.
	<p><i>Amendment 5</i></p> <p><i>(7a) The Commission should report annually to the European Parliament and to the Council as regards the application of resources for the transfer of applicants for international protection and of beneficiaries of international protection, in particular as regards transfers to other actions under the national programme and re-commitments.</i></p>		<p>(7a) The Commission should report annually to the European Parliament and to the Council as regards the [...] <u>implementation</u> of resources for the transfer of applicants for international protection and of beneficiaries of international protection, in particular as regards transfers <u>of amounts</u> to other actions under the national programme <u>as provided for in this amending Regulation</u> [...].</p>
(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.		(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.	(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.

		(8a) The objectives of this amending Regulation are pursued without prejudice to the ongoing negotiations on the reform of the Regulation (EU) No 604/2013 of the European Council and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.	(8a) The objectives of this amending Regulation are pursued without prejudice to the ongoing negotiations on the reform of the Regulation (EU) No 604/2013 of the European [...] Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.
(9) [In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, those Member States have notified their wish to take part in the adoption and application of this Regulation]		(9) [In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, those Member States have notified their wish to take part in the adoption and application of this Regulation]	
OR		OR	

(10) [In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.]		(10) [In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.]	
OR		OR	
(10) [In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.		(10) [In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	

(10a) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.]		(10a) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Ireland has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.]	
<i>OR</i>		<i>OR</i>	
(10) [In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, the United Kingdom has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.		(10) [In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, the United Kingdom has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.	
(10a) In accordance with Articles		(10a) In accordance with Articles 1	

1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.]		and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.]	
(11) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.		(11) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	
		(11a) The decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 can only be avoided if this Regulation enters into force before the end of 2018. In view of this urgency it is necessary to apply in this case the exception for urgent cases	

		provided for in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union.	
(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.		(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.	(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.
	<i>Amendment 6 (12a) Without amendment of Regulation (EU) No 516/2014 before the end of 2018, the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund. Given the urgency of amending Regulation (EU) No 516/2014, it is appropriate to provide for an</i>		(12a) Without amendment of Regulation (EU) No 516/2014 before the end of 2018, the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund. Given the urgency of amending Regulation (EU) No 516/2014, it is appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol

	<i>exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.</i>		No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
(13) Regulation (EU) No 516/2014 should therefore be amended,		(13) Regulation (EU) No 516/2014 should therefore be amended,	(13) Regulation (EU) No 516/2014 should therefore be amended,
HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
<i>Article 1</i>		Article 1	Article 1
Amendments to Article 18 of Regulation (EU) No 516/2014		Amendments to [...] Regulation (EU) No 516/2014	Amendments to [...] Regulation (EU) No 516/2014
Article 18 is amended as follows:		(1) Article 18 is amended as	(1) Article 18 is amended as

		follows:	follows:
'Article 18		[...]	
	<i>Amendment 7</i> (-1) The title is replaced by the following:		(-1) The title is replaced by the following:
	"Resources for the transfer of applicants for international protection or of beneficiaries of international protection" ¹ ;		"Resources for the transfer of applicants for international protection or of beneficiaries of international protection" ² ;
(1) In paragraph 1, the words "beneficiary of international protection" are replaced by the words "applicant for international protection or beneficiary of international protection";	<i>Amendment 8</i> deleted	(1) In paragraph 1, the words "beneficiary of international protection" are replaced by the words "applicant for international protection or beneficiary of international protection";	
	<i>Amendment 9</i> (1a) Paragraph 1 is replaced by the following:		

¹ Present text " Resources for the transfer of beneficiaries of international protection"(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

² Present text " Resources for the transfer of beneficiaries of international protection"(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

	<p>“1. With a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 15(1), an additional amount as set out in point (b) of Article 15(2) based on a lump sum of EUR 10 000 for each <i>applicant for international protection and beneficiary of international protection</i> transferred from another Member State.”;¹</p>		
(2) Paragraph 3 is replaced by the following:		(2) Paragraph 3 is replaced by the following:	(2) Paragraph 3 is replaced by the following:
"3. The additional amounts referred	<p><i>Amendment 10</i></p> <p>3. The additional amounts referred to in paragraph 1 of this</p>	"3. The additional amounts	"3. The additional amounts

¹ Present text: “1. With a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 15(1), an additional amount as set out in point (b) of Article 15(2) based on a lump sum of EUR **6 000** for each beneficiary of international protection transferred from another Member State.”;(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other actions under the national programme shall be possible where duly justified in the revision of the respective national programme. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme.";	Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other <i>specific actions provided for under Chapter II and Chapter III of this Regulation</i> under the national programme shall be possible where duly justified in the revision of the respective national programme. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme. <i>The funding shall be allocated transparently and efficiently in line with the objectives of the national programme.</i>	referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other actions under the national programme shall be possible where duly justified in the revision of the respective national programme. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme.";	referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other actions under the national programme shall be possible where duly justified in the revision of the respective national programme. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme.";
	<i>In respect of amounts stemming from the provisional measures established by Decisions (EU) No</i>		<i>In respect of amounts stemming from the provisional measures established by Decisions (EU) No</i>

	<i>2015/1523 and (EU) No 2015/1601, at least 20% of the amounts to be re-committed shall be re-committed to actions under the national programmes for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission.</i>		2015/1523 and (EU) No 2015/1601, Member States shall allocate at least 20% of those amounts to actions under the national programmes for [...] <u>the transfer of applicants for or [...]</u> beneficiaries of international protection, for resettlement or other ad-hoc humanitarian admissions, as well as other solidarity support measures in relation to disembarkations in the EU following search and rescue operations. [...] <u>Where a Member State [...] re-commits or transfers resources below that minimum percentage, it shall not be possible to transfer the difference between the re-committed or transferred amount and the minimum percentage [...]</u> to other actions in the national programme.
(3) The following paragraphs are inserted:		(3) The following paragraphs are inserted:	(3) The following paragraphs are inserted:
"3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming	<i>Amendment 11</i> 3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming	"3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming	"3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming

from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.	from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other <i>specific</i> actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.	from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.	from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.
3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.";		3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.";	3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.;
	<i>Amendment 12</i> 3c. The Commission shall report annually to the European Parliament and to the Council on the application of this Article, in particular as regards the transfers of amounts to other actions under		3c. The Commission shall report annually to the European Parliament and to the Council on the application of this Article. [...]

	<i>national programmes and re-commitments.</i>		
(4) In paragraph 4, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".	<i>Amendment 13</i> <i>deleted</i>	(4) In paragraph 4, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".	
	<i>Amendment 14</i> <i>(4a) Paragraph 4 is replaced by the following:¹</i>		(4a) Paragraph 4 is replaced by the following:²

¹ Present text: "4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer of beneficiaries of international protection from one Member State to another, as well as factors which can optimise the use of the financial incentive brought by the lump sums." (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

² Present text: "4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer of beneficiaries of international protection from one Member State to another, as well as factors which can optimise the use of the financial incentive brought by the lump sums." (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

	<p>4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer of <i>applicants for international protection and</i> beneficiaries of international protection from one Member State to another <i>and for resettlement and other ad-hoc humanitarian admission</i>, as well as factors which can optimise the use of the financial incentive brought by the lump sums.</p>		<p>"4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer of applicants for international protection and beneficiaries of international protection from one Member State to another and in the field of resettlement and other ad-hoc humanitarian admission, as well as factors which can optimise the use of the financial incentive brought by the lump sums."</p>
		<p>(2) In the heading and the introductory wording of Article 25, the words "beneficiaries of international protection" are replaced by the words "applicants"</p>	<p>(2) In the heading and the introductory wording of Article 25, the words "beneficiaries of international protection" are replaced by the words "applicants"</p>

		for international protection or beneficiaries of international protection".	for international protection or beneficiaries of international protection".
<i>Article 2</i> Entry into force		Article 2 Entry into force	Article 2 Entry into force
This Regulation shall enter into force on the day of its publication in the <i>Official Journal of the European Union</i> .		This Regulation shall enter into force on the day of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the day of its publication in the <i>Official Journal of the European Union</i> .
This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.		This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.
Done at Brussels,		Done at Brussels,	Done at Brussels,
For the European Parliament		For the European Parliament	For the European Parliament
The President		The President	The President
For the Council		For the Council	For the Council

The President		The President	The President