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NOTE

From:	Presidency
To:	Permanent Representatives Committee
No. Cion doc.:	COM(2018) 460 final
Subject:	Regulation establishing the Neighbourhood, Development and International Cooperation Instrument (NDICI) Thematic Package: Green lines - State of play and guidance for further work

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Delegations will find enclosed the provisionally agreed (green) lines not included in thematic packages.

The provisional agreement does not include any bracketed text as these are linked to the *Negotiating Box* or other horizontal issues.

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
1.	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Neighbourhood, Development and International Cooperation Instrument	DELETED FROM THIS POINT UNTIL THE END OF THE COLUMN (page 61)	DELETED FROM THIS POINT UNTIL THE END OF THE COLUMN (page 61)
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		
3.	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209, 212 and 322(1) thereof,		
4.	Having regard to the proposal from the European Commission,		
5.	After transmission of the draft legislative act to the national parliaments,		
6.	Having regard to the opinion of the European Economic and Social Committee ¹ ,		
7.	Having regard to the opinion of the Committee of the Regions ² ,		
8.	Having regard to the opinion of the Court of Auditors ³ ,		
9.	Acting in accordance with the ordinary legislative procedure,		

¹ OJ C , , p. .

² OJ C , , p. .

³ Placeholder

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10.	Whereas:		
11.	(1) The general objective of the Programme "Neighbourhood, Development and International Cooperation Instrument" (the 'Instrument') should be to uphold and promote the Union's values and interests worldwide in order to pursue the objectives and principles of the Union's external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union.		
12.	(2) In accordance with Article 21 of the Treaty on European Union, the Union shall pursue consistency between the different areas of its external action and between these and its other policies, as well as it shall work for a high degree of cooperation in all fields of international relations. The wide array of actions enabled by this Regulation should contribute to the objectives set out in that Article of the Treaty.		
13.	(3) In accordance with Article 8 of the Treaty on European Union, the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. This Regulation should contribute to such objective.		

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15.	(5) The Union shall ensure policy coherence for development as required by Article 208 of the Treaty on the Functioning of the European Union. The Union should take account of the objectives of development cooperation in the policies that are likely to affect developing countries, which will be a crucial element of the strategy to achieve the Sustainable Development Goals defined in the 2030 Agenda for Sustainable Development ('2030 Agenda') adopted by the United Nations in September 2015 ⁴ . Ensuring policy coherence for sustainable development, as embedded in the 2030 Agenda, requires taking into account the impact of all policies on sustainable development at all levels — nationally, within the Union, in other countries and at global level.		
16.	(6) This Instrument provides for actions in support of those objectives and of the external action policies and builds on the actions previously supported under Regulation (EU) No 233/2014 ⁵ ; the 11th		

⁴ "Transforming our world: the 2030 Agenda for Sustainable Development", adopted at the United Nations Sustainable Development Summit on 25 September 2015 (A/RES/70/1).

⁵ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44.)

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	European Development Fund (EDF)'s Internal Agreement ⁶ and Implementing Regulation ⁷ ; Regulation (EU) No 232/2014 ⁸ ; Regulation (EU) No 230/2014 ⁹ ; Regulation (EU) No 235/2014 ¹⁰ ; Regulation (EU) No 234/2014 ¹¹ ; Regulation (Euratom) No 237/2014 ¹² ; Regulation (EU) No 236/2014 ¹³ ; Decision No 466/2014/EU; Regulation (EC, Euratom) No 480/2009 ¹⁴ and Regulation (EU) 2017/1601 ¹⁵ .		

- ⁶ Internal agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L210/1, 6.8.2013).
- ⁷ Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58/1, 3.3.2015).
- ⁸ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27.)
- ⁹ Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1.)
- ¹⁰ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide (OJ L 77, 15.3.2014, p. 85.)
- ¹¹ Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries (OJ L 77, 15.3.2014, p. 77.)
- ¹² Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77, 15.3.2014, p. 109)
- ¹³ Regulation (EU) 236/2014 of the European Parliament and of the Council laying down common rules and procedures for the implementation of the Union's instruments for financing external action (OJ L 77, 15.3.2014, p. 95)
- ¹⁴ Council Regulation (EC, Euratom) No 480/2009 of 25 May 2009 establishing a Guarantee Fund for external actions (OJ L 145, 10.6.2009, p. 10)

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19.	(9) The new European Consensus on Development ('the Consensus') ¹⁶ , signed on 7 June 2017, provides the framework for a common approach to development cooperation by the Union and its Member States to implement the 2030 Agenda and the Addis Ababa Action Agenda. Eradicating poverty, tackling discrimination and inequalities, leaving no one behind and strengthening resilience are at the heart of development cooperation policy.		
20.	(10) In order to implement the new international framework established by the 2030 Agenda, the Global Strategy and the Consensus, this Regulation should aim at increasing the coherence and ensuring the effectiveness of the Union's external action by concentrating its efforts through a streamlined instrument to improve the implementation of the different external action policies.		
22.	(12) In line with the international commitments of the Union on development effectiveness as adopted in Busan in 2011 and renewed at the Nairobi High Level Forum in 2016 and recalled in the		

¹⁵ Regulation (EU) 2017/1601 of the European Parliament and of the Council of 26 September 2017 establishing the European Fund for Sustainable Development (EFSD), the EFSD Guarantee and the EFSD Guarantee Fund.

¹⁶ "The New European Consensus on Development 'Our World, our Dignity, Our Future'", Joint statement by the Council and the Representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission, 8 June 2017.

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	Consensus, the Union's development cooperation should apply the development effectiveness principles, namely ownership of development priorities by developing countries, a focus on results, inclusive development partnerships as well as transparency and accountability.		
24.	(14) Whenever possible and appropriate, the results of the Union's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.		
25.	(15) This Regulation should contribute to the collective Union objective of providing 0.7% of Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda. In that regard, at least 92% of the funding under this Regulation should contribute to actions designed in such a way that they fulfil the criteria for Official Development Assistance as established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development.		
26bis			
33.	(23) The main approach for actions financed under this Regulation should be through		

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	geographic programmes, in order to maximise the impact of the Union's assistance and bring Union's action closer to partner countries and populations. This general approach should be complemented by thematic programmes and by rapid response actions, where relevant.		
35bis			
36.	(26) Civil society organisations should embrace a wide range of actors with different roles and mandates which includes all non-State, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations.		
37.	(27) This Regulation lays down a financial envelope for this Instrument, which is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ¹⁷ , for the European Parliament		

¹⁷ OJ C 373, 20.12.2013, p. 1.

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	and the Council during the annual budgetary procedure.		
42	(32) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.		

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52	(42) In order to enhance partner countries' ownership of their development processes and the sustainability of external aid, the Union should, where relevant, favour the use of partner countries' own institutions and of partner countries' systems and procedures for all aspects of the project cycle for cooperation.		
53	(43) Annual or multi-annual action plans and measures referred to in Article 19 constitute work programmes under the Financial Regulation. Annual or multi-annual action plans consist of a set of measures grouped into one document.		
58	(48) The references to Union instruments in Article 9 of Council Decision 2010/427/EU ¹⁸ , which are replaced by this Regulation, should be read as references to this Regulation and the Commission should ensure that this Regulation is implemented in accordance with the role of the EEAS as provided in that Decision.		
59	(49) The envisaged actions as provided for hereunder should strictly follow the conditions and procedures set out by the restrictive measures of the Union,		

¹⁸ Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

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60	HAVE ADOPTED THIS REGULATION:		
61	TITLE I GENERAL PROVISIONS		
62	Article 1 Subject matter		
63	This Regulation establishes the Programme “Neighbourhood, Development and International Cooperation Instrument” (the ‘Instrument’).		
64	It lays down the objectives of the Instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.		
66	Article 2 Definitions		
67	For the purposes of this Regulation, the following definitions apply:		
68	(1) “country programme” shall mean an indicative programme covering one country;		
69	(2) “multi-country programme” shall mean an indicative programme covering more than one country;		
70	(3) “cross-border cooperation” shall mean cooperation between one or more Member States, and one or more third countries and territories along the external borders of the Union.		
71	(4) “regional programme” shall mean an indicative multi-country programme covering more than one third country within the same geographic area as established in		

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	Article 4 (2);		
72.	(5) “trans-regional programme” shall mean an indicative multi-country programme covering more than one third country from different areas as established in Article 4 (2) of this Regulation;		
73.	(6) “legal entity” shall mean any natural or legal person created and recognised as such under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations, or an entity without a legal personality in accordance with Article 197(2)(c) of the Financial Regulation;		
75.	(8) “contributor” shall mean a Member State, an international finance institution, or a public institution of a Member State, a public agency or other entities contributing in cash or in guarantees to the common provisioning fund.		

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75bis			
84.	Article 4 Scope and structure		
85.	1. Union funding under this Regulation shall be implemented through:		
86.	(a) geographic programmes;		
87	(b) thematic programmes;		
88	(c) rapid response actions.		
89	2. The geographic programmes shall encompass country and multi-country cooperation in the following areas:		
90	(a) Neighbourhood;		
91	(b) Sub-Saharan Africa;		
92	(c) Asia and the Pacific;		
93	(d) Americas and the Caribbean.		
96	In order to attain the objectives laid down in Article 3, geographic programmes shall be based on the areas of cooperation listed in Annex II.		
97	3. The thematic programmes shall encompass actions linked to the pursuit of the Sustainable Development Goals at global level, in the following areas:		
98	(a) Human Rights and Democracy;		
99	(b) Civil Society Organisations;		
101	(d) Global Challenges.		

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103	In order to attain the objectives laid down in Article 3, thematic programmes shall be based on the areas of intervention listed in Annex III.		
111	Actions implemented through thematic programmes shall be complementary to actions funded under geographic programmes and shall support global and trans-regional initiatives for achieving internationally agreed goals, in particular the Sustainable Development Goals, protecting global public goods or addressing global challenges. Actions through thematic programmes may also be undertaken where there is no geographic programme, or where it has been suspended, or where there is no agreement on the action with the partner country concerned, or where the action cannot be adequately addressed by geographic programmes.		
112	Rapid response actions shall be complementary to geographic and thematic programmes. These actions shall be designed and implemented to enable, where relevant, their continuity under geographic or thematic programmes.		
114	Article 5 Coherence, consistency and complementarity		

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115	1. In implementing this Regulation, consistency, synergies and complementarity with other areas of Union external action, with other relevant Union policies and Programmes, as well as policy coherence for development shall be ensured.		
115 bis			
116	2. Actions falling within the scope of Council Regulation (EC) No 1257/96 shall not be funded under this Regulation.		
117	3. Where appropriate, other Union Programmes may contribute to actions established under this Regulation, provided that the contributions do not cover the same costs. This Regulation may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set of rules shall be applicable.		

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134	Article 7 Policy framework		
136	Article 8 General principles		
137	1. The Union shall seek to promote, develop and consolidate the principles of democracy, the rule of law and respect for human rights and fundamental freedoms on which it is founded, through dialogue and cooperation with partner countries and regions.		
138. quater			
139	3. The Union shall support, as appropriate, the implementation of bilateral, regional and multilateral cooperation and dialogue, partnership agreements and triangular cooperation.		
140	The Union shall promote a multilateral and rules-based approach to global goods and challenges and shall cooperate with Member States, partner countries, international organisations and other donors in that respect.		

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141	The Union shall foster cooperation with international organisations and other donors.		
142	In relations with partner countries, their track record in implementing commitments, international agreements, and contractual relations with the Union shall be taken into account.		
143	4. Cooperation between the Union and the Member States, on the one hand, and partner countries, on the other hand, shall be based on and shall promote the development effectiveness principles, where applicable, namely: ownership of development priorities by partner countries, a focus on results, inclusive development partnerships, transparency and mutual accountability. The Union shall promote effective and efficient resource mobilisation and use.		
144	In line with the principle of inclusive partnership, where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations and local authorities, are duly consulted and have timely access to relevant information allowing them to play a meaningful role during the design, implementation and associated monitoring processes of programmes.		
145	In line with the principle of ownership the Commission, where appropriate, shall favour		

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	the use of partner countries' systems for the implementation of programmes.		
146	5. In order to promote the complementarity and efficiency of their action, the Union and the Member States shall coordinate their policies and shall consult each other on their assistance programmes, including in international organisations and during international conferences.		
163	TITLE II IMPLEMENTATION OF THIS REGULATION		
164	Chapter I Programming		
165	Article 10 General programming approach		
166	1. Cooperation and interventions under this Regulation shall be programmed, except for rapid response actions referred to in Article 4 (4).		
167	2. On the basis of Article 7, programming under this Regulation shall be based on the following:		
168	(a) programming documents shall provide a coherent framework for cooperation between the Union and partner countries or regions, consistent with the overall purpose and scope, objectives and principles set out in this Regulation;		
170	(c) the Union shall also consult other donors and actors, including representatives of civil		

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	society and local authorities, where relevant;		
172	Article 11 Programming principles for geographic programmes		
173	1. Programming of geographic programmes shall be based on the following principles:		
174	(a) without prejudice to paragraph 4, actions shall be based, to the extent possible, on a dialogue between the Union, the Member States and the partner countries concerned, including national and local authorities, involving civil society, national and local parliaments and other stakeholders, in order to enhance ownership of the process and to encourage support for national and regional strategies;		

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175	(b) where appropriate, the programming period shall be synchronised with the strategy cycles of partner countries;		
176	(c) programming may envisage cooperation activities funded from different allocations listed in Article 6(2) and from other Union Programmes according to their basic acts.		
177	2. Programming of geographic programmes shall provide a specific, tailor-made framework for cooperation based on:		
179	(b) the partners' capacities to generate and access financial resources and on their absorption capacities;		
181	(d) the potential impact of Union funding in partner countries and regions;		
182	(e) the partner's capacity and commitment to promote shared interests and values, and to support common goals and multilateral alliances, as well as the advancement of Union priorities.		

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184	4. Cooperation with industrialised countries shall focus on the promotion of Union and mutual interests.		
185	5. Programming documents for geographic programmes shall be results-based and shall take into account, where appropriate, internationally agreed targets and indicators, in particular those set out for the Sustainable Development Goals, as well as country-level result frameworks, to assess and communicate the Union contribution to results, at the level of outputs, outcomes and impact.		
188	7. This Regulation shall contribute to actions established under Regulation (EU) No. .../... (Erasmus). A single programming document shall be drawn up from this Regulation for seven years, including funds from Regulation (EU) No .../... (IPA III). Regulation (EU) No. .../... (Erasmus) shall apply to the use of these funds.		
189	Article 12 Programming documents for geographic programmes		
190	1. The implementation of this Regulation shall be carried out for geographic programmes through multiannual country and multi-country indicative programmes.		

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191	2. Multiannual indicative programmes shall set out the priority areas selected for Union financing, the specific objectives, the expected results, clear and specific performance indicators, and the indicative financial allocations, both overall and per priority area.		
192	3. The multiannual indicative programmes shall be built on:		
193	(a) a national or regional strategy in the form of a development plan or a similar document accepted by the Commission as a basis for the corresponding multiannual indicative programme, at the time of adoption of the latter document;		
194	(b) a framework document laying down the Union policy towards the concerned partner or partners, including a joint document between the Union and Member States;		
195	(c) a joint document between the Union and the concerned partner or partners setting out common priorities.		
196	4. To increase the impact of collective cooperation of the Union, where possible, a joint programming document shall replace the Union's and Member States programming documents. A joint programming document may replace the Union's multiannual indicative programme, provided it complies with Articles 10 and 11, contains the elements listed in paragraph 2 of		

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	this Article and sets out the division of labour between the Union and Member States.		
197	Article 13 Programming documents for thematic programmes		
198	1. The implementation of this Regulation shall be carried out for thematic programmes through multiannual indicative programmes.		
200	Where applicable, resources and intervention priorities shall be laid down for participation in global initiatives.		
201	Multiannual indicative programmes for thematic programmes shall set out the indicative financial allocation, overall, by area of cooperation and by priority. The indicative financial allocation may be given in the form of a range.		
202	Article 14 Adoption and amendment of multiannual indicative programmes		
203	1. The Commission shall adopt multiannual indicative programmes referred to in Articles 12 and 13 by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 35(2). This procedure shall also apply to reviews referred to in paragraphs 3, 4 and 5 of this Article, which have the effect of significantly modifying the content of the multiannual indicative		

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	programme.		
204	2. When adopting joint multi-annual programming documents referred to in Article 12, the Commission decision shall only apply to the Union's contribution to the joint multiannual programming document.		
235	Chapter III Action plans, measures and implementing methods		
236	Article 19 Action plans and measures		
237	1. The Commission shall adopt annual or multiannual action plans or measures. The measures may take the form of individual measures, special measures, support measures or exceptional assistance measures. Action plans and measures shall specify for each action the objectives pursued, the expected results and main activities, the methods of implementation, the budget and any associated support expenditures.		

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239	When necessary, an action may be adopted as an individual measure before or after the adoption of action plans. Individual measures shall be based on programming documents, except for cases referred to in paragraph 3 and in other duly justified cases.		
240	In the event of unforeseen needs or circumstances, and when funding is not possible from more appropriate sources, the Commission may adopt special measures not provided for in the programming documents.		
241	3. Annual or multiannual action plans and individual measures may be used to implement rapid response actions referred to in Article 4(4)(b) and (c).		
243	An exceptional assistance measure may have a duration of up to 18 months, which may be extended twice by a further period of up to six months, up to a total maximum duration of 30 months, in the event of objective and unforeseen obstacles to its implementation, provided that there is no increase in the financial amount of the measure.		
244	In cases of protracted crisis and conflict, the Commission may adopt a second exceptional assistance measure of a duration of up to 18 months. In duly justified cases further measures may be adopted where the continuity of the Union's action is essential and cannot be ensured by other means.		

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245	Article 20 Support measures		
246	1. Union financing may cover support expenditure for the implementation of the Instrument and for the achievement of its objectives, including administrative support associated with the preparation, follow-up, monitoring, control, audit and evaluation activities necessary for such implementation, as well as expenditure at headquarters and Union delegations for the administrative support needed for the programme, and to manage operations financed under this Regulation, including information and communication actions, and corporate information technology systems.		
247	2. When support expenditure is not included in the action plans or measures referred to in Article 21, the Commission shall adopt, where applicable, support measures. Union financing under support measures may cover:		
248	(a) studies, meetings, information, awareness-raising, training, preparation and exchange of lessons learnt and best practices, publication activities and any other administrative or technical assistance expenditure necessary for the programming and management of actions, including remunerated external experts;		

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249	(b) research and innovation activities and studies on relevant issues and the dissemination thereof;		
250	(c) expenditures related to the provision of information and communication actions, including the development of communication strategies and corporate communication and visibility of the political priorities of the Union.		
266. ter			
267	Article 22 Methods of cooperation		
269	2. Financing under this Instrument may also be provided through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, or other donors.		
270	3. The entities listed in Article 62(1)(c) of the Financial Regulation and in Article 29(1) of this Regulation shall annually fulfil their reporting obligations under Article 155 of the Financial Regulation. The reporting requirements for any of these entities are laid down in the framework partnership agreement, the contribution agreement, the agreement on budgetary guarantees or the financing agreement.		
271	4. Actions financed under the Instrument		

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	may be implemented by means of parallel or joint co-financing.		
272	5. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified.		
273	6. In the case of joint co-financing, the total cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action.		
274	7. Cooperation between the Union and its partners may take the form, inter alia, of:		
275	(a) triangular arrangements whereby the Union coordinates with third countries its assistance funding to a partner country or region;		
277	(c) contributions to the necessary costs of setting up and administering a public-private partnership;		

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277. bis			
278	(d) sector policy support programmes whereby the Union provides support to a partner country's sector programme		
280	(f) interest rate subsidies.		
281	Article 23 Forms of EU funding and methods of implementation		
282	1. The Union funding may be provided through the types of financing envisaged by the Financial Regulation and in particular:		
283	(a) grants;		
284	(b) procurement contracts for services, supplies or works;		
285	(c) budget support;		
286	(d) contributions to trust funds set up by the Commission, in accordance with Article 234 of the Financial Regulation;		
287	(e) financial instruments;		
288	(f) budgetary guarantees;		
289	(g) blending;		
290	(h) debt relief in the context of internationally agreed debt relief programme;		

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291	(i) financial assistance;		
293	2. When working with stakeholders of partner countries, the Commission shall take into account their specificities, including their needs and the relevant context, when defining the financing modalities, the type of contribution, the award modalities and the administrative provisions for the management of grants, with a view to reaching and best responding to the widest possible range of such stakeholders. Specific modalities shall be encouraged in accordance with the Financial Regulation, such as partnership agreements, authorisations of financial support to third parties, direct award or eligibility-restricted calls for proposals, or lump sums, unit costs and flat-rate financing as well as financing not linked to costs as envisaged in Article 125(1) of the Financial Regulation.		
294	3. In addition of the cases referred to in Article 195 of the Financial Regulation, the direct award procedure may be used for;		
295	(a) low-value grants to human rights defenders to finance urgent protection actions, where appropriate without the need for co-financing;		
296	(b) grants, where appropriate without the need for co-financing, to finance actions in the most difficult conditions where the publication of a call for proposals would be		

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	inappropriate including situations where there is a serious lack of fundamental freedoms, where human security is most at risk or where human rights organisations and defenders operate under the most difficult conditions. Such grants shall not exceed EUR 1 000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the event of objective and unforeseen obstacles to their implementation;		
297	(c) grants to the Office of the UN High Commissioner for Human Rights as well as to Global Campus, the European Inter-University Centre for Human Rights and Democratisation, providing a European Master's Degree in Human Rights and Democratisation, and its associated network of universities delivering human rights postgraduate diplomas, including scholarships to students and human rights defenders from third countries.		
299	Any decision to provide budget support shall be based on budget support policies agreed by the Union, a clear set of eligibility criteria and a careful assessment of the risks and benefits.		
301	When providing budget support in accordance with Article 236 of the Financial Regulation, the Commission shall clearly define and monitor criteria for budget		

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	support conditionality, including progress in reforms and transparency, and shall support the development of parliamentary control, national audit capacities and increased transparency and public access to information.		
302	5. Disbursement of the budget support shall be based on indicators demonstrating satisfactory progress being made towards achieving the objectives agreed with the partner country.		
304	Contributions to Union financial instruments under this Regulation may be made by Member States as well as any entity referred to in Article 62(1)(c) of the Financial Regulation.		
305	7. Those financial instruments may be grouped into facilities for implementation and reporting purposes.		
306	8. The Union's funding shall not generate or activate the collection of specific taxes, duties or charges.		
307	9. Taxes, duties and charges imposed by partner countries may be eligible for financing under this Regulation.		
308	Article 24 Eligible persons and entities		
309	1. Participation in procurement, grant and prize award procedures for actions financed under geographic programmes and under the Civil Society Organisations and Global		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
	Challenges programmes shall be open to international organisations and to all other legal entities who are nationals of and, in the case of legal persons, who are also effectively established in, the following countries or territories:		
310	(a) Member States, beneficiaries of the Regulation (EU) .../...(IPA III), and contracting parties to the Agreement on the European Economic Area;		
313	(d) developing countries, as included in the list of Official Development Assistance recipients, which are members of the G-20 group, and other countries and territories, when the relevant procedure takes place in the context of an action financed by the Union under this Regulation in which they participate;		
314	(e) countries for which reciprocal access to external funding is established by the Commission; that access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from countries eligible under this Regulation; the Commission shall decide on the reciprocal access and on its duration after consultation of the recipient country or countries concerned;		
315	(f) member countries of the Organisation for Economic Cooperation and Development, in		

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	the case of contracts implemented in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of Official Development Assistance recipients.		
318	4. The rules laid down in this Article shall not apply to, and shall not create, nationality restrictions for natural persons employed or otherwise legally contracted by an eligible contractor or, where applicable, subcontractor.		
319	5. For actions jointly co-financed by an entity, or implemented in direct or indirect management with entities as referred to point (c) (ii) to (viii) of Article 62(1) of the Financial Regulation, the eligibility rules of those entities shall also apply.		
320	6. Where donors provide financing to a trust fund established by the Commission or through external assigned revenues, the eligibility rules in the constitutive act of the trust fund or in the agreement with the donor in case of external assigned revenues shall apply.		
321	7. In the case of actions financed under this Regulation and by another Union Programme, eligible entities under any of those Programmes shall be considered eligible.		

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322	8. In the case of multi-country actions legal entities who are nationals of and, in the case of legal entities who are also effectively established in, the countries and territories covered by the action may be considered eligible.		
323	9. The eligibility rules of this Article may be restricted with regard to the nationality, geographical location or nature of applicants, where such restrictions are required on account of the specific nature and the objectives of the action and where they are necessary for its effective implementation.		
324	10. Tenderers, applicants and candidates from non-eligible countries may be accepted as eligible in the case of urgency or the unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of an action impossible or exceedingly difficult.		
325	11. In order to promote local capacities, markets and purchases, priority shall be given to local and regional contractors when the Financial Regulation provides for an award on the basis of a single tender. In all other cases, participation of local and regional contractors shall be promoted in accordance with the relevant provisions of that Regulation.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
326	12. Under the Democracy and Human Rights programme, any entity not covered under the definition of legal entity in Article 2(6) shall be eligible when this is necessary to pursue the areas of intervention of this programme.		
434	TITLE III FINAL PROVISIONS		
435	Article 33 Participation by a country or territory not covered by this Regulation		
436	1. In duly justified cases and where the action to be implemented is of a global, trans-regional or regional nature, the Commission may decide, within the relevant multiannual indicative programmes or within the relevant action plans or measures to extend the scope of actions to countries and territories not covered by this Regulation pursuant to Article 4 in order to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation.		
452	Article 36 Information, communication and publicity		
453	1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding in particular when promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
	the public.		
454	2. The Commission shall implement information and communication actions relating to this Regulation, and its actions and results. Financial resources allocated to this Regulation shall also contribute to the corporate communication of the political priorities of the Union, as far as those priorities are directly related to the objectives referred to in Article 3.		
455	Article 37 Derogation from visibility requirements		
456	Security issues or local political sensitivities may make it preferable or necessary to limit communication and visibility activities in certain countries or areas or during certain periods. In such cases, the target audience and the visibility tools, products and channels to be used in promoting a given action shall be determined on a case-by-case basis, in consultation and agreement with the Union. Where rapid intervention is required in response to a sudden crisis, it is not necessary to produce a full communication and visibility plan immediately. In such situations, however, the Union's support shall nevertheless be appropriately indicated from the start.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
457	Article 38 EEAS clause		
458	This Regulation shall apply in accordance with Decision 2010/427/EU.		
459	Article 39 Repeal and transitional provisions		
460	1. Decision No 466/2014/EU, Regulation (EC, Euratom) No 480/2009 and Regulation (EU) 2017/1601 are repealed with effect from 1 January 2021.		
461	2. The financial envelope for this Regulation may also cover technical and administrative assistance expenditures necessary to ensure the transition between this Regulation and the measures adopted under its predecessors: Regulation (EU) No 233/2014; Regulation (EU) No 232/2014; Regulation (EU) No 230/2014; Regulation (EU) No 235/2014; Regulation (EU) No 234/2014, Regulation (Euratom) No 237/2014, Regulation (EU) No 236/2014, Decision No 466/2014/EU, Regulation (EC, Euratom) No 480/2009 and Regulation (EU) 2017/1601.		
462	3. The financial envelope for this regulation may cover expenditures related to the preparation of any successor to this Regulation.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV 3bis</i>
463	4. If necessary, appropriations may be entered in the budget beyond 2027 to cover the expenditures provided for in Article 20(1), to enable the management of actions not completed by 31 December 2027.		
464	Article 40 Entry into force		
465	This Regulation shall enter into force on the day following that of its publication in the <i>Official Journal of the European Union</i> .		
466	It shall apply from 1 January 2021.		
467	This Regulation shall be binding in its entirety and directly applicable in all Member States.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
4	ANNEX II AREAS OF COOPERATION FOR THE GEOGRAPHIC PROGRAMMES		
5	A. For all geographic regions		
6	PEOPLE		
8	(a) Strengthening democracy and democratic processes, governance and oversight, including transparent and credible electoral processes;		
9	(b) Strengthening the protection of human rights and fundamental freedoms;		
11	(d) Supporting a thriving civil society and its role in reform processes and democratic transformations, and promoting an enabling space for civil society and citizens' engagement in political decision-making;		
12	(e) Improving the pluralism, independence and professionalism of a free and independent media;		
14	(g) Strengthening the development of democratic public institutions at national and sub-national levels, including an independent, effective, efficient and accountable judicial system, the promotion of rule of law, and access to justice for all;		
16	(i) Promoting inclusive, balanced and integrated territorial and urban policies through strengthening public institutions and bodies at the national and sub-national levels		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	and supporting efficient decentralisation and state restructuring processes;		

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17	(j) Increasing transparency and accountability of public institutions, strengthening public procurement and public finance management, developing eGovernment and strengthening service delivery;		
18	(k) Supporting the sustainable, accountable and transparent management of natural resource sectors and related revenues, and reforms to ensure fair, just and sustainable tax policies.		
19	2. Poverty eradication, fight against inequalities and human development		
20	(a) Eradicating poverty in all its dimensions, tackling discrimination and inequalities and leaving no-one behind;		
21	(b) Enhancing efforts for the adoption of policies and appropriate investment to promote women and young people's rights, to facilitate their engagement in social, civic and economic life, and to ensure their full contribution to inclusive growth and sustainable development;		
24	(e) Promoting an integrated approach to supporting communities, particularly the poorest, in improving access to basic needs and services;		
25	(f) Supporting the provision of a safe, nurturing environment for children as an important element for fostering a healthy young population able to reach its full		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	potential;		
26	(g) Supporting universal access to sufficient, affordable, safe and nutritious food, particularly for those in the most vulnerable situations, and strengthening food security and nutrition, particularly in countries facing protracted or recurrent crises		
27	(h) Supporting universal access to safe and sufficient drinking water sanitation, and hygiene, and sustainable and integrated water management;		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
29	(j) Supporting universal and equitable social protection and strengthening social safety nets to guarantee basic income, prevent lapses into extreme poverty and build resilience;		
30	(k) Promoting inclusive sustainable urban development to address urban inequality, focusing on those most in need.		
31	(l) Supporting local authorities to improve at city level the delivery of basic services and equitable access to food security, accessible, decent and affordable housing and the quality of life, in particular for those living in informal settlements and slums.		
33	(n) Supporting actions of capacity building, learning mobility to, from or between partner countries, as well as of cooperation and policy dialogue with institutions, organisations, local implementing bodies and authorities, from those countries;		
34	(o) Promoting cooperation in the areas of science, technology and research, and open data and innovation;		
36	(q) Promoting intercultural dialogue and cultural diversity in all its forms, and preserve and promote cultural heritage, and unlocking the potential of creative industries for sustainable, social and economic development;		
66	PROSPERITY		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
67	5. Inclusive and sustainable economic growth and decent employment		
69	(b) Supporting national development paths that maximise positive social outcomes and impacts and promoting progressive taxation and redistributive public policies;		
70	(c) Improving the business and investment climate, creating an enabling regulatory environment for economic development and supporting companies, in particular MSMEs, in expanding their business and creating jobs;		
72	(e) Increasing effectiveness of public spending and promoting more strategic use of public finance, including through blending instruments to crowd in additional public and private investment;		
73	(f) Boosting the potential of cities as hubs for sustainable and inclusive growth and innovation;		
74	(g) Promoting internal economic, social and territorial cohesion, forging stronger links between urban and rural areas and facilitating the development of the tourism sector as a leverage for sustainable development;		
75	(h) Boosting and diversifying agricultural and food value chains, promoting economic diversification, value addition, regional integration competitiveness and trade, and strengthening sustainable, low-carbon and		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	climate-change-resilient innovations;		
76	(i) Supporting sustainable fisheries management and sustainable aquaculture;		
78	(k) Promoting smart, sustainable, inclusive, safe mobility, as well as improving transport connectivity with the Union;		
79	(l) Promoting affordable, inclusive and reliable digital connectivity and strengthening the digital economy;		
82	(o) Promoting cooperation in the areas of science, technology and research, and open data and innovation;		
83	(p) Promoting intercultural dialogue and cultural diversity in all its forms, and preserve and promote cultural heritage;		
84	(q) Empowering women to take up a greater economic role and in decision-making;		
85	(r) Improving access to decent work and creating more inclusive and well-functioning labour markets and employment policies directed towards decent work for all, especially the youth;		
94	(f) Preventing and countering radicalisation leading to violent extremism and terrorism;		
95	(g) Fighting against any form of violence, corruption and organised crime and money laundering;		
96	(h) Promoting transboundary cooperation regarding the sustainable management of shared natural resources;		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
98	(j) Enhancing maritime security to allow for safe, secure, clean and sustainably managed oceans;		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
99	(k) Supporting capacity-building in cyber security, resilient digital networks, data protection and privacy.		
100	PARTNERSHIP		
101	7. Partnership		
106	(e) Engaging with local authorities and support their role as policy and decision-makers to boost local development and improved governance;		
107	(f) Engaging more effectively with citizens in third countries, including by making full use of economic, cultural and public diplomacy;		
108	(g) Engaging industrialised and more advanced developing countries on the implementation of the 2030 Agenda, global public goods and challenges, including in the area of South-South and triangular cooperation;		
109	(h) Encouraging regional integration and cooperation, in a result-oriented way through support for regional integration and dialogue.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
109. bis			
116	ANNEX III AREAS OF INTERVENTION FOR THEMATIC PROGRAMMES		
123	2. AREAS OF INTERVENTION FOR CIVIL SOCIETY ORGANISATIONS		
124	1. Inclusive, participatory, empowered and independent civil society civic space in partner countries		
125	(a) Creating an enabling environment for citizen participation and civil society action, including through foundations;		
126	(b) Building the capacity of civil society organisations, including foundations, to act as both actors of development and governance;		

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127	(c) Increasing the capacity of partner countries' civil society networks, platforms and alliances.		
127. bis			
128	2. Dialogue with and between civil society organisations on development policy		
129	(a) Promoting other inclusive multi-stakeholder dialogue fora, including interaction between citizens, civil society organisations, local authorities, member states, partner countries and other key development stakeholders;		
130	(b) Enabling cooperation and exchange of experience between civil society actors;		
130. bis			

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131	(c) Ensuring a substantive and continued structured dialogue and partnerships with the EU.		
132	3. Awareness, knowledge and engagement of European citizens about development issues		
133	(a) Empowering people to increase their engagement;		
134	(b) Mobilising public support in the Union, candidate countries and potential candidates for sustainable and inclusive development strategies in partner countries.		
134. bis			
149	4. AREAS OF INTERVENTION FOR GLOBAL CHALLENGES		
150	A. PEOPLE		
151	1. Health		
155	2. Education		
156	(a) Promoting joint global efforts for inclusive and equitable quality education and training at all levels, including in emergency and crisis situations;		
157	(b) Strengthening knowledge, skills and values through partnerships and alliances, for active citizenship and productive, inclusive and resilient societies;		
158	(c) Supporting global action on reducing all dimensions of inequalities, such as the gaps between girls/women and boys/men, to		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	ensure that everyone has equal opportunity to take part in economic and social life.		
161. ter			
161. quin- quies			
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161. septi-es			
161. octies			
161. novi-es			
161. deci-es			
172	6. Culture		
173	(a) Promoting initiatives for cultural diversity and intercultural dialogue for peaceful inter-community relations;		
174	(b) Supporting culture as an engine for sustainable social and economic development and reinforcing cooperation on cultural heritage.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
175	B. PLANET		
181	2. Sustainable Energy		
182	(a) Supporting global efforts, commitments, partnerships and alliances, including sustainable energy transition;		
183	(b) Encouraging partner governments to embrace energy sector policy and market reforms so to establish a conducive environment for investments increasing access to energy services that are affordable, modern, reliable and sustainable, with a strong focus on renewable energy and energy efficiency;		
184	(c) Exploring, identifying, mainstreaming globally and supporting financially sustainable business models with scalability and replicability potential providing innovative and digital technologies through innovative research ensuring increased efficiency in particular for decentralised approaches providing energy access through renewable energy including in areas where the local market capacity is limited.		
185	C. PROSPERITY		
186	1. Sustainable and inclusive growth, decent jobs and private sector engagement		
187	(a) Promoting sustainable private investment through innovative financing mechanisms and risk-sharing;		

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188	(b) Improving business environment and investment climate, supporting enhanced public-private dialogue, and building capacities of Micro, Small and Medium Enterprises,		
189	(c) Supporting the Union trade policy and trade agreements and the implementation thereof; and improving access to partner country markets and boosting trade, investment and business opportunities for companies from the Union while eliminating barriers to market access and investment		
190	(d) Promoting an effective policy mix supportive of economic diversification, value addition, and regional integration and sustainable green and blue economy;		
191	(e) Fostering access to digital technologies, including promoting access to finance and financial inclusion;		
192. ter			

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
192. qua- ter			
193	2. Food and nutrition security		
194	(a) Supporting and influencing international strategies, organisations, mechanisms and actors that roll-out major global policy issues and frameworks around food and nutrition security;		
195	(b) Improving global public goods pursuing an end to hunger and malnutrition; tools like the Global Network on Food Crises enhance the capacity to adequately respond to food crises and nutrition in the context of the humanitarian-development-peace nexus (hence assist in mobilising pillar 3 resources);		
198	D. PARTNERSHIPS		
199	1. Strengthen the role of Local Authorities as actors of development through:		

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200	(a) Increasing the capacity of European and Southern local authority networks, platforms and alliances to ensure a substantive and continued policy dialogue in the field of development and to promote democratic governance, notably through the Territorial Approach to Local Development;		
201	(b) Increasing interactions with European citizens on development issues (awareness raising, knowledge sharing, engagement), notably in relation to the related to the Sustainable Development Goals, including in the Union and candidate countries and potential candidate countries.		
202	2. Promote inclusive societies, good economic governance, including fair and inclusive domestic revenue mobilisation, transparent public finance management and effective and inclusive public spending.		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
202. bis			
203	ANNEX IV AREAS OF INTERVENTION FOR RAPID RESPONSE ACTIONS		
205	Rapid response actions referred to in point a) of Article 4 (4) shall be designed for an effective Union response to the following exceptional and unforeseen situations:		
205. bis			
206	(a) a situation of urgency, crisis, emerging crisis or natural disasters;		
211	These actions may cover the following:		
214	(c) carry out short-term rehabilitation and reconstruction to enable the victims from natural or man-made disasters, conflicts and global threats to benefit from a minimum of socio-economic integration and, as soon as possible, create the conditions for a resumption of development on the basis of long-term objectives set by the countries and regions concerned; this includes addressing the urgent and immediate needs arising from the displacement of people (refugees, displaced persons and returnees) following natural or man-made disasters; and		
215	(d) assist the state or region in setting up short term disaster prevention and preparedness mechanisms, including for		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	prediction and early warning, with a view to reducing the consequences of disasters.		
216	3. Actions addressing foreign policy needs and priorities		
217	Rapid response actions to support the objectives set out in point c) of Article 4 (4) shall support Union foreign policy across political, economic and security issues. They shall enable the Union to act where there is an urgent or imperative foreign policy interest, or a window of opportunity to achieve its objectives, requiring a rapid reaction and which are difficult to address by other means.		
218	These actions may cover the following:		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
220	(b) support for Union trade policy and trade agreements and the implementation thereof; and for improving access to partner country markets and boosting trade, investment and business opportunities for companies from the Union, in particular SMEs, while eliminating barriers to market access and investment, by means of economic diplomacy, business and regulatory cooperation;		
221	(c) contributions to the implementation of the international dimension of internal Union policies such as inter alia environment, climate change, energy, and cooperation on management and governance of the oceans;		
222	(d) promotion of widespread understanding and visibility of the Union and of its role on the world scene, by means of strategic communication, public diplomacy, people-to-people contacts, cultural diplomacy, cooperation in educational and academic matters, and outreach activities to promote the Union's values and interests.		
223	These actions shall implement innovative policies or initiatives, corresponding to current or evolving short- to medium-term needs, opportunities and priorities, including with the potential of informing future actions under geographic or thematic programmes. They shall focus on deepening the Union's relations and dialogue and building		

	<i>Commission proposal</i>	<i>REV 3</i>	<i>REV3bis</i>
	partnerships and alliances with key countries of strategic interest, especially those emerging economies and middle-income countries who play an increasingly important role in world affairs, global governance, foreign policy, the international economy, and multilateral fora.		
