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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Internal Security Fund **(first reading)** - Adoption of the Council's position at first reading and of the statement of the Council's reasons = Statements

Statement by the Czech Republic and Slovakia

The Czech Republic and Slovakia regret the outcome of the negotiations with the European Parliament on the proposed text of the Regulation establishing the Internal Security Fund. Bearing in mind the position of the Council, i.e. 50 % limit and exclusion of ICT equipment, we perceive the current compromise proposal of Article 13 (7) regarding the cap for purchase of equipment as unacceptable. Instead of proposed text of 35 % limit without exclusion of ICT equipment, The Czech Republic and Slovakia could accept either increase of the limit to 50 % OR keeping the percentage at 35 % while excluding the ICT equipment from this cap.

Purchase of highly specialised equipment is essential for work of law enforcing authorities and thus for ensuring the security of the Union. The Czech Republic and Slovakia see no reason for limiting purchase of equipment, which would serve reaching the objectives of the Fund, i.e. above all fighting serious and organised crime as well as improving communication between Member States. Since purchase of standard equipment is prohibited by recital 20, the purchased equipment would be highly specialised and would improve the Member States´ capabilities in respected areas thus fulfil the objectives of the Fund.

In view of the above the Czech Republic and Slovakia vote against the adoption of the proposal of the Regulation establishing the Internal Security Fund.

Statement by Greece

Greece expresses its concerns about the actual calculations of the national allocations by the European Commission. These calculations for the period 2021-27 seem to result in funding available which is by no means adequate in order to cover the actual needs. Hence there is an imminent risk for a totally undesirable cut-down or *even cut-off* of programmes of reception, integration and protection addressed to asylum claimants and beneficiaries of international protection. Greece is looking forward to working constructively with the European Commission in order to mitigate such risk and to avoid endangering programmes because of lack of necessary funds.

Statement by Malta

We welcome the efforts to reach a provisional agreement with the European Parliament on the Regulation establishing the Asylum and Migration Fund (AMF); the Regulation establishing the Internal Security Fund (ISF) and the Regulation establishing the Border Management and Visa Instrument (BMVI) as part of the Integrated Border Management Fund, as outlined in ST 6486/21, ST 6487/21 and ST 6488/21 respectively. In view of the need to establish the respective funds for 2021-2027 as soon as possible, Malta can accept the provisional agreements reached.

However, Malta recalls the concerns raised on the conditionality of 10% included horizontally in the mid-term review for all three funds. Malta remains of the opinion that such a conditionality raises difficulties in the implementation and may result in the unnecessary loss of funds.

Statement by Poland

Poland supports the approach that the discussion on the ISF, BMVI and AMIF Regulations should be accelerated so as to ensure the continuity of funding in these areas, therefore we agree to accept the compromise versions. At the same time, we maintain our concerns regarding Article 12 (4): *the limit of the allocation of a Member State programme for the purchase of equipment, means of transport, etc.*

The provisions regarding Art. 12 (4) are, from the very beginning, one of the most important issues for Poland. We strongly supported the compromise version of the Council proposal (7.06.2019) to increase the limit on the allocation for the purchase of equipment, means of transport, etc. to 50%. In a spirit of compromise, we also agreed to reduce this level to 35%, but with the exclusion of information and communication technology (ICT) equipment.

Such provisions would increase the equipment and infrastructure capacity of the Member States', which should definitely improve their internal security. This is particularly important for the Member States that are still improving their equipment, infrastructure, operational capacities of national services and institutions responsible for maintaining internal security, also in collaboration with other Member States.

The UE funded projects should bring long-lasting effects, which will constitute an enhancement of a Member State's security also after a given project has been completed. As the previous experience shows, ISF's undertakings mainly concern the purchase of equipment, infrastructure (including IT infrastructure), because such activities guarantee a permanent increase in security level.

The introduction of a limitation on such activities would indispose the Fund to respond to the key needs of services in this area. "Soft" activities, meetings, exchange of information are important, but without proper facilities and modern technology, they may not be effective enough. Especially, in the current time of the COVID-19 pandemic, the implementation of such activities is difficult or sometimes impossible. Successful actions in the area of EU security require substantial resources and capabilities from the Member States.

The current ISF proposal doesn’t contain the exclusion of ICT from this limit which was already agreed in the Council position. It may cause that a significant proportion of the fund dedicated to the purchase of equipment will be spent on ICT equipment, which can be very expensive, and the purchase of other equipment will not be possible. It should be underlined that the purchase of ICT equipment is fully in line with the Fund's objectives and should not be limited in any way. Moreover, the new provision introduces a large administrative burden.

This is an important issue for Poland, and the current ISF proposal may cause problems in the implementation of the Fund in the future.