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WORKING DOCUMENT

From: Presidency
To: Working Party of Financial Counsellors

Subject: EIB ELM/GF - State of play and Way forward

Delegations will find attached the Presidency note on the state of play and way forward as well as the latest version of the 4 column table on EIB ELM/GF in view of the next trilogue with the European Parliament. This will be discussed at the Financial Counsellors Working Party on 25 September 2017.



Financial Counsellors meeting on 25 September 2017

Introduction

The objective of this Presidency note is to recall the state of play and suggest the way forward, also in view of the next trilogue with Parliament, scheduled to take place on the third week of October.

State of play

Under the Maltese Presidency, during the trilogues agreement was found on a number of issues concerning: adding migration as a new objective; gender equality; local private sector development, in particular support to micro, small and medium-sized enterprises (SMEs); reporting; and the importance of sustaining a high level of climate-relevant operations.

The discussion on transparency of EIB projects and reporting to the co-legislators remained an open issue however close to an agreement (in the four-column table, it concerns lines 28, 73, 89, 91 and 93). Providing for a delegated act to update Annex IV (Regional Policy Framework) of the Decision was provisionally agreed, subject to an agreement on the overall package agreement. The lines concerned in the four-column table are 69, 94, 95 and 96.

At the latest trilogue on 22 June 2017, the European Parliament continued to press for an increase in the overall ceilings. However, it also indicated that the file should not restrict the flexibility and exposure of the EIB towards some regions and be concluded in the coming months. The co-legislators agreed to shelve negotiations on the dossier until September, in the hope that positions can be adjusted by then, which will allow for an agreement on the ceilings.

Way forward

Taxation

- The text on taxation and non co-operative jurisdictions agreed at the Permanent Representatives Committee (Coreper II) of 6 June 2017 (see the st.09848 note) is almost identical to the text agreed by the co-legislators on the European Fund for Sustainable Development (EFSD) (Article 20.1) and to be agreed for EFSI-II (Article 22) (see annex). It is therefore proposed to preserve the Coreper text as much as possible, without in any case going beyond what is proposed on the EFSD and EFSI-II texts. The lines concerned in the four-column table are: 52 and 92



Management of the Guarantee Fund

- As regards the management of the Guarantee Fund (concerns lines 14, 25, 28, 29 and 30 of the four-column table for the Guarantee Fund Regulation), the Estonian Presidency will propose to Parliament that the EIB keeps the management of the Guarantee Fund with a review clause for an independent evaluation, as agreed in Coreper (of 6 June 2017) and in the context of other files, namely the EFSD and the Financial Regulation. The Presidency believes this should be acceptable to Parliament, since the Coreper agreement is well known to Parliament.

Lending ceilings

- The discussions referring to the overall financial ceilings, including the regional distribution of those ceilings remains open. The Estonian Presidency understands from previous discussions in Financial Counsellors that there is a certain flexibility in the negotiation of the regional ceilings (concerns lines 30 and 31; flexibility of the ceilings, and 114 to 120; regional ceilings) as long as the order of magnitude and the proportion between the Eastern Neighbourhood and the Mediterranean sub-ceilings is kept.
- As regards the overall ceiling (lines 40 and 42), the Estonian Presidency understands from the latest Financial Counsellors discussion that it could be considered to offer a review clause to Parliament in the context of a final and overall compromise.
- Financial Counsellors will, hence, find below a draft review clause to be proposed to Parliament at the next trilogue. It has been drafted in collaboration with the Council Legal Service.

Review Clause

The Commission shall review the adequacy of the ceilings [with a view to possibly increase the overall ceiling]¹ in view of the appropriations available and, where appropriate, shall present a proposal to amend this Decision accordingly.

- **Financial Counsellors are invited to express their opinion as to the acceptance of the proposed way forward.**

¹ The text in brackets could be offered eventually.

Annex- Taxation wording

EIB ELM Coreper text

Recital-

The relevant EU policy on non-cooperative jurisdictions for tax purposes is laid down in Council Conclusions, notably those of 8 November 2016, in particular in their Annex, and any subsequent updates.

Article 13: Prevention of money laundering, fight against terrorism, taxation, non-cooperative jurisdictions

In its financing operations, the EIB shall comply with applicable EU legislation and agreed international and EU standards and, therefore, shall not support projects under this decision that contribute to money laundering, terrorism financing, tax avoidance, tax fraud and tax evasion.

In addition the EIB shall not enter into new or renewed operations with entities incorporated or established in jurisdictions listed under the relevant EU policy on non-cooperative jurisdictions, or that are identified as high risk third countries pursuant to article 9.2 of Directive 2015/849, or that do not effectively comply with EU or internationally agreed tax standards on transparency and exchange of information. The EIB may derogate from this principle only if the project is physically implemented in one of those jurisdictions, and does not present any indication that the relevant operation falls under any of the categories listed in paragraph 1.

When concluding agreements with financial intermediaries, the EIB shall transpose the requirements referred to in this Article into the relevant agreements and shall request the financial intermediaries to report on their observance.

The EIB shall review its policy on non-cooperative jurisdictions at the latest following the adoption of the Union list of non-cooperative jurisdictions for tax purposes.

EFSD

(37) Financing and investment operations supported by the EFSD should adhere to the relevant EU policy on non-cooperative jurisdictions for tax purposes which is laid down in the legal acts of the Union and Council Conclusions, notably those of 8 November 2016, in particular in their Annex, and any subsequent updates.

Article 20

Excluded activities and non-cooperative jurisdictions

1. In their financing and investment operations, the eligible counterparts shall comply with applicable EU legislation and agreed international and EU standards and, therefore, shall not support projects under this Regulation that contribute to money laundering, terrorism financing, tax avoidance, tax fraud and tax evasion.

In addition the eligible counterparts shall not enter into new or renewed operations with entities incorporated or established in jurisdictions listed under the relevant EU policy on non-cooperative jurisdictions, or that are identified as high risk third countries pursuant to article 9.2 of Directive (EU) 2015/849, or that do not effectively comply with EU or internationally agreed tax standards on transparency and exchange of information. The eligible counterparts may derogate from this principle only if the project is physically implemented in one of those jurisdictions, and does not present any indication that the relevant operation falls under any of the categories listed in paragraph 1.

When concluding agreements with financial intermediaries, the eligible counterparts shall transpose the requirements referred to in this Article into the relevant agreements and shall request the financial intermediaries to report on their observance.





EFSI-II

Article 22(1) is replaced by the following:

1. *In their financing and investment operations, the EIB and EIF shall comply with applicable EU legislation and agreed international and EU standards and, therefore, shall not support projects under this Regulation that contribute to money laundering, terrorism financing, tax avoidance, tax fraud and tax evasion.*

2. *In addition the EIB and EIF shall not enter into new or renewed operations with entities incorporated or established in jurisdictions listed under the relevant EU policy on non-cooperative jurisdictions, or that are identified as high risk third countries pursuant to article 9.2 of Directive (EU) 2015/849, or that do not effectively comply with EU or internationally agreed tax standards on transparency and exchange of information.*

3. *When concluding agreements with financial intermediaries, the EIB and EIF shall transpose the requirements referred to in this Article into the relevant agreements and shall request the financial intermediaries to report on their observance.*

The EIB and EIF shall review its policy on non-cooperative jurisdictions at the latest following the adoption of the Union list of non-cooperative jurisdictions for tax purposes.

Every year thereafter, the EIB and EIF shall submit a report to the EP and to the Council on the implementation of its policy mentioned in the previous paragraph in relation to the EFSI financing and investment operations including country by country information and a list of intermediaries with whom they cooperate.



WORKING DOCUMENT FOR TRILOGUE VI (7 June 2017)

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union

		Commission proposal COM (2016) 583	Council GA 13292/2/16	Parliament report of 31.3.2017 A8-0135/2017	Text after trilogue of 30 May¹
1.		DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	No change.
2.					No change.
3.	Title	amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union	amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union	amending Decision No 466/2014/EU granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union	No change.
4.		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,	No change.
5.	Cit. 1	Having regard to the Treaty on	Having regard to the Treaty on	Having regard to the Treaty on	No change.

¹ Normal characters : text acceptable subject to overall agreement (nothing is agreed until everything is agreed). Other formatting: compromise proposal to be discussed.

		the Functioning of the European Union, and in particular Articles 209 and 212 thereof,	the Functioning of the European Union, and in particular Articles 209 and 212 thereof,	the Functioning of the European Union, and in particular Articles 209 and 212 thereof,	
6.	Cit. 2	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,	No change.
7.	Cit. 3	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,	No change.
8.		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	No change.
9.		Whereas:	Whereas:	Whereas:	No change.
10.	Rec. 1	(1) The international community faces an unprecedented refugee crisis which requires solidarity, efficient mobilisation of financial resources and the need to confront and surmount the existing challenges in a concerted manner. All actors need to work together to apply sustained, medium and long-term policies and an efficient use of existing processes and programmes in order to support initiatives which contribute to addressing root causes of migration.	(1) The international community faces an unprecedented refugee crisis which requires solidarity, efficient mobilisation of financial resources and the need to confront and surmount the existing challenges in a concerted manner. All actors need to work together to apply sustained, medium and long-term policies and an efficient use of existing processes and programmes in order to support initiatives which contribute to addressing root causes of migration.	(1) The international community faces an unprecedented <i>migration and</i> refugee crisis which requires solidarity, efficient mobilisation of financial resources and the need to confront and surmount the existing challenges in a concerted manner. All actors need to work together to apply sustained, medium and long-term policies and an efficient use of existing programmes in order to <i>engineer and</i> support initiatives, which contribute to <i>the Sustainable Development Goals (SDGs) and to</i> addressing root causes of <i>migratory pressures stemming from poverty, inequality,</i>	FOR POLITICAL TRILOGUE 07/06 Council to come back on the deletion of education. (1) The international community faces an unprecedented <i>migration and</i> refugee crisis which requires solidarity, efficient mobilisation of financial resources and the need to confront and surmount the existing challenges in a concerted manner. All actors need to work together to apply sustained, medium and long-term policies and an efficient use of existing programmes in order to <i>develop and</i> support

				<p><i>demographic growth, lack of employment and economic opportunities, climate change and the long-term consequences of forced displacement.</i></p>	<p>initiatives, which contribute to the Sustainable Development Goals (SDGs) and to addressing <u>the political, social, economic and environmental factors that constitute the</u> root causes of <u>migration, including but not limited to poverty; inequality; demographic growth; lack of employment, education and economic opportunities; instability; conflict; climate change and the long-term consequences of forced displacement.</u></p> <p>[Council proposes deleting education from the list]</p>
11.	Rec. 1a			<p><i>(1 a) All attempts to link development finance with border control, management of migratory flows or readmission agreements should be avoided.</i></p>	<p>FOR POLITICAL TRILOGUE 07/06 EP to come with a compromise proposal for next meeting. Council and COM oppose new recital</p>
12.	Rec. 2	<p>(2) A new results-oriented partnership framework with third countries which takes account of all Union policies and instruments should be developed. As part of that new partnership framework, the External Investment Plan should be established in order to support investments in regions outside the Union, while contributing to the achievement of</p>	<p>(2) A new results-oriented partnership framework with third countries which takes account of all Union policies and instruments should be developed. As part of that new partnership framework, the External Investment Plan (EIP) should be established in order to support investments in regions outside the Union, while contributing to the achievement of</p>	<p>(2) A new results-oriented partnership framework with third countries which takes account of all Union policies and instruments should be developed. As part of that new partnership framework, the External Investment Plan should be established in order to support investments in regions outside the Union, while contributing to the achievement of</p>	<p>(2) A new results-oriented partnership framework with third countries which takes account of all Union policies and instruments should be developed. As part of that new partnership framework, the External Investment Plan should be established in order to support investments in regions outside the Union, while contributing to the achievement of</p>

		the sustainable development goal. It should also fulfil the objectives of the 2030 Agenda for Sustainable Development and the objectives pursued by the other financing instruments for external action.	the sustainable development goals and addressing the root causes of migration . It should also (...) contribute to the objectives of the 2030 Agenda for Sustainable Development and the objectives pursued by the other financing instruments for external action.	the sustainable development goal. It should also fulfil the objectives of the 2030 Agenda for Sustainable Development, <i>the Paris Agreement adopted under the United Nations Framework Convention on Climate Change</i> and the objectives pursued by the other financing instruments for external action.	the sustainable development goals and addressing the root causes of migration . It should also (...) contribute to fulfilling the objectives of the 2030 Agenda for Sustainable Development, <i>the Paris Agreement adopted under the United Nations Framework Convention on Climate Change</i> and the objectives pursued by the other financing instruments for external action.
13.	Rec. 3	(3) The proposal of the European Investment Bank (EIB) to contribute to the External Investment Plan (EIP) via the EIB Resilience Initiative in the Southern Neighbourhood and Western Balkans ('EIB Resilience Initiative') was endorsed by the European Council on 28 June 2016.	(3) The proposal of the European Investment Bank (EIB) to contribute to the (...) EIP via the EIB Resilience Initiative designed to foster investments in the Southern Neighbourhood and Western Balkans countries ('EIB Resilience Initiative') was endorsed by the European Council on 28 June 2016.	(3) The proposal of the European Investment Bank (EIB) to contribute to the External Investment Plan (EIP) via the EIB Resilience Initiative in the Southern Neighbourhood and Western Balkans ('EIB Resilience Initiative') was endorsed by the European Council on 28 June 2016.	(3) The proposal of the European Investment Bank (EIB) to contribute to the (...) EIP via the EIB Resilience Initiative designed to foster investments in the Southern Neighbourhood and Western Balkans countries ('EIB Resilience Initiative') was endorsed by the European Council on 28 June 2016.
14.	Rec. 4	(4) A key component of the EIB Resilience Initiative is the expansion, in both quantitative and qualitative terms, of the EIB External Lending Mandate (ELM). This should enable the EIB to rapidly contribute to the EIP's objectives, in particular by providing additional financing to private-sector beneficiaries.	(4) A key component of the EIB Resilience Initiative is the expansion, in both quantitative and qualitative terms, of the EIB External Lending Mandate (ELM). This should enable the EIB to rapidly contribute to the EIP's objectives, in particular by providing additional financing to private-sector beneficiaries, with a view to crowd-in private investments .	(4) A key component of the EIB Resilience Initiative is the expansion, in both quantitative and qualitative terms, of the EIB External Lending Mandate (ELM). This should enable the EIB to rapidly contribute to the EIP's objectives, in particular by providing additional financing to private-sector beneficiaries <i>in order to boost long-term investment</i> .	(4) A key component of the EIB Resilience Initiative is the expansion, in both quantitative and qualitative terms, of the EIB External Lending Mandate (ELM). This should enable the EIB to rapidly contribute to the EIP's objectives, in particular by providing additional financing to private-sector beneficiaries, with a view to crowd-in private investments and boost long-term

					<i>investment.</i>
15.	Rec. 5	(5) Complementarity of EIB Resilience Initiative with the other components of the EIP is to be ensured through the Strategic Board of the European Fund for Sustainable Development, where the EIB is to have a full seat.	(5) Complementarity of EIB Resilience Initiative with the other components of the EIP is to be defined in the rules governing the European Fund for Sustainable Development (EFSD). (...) The Strategic Board of the (...) EFSD, where the EIB is to have a full seat, will provide guidance on complementarity, without prejudice to the EIB governance rules.	(5) Complementarity of EIB Resilience Initiative with the other components of the EIP is to be ensured through the Strategic Board of the European Fund for Sustainable Development, where the EIB is to have a full seat.	To be aligned with result of EFSD discussions.
16.	Rec. 6	(6) In addition, and in line with the European Council conclusions, the EIB should submit the private sector component of the EIB Resilience Initiative as the first investment window to the Neighbourhood Operational Board under the EIP.	(6) (...)	(6) In addition, and in line with the European Council conclusions, the EIB should submit the private sector component of the EIB Resilience Initiative as the first investment window to the Neighbourhood Operational Board under the EIP.	(6) (...)
17.	Rec. 7	(7) A budgetary guarantee for financing operations carried out outside the Union was granted to the EIB by Decision No 466/2014/EU of the European Parliament and of the Council ² .	(7) A budgetary guarantee for financing operations carried out outside the Union was granted to the EIB by Decision No 466/2014/EU of the European Parliament and of the Council ³ .	(7) A budgetary guarantee for financing operations carried out outside the Union was granted to the EIB by Decision No 466/2014/EU of the European Parliament and of the Council ⁴ .	No change.

² Decision No 466/2014/EU of the European Parliament and of the Council of 16 April 2014 granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (OJ L 135, 8.5.2014, p. 1).

³ Decision No 466/2014/EU of the European Parliament and of the Council of 16 April 2014 granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (OJ L 135, 8.5.2014, p. 1).

⁴ Decision No 466/2014/EU of the European Parliament and of the Council of 16 April 2014 granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union (OJ L 135, 8.5.2014, p. 1).

18.	Rec. 8	(8) In accordance with Article 19 of Decision No 466/2014/EU, the Commission, in cooperation with the EIB, prepared a mid-term review report evaluating the application of that Decision based on an independent external evaluation.	(8) In accordance with (...) Decision No 466/2014/EU, the Commission, in cooperation with the EIB, prepared a mid-term review report evaluating the application of that Decision based on an independent external evaluation.	(8) In accordance with Article 19 of Decision No 466/2014/EU, the Commission, in cooperation with the EIB, prepared a mid-term review report evaluating the application of that Decision based on an independent external evaluation.	(8) In accordance with (...) Decision No 466/2014/EU, the Commission, in cooperation with the EIB, prepared a mid-term review report evaluating the application of that Decision based on an independent external evaluation.
18a	Rec 8a				(8a) Improving <i>the long-term economic resilience of refugees, migrants, host and transit communities and communities of origin as a strategic response to addressing root causes of migration</i> should be added as a new objective supported by the EU guarantee.
19.	Rec. 9	(9) In order to allow the ELM to respond to potential upcoming challenges and Union priorities, as well as to provide a strategic response addressing root causes of migration, the maximum ceiling for the EIB financing operations under the EU guarantee should be increased to EUR 32 300 000 000 by releasing the optional additional amount of EUR 3 000 000 000. Under the general mandate, the amount of EUR 1 400 000 000 should be earmarked for projects in the public sector directed to refugees and host communities in crisis	(9) In order to allow the ELM to respond to potential upcoming challenges and Union priorities, as well as to provide a strategic response addressing root causes of migration, the maximum ceiling for the EIB financing operations under the EU guarantee should be increased to EUR 32 300 000 000 by releasing the optional additional amount of EUR 3 000 000 000. Under the general mandate, the amount of EUR 1 400 000 000 should be earmarked for projects in the public sector that address the root causes of migration, and	(9) In order to allow the ELM to respond to potential upcoming challenges and Union priorities, as well as to provide a strategic response addressing root causes of <i>migratory pressures stemming from poverty, inequality, demographic growth, lack of employment and economic opportunities, as well as climate change</i> , the maximum ceiling for the EIB financing operations under the EU guarantee should be increased to EUR 38 470 000 000 . Under the general mandate, the amount of EUR 1 400 000 000 should be earmarked for projects	(9) In order to allow the ELM to respond to potential upcoming challenges and Union priorities, as well as to fulfil the new objective supported by the EU guarantee , the maximum ceiling for the EIB financing operations under the EU guarantee should be increased to [EUR x]. Last part : see new Recital (9a)

		affected areas.	the needs of transit (...) and host communities (...).	in the public sector directed <i>towards the development of economic and social infrastructure in partner countries, transit</i> and host communities, <i>with a focus on job creation and sustainability.</i>	
19a	Rec. 9a				(9a) Under the general mandate, the amount of EUR 1 400 000 000 should be earmarked for projects in the public sector <u>directed to fulfilling the new objective supported by the EU guarantee.</u>
20.	Rec. 10	(10) Under the new private sector lending mandate, the maximum amount of EUR 2 300 000 000 should be dedicated to projects addressing root causes of migration within the maximum increased ceiling and should benefit from the Comprehensive Guarantee by the Union.	(10) Under the new private sector lending mandate, the maximum amount of EUR 2 300 000 000 should be dedicated to projects addressing root causes of migration, and the needs of transit and host communities within the maximum increased ceiling and should benefit from the Comprehensive Guarantee by the Union.	(10) Under the new private sector lending mandate, the maximum amount of EUR 2 300 000 000 should be dedicated to projects addressing root causes of migration and contributing to the long-term economic resilience of refugees, migrants, host and transit communities , within the maximum increased ceiling and should benefit from the Comprehensive Guarantee by the Union.	(10) Under the new private sector lending mandate, the maximum amount of EUR 2 300 000 000 should be dedicated to projects directed to <i>fulfilling the new objective supported by the EU guarantee</i> within the maximum increased ceiling and should benefit from the Comprehensive Guarantee by the Union.
21.	Rec. 10a			<i>(9 a) While addressing the root causes of the migration and refugee crisis is of paramount importance, that should not come at the cost of policies in other areas of key strategic priority as outlined in the EU Global</i>	EP to suggest new drafting <i>(10 a) While addressing the root causes of the migration and refugee crisis is of paramount importance, that should not come at the cost of policies in other areas of key strategic priority as</i>

				<i>Strategy.</i>	<i>outlined in the EU Global Strategy.</i> Council/COM prefer to delete
22.	Rec. 10b			<i>(10 a) As one of the EIB's main objectives under the ELM, support for micro, small and medium-sized enterprises (MSMEs) and local private sector development requires a concerted effort for EIB operations to be focused on improving MSMEs' access to finance and credit, providing technical assistance, promoting entrepreneurship and ensuring the adequate provision of financial services to households and firms, to enable MSMEs to make an easier transition from the volatile informal economy to the formal sector. EIB financing operations should also seek to strongly support small investment projects run by MSMEs, further facilitating the internationalisation of MSMEs, especially in remote rural areas and in particular in the field of drinking water treatment, wastewater disposal and renewable energy.</i>	EP to suggest new drafting on the first part. <i>(10 b) As one of the EIB's main objectives under the ELM, support for the local private sector development, in particular support to micro, small and medium-sized enterprises (SMEs), requires a concerted effort for EIB operations to be focused on improving SMEs' access to finance and credit, providing technical assistance, promoting entrepreneurship and ensuring the adequate provision of financial services to households and firms, to enable SMEs to make an easier transition from the volatile informal economy to the formal sector. EIB financing operations should also seek to strongly support small investment projects run by SMEs, further facilitating the internationalisation of SMEs, [including in remote rural areas and in particular in the field of drinking water treatment, wastewater disposal and renewable energy.]</i> Council prefers recital to be

					deleted but could accept as compromise removing the highlighted parts only. COM prefers to remove highlighted parts.
23.	Rec. 11	(11) Addressing root causes of migration should be added as a new objective of the mandate.	(11) Addressing root causes of migration should be added as a new objective of the mandate.	(11) The <i>long-term economic resilience of refugees, migrants, host and transit communities as a strategic response to</i> addressing root causes of migration <i>including, but not limited to, poverty, inequality, demographic growth, lack of employment and economic opportunities, and climate change</i> , should be added as a new objective of the mandate; <i>projects financed under the new objective should, in principle, fulfil the criteria for Official Development Assistance (ODA) established by the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development and should be in compliance with Article 208 of the Treaty on the Functioning of the European Union and United Nations Guiding Principles on Business and Human Rights.</i>	First part moved to new recital 8a (line 19a). (11) The <i>long-term economic resilience of refugees, migrants, host and transit communities as a strategic response to</i> addressing root causes of migration <i>including, but not limited to, poverty, inequality, demographic growth, lack of employment and economic opportunities, and climate change</i> , should be added as a new objective of the mandate; <i>projects financed under the new objective should, in principle, fulfil the criteria for Official Development Assistance (ODA) established by the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development and should be in compliance with Article 208 of the Treaty on the Functioning of the European Union and United Nations Guiding Principles on Business and Human Rights.</i>

24.	Rec. 12	(12) Complementarity and coordination with Union initiatives addressing root causes of migration should be ensured, including with Union support for the sustainable reintegration of returned migrants in the countries of origin.	(12) Complementarity and coordination with Union initiatives addressing root causes of migration should be ensured, including with Union support for the sustainable reintegration of returned migrants in the countries of origin.	(12) Complementarity and coordination with Union initiatives addressing root causes of migration should be ensured, including with Union support for the sustainable reintegration of returned migrants in the countries of origin.	No change.
25.	Rec. 12a		(12a) Given the need for a swift implementation of the EIB Resilience Initiative, the EIB should be able to warehouse projects under the private sector lending mandate, subject to conditions to be agreed between the Commission and the EIB.		(12a) Given the need for a swift implementation of the EIB Resilience Initiative, the EIB should be able to warehouse projects under the private sector lending mandate that were approved after 12 October 2016 and before the entry into force of this Decision and the conclusion of a guarantee agreement between the Commission and the EIB. Such warehousing should be subject to confirmation by the Commission of the respect of the terms to be agreed in the guarantee agreement.
26.	Rec. 13	(13) Following the Paris Agreement adopted under the United Nations Framework Convention on Climate Change ⁵ ,	(13) Following the Paris Agreement adopted under the United Nations Framework Convention on Climate Change ⁶ ,	(13) Following the Paris Agreement adopted under the United Nations Framework Convention on Climate Change ⁴ ,	(13) Following the Paris Agreement adopted under the United Nations Framework Convention on Climate Change ⁴ ,

⁵ Council Decision (EU) 2016/590 of 11 April 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (OJ L 103, 19.4.2016, p. 1).

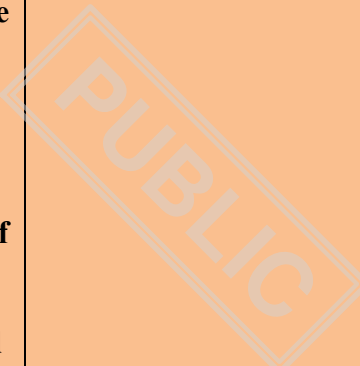
⁶ Council Decision (EU) 2016/590 of 11 April 2016 on the conclusion, on behalf of the European Union, of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change (OJ L 103, 19.4.2016, p. 1).

		the EIB should aim to sustain the current high level of climate relevant spending under the ELM, contributing to increasing its climate-related investment in developing countries from 25 % to 35 % by 2020.	the EIB should aim to sustain the current high level of climate relevant spending under the ELM, contributing to increasing its climate-related investment in developing countries from 25 % to 35 % by 2020.	the EIB should aim to <i>increase</i> the current high level of climate relevant spending under the ELM, contributing to increasing its <i>climate-related</i> investment in developing countries from 25 % to 35 % by 2020, <i>in accordance with the commitment taken in its climate strategy. The EIB should take into account the the European Council conclusions of 22 May 2013 on phasing out environmentally or economically harmful subsidies, including those for fossil fuels.</i>	the EIB should endeavour to sustain a high level of climate-relevant operations, the volume of which should represent at least 25 % of the total EIB financing operations outside the Union. EIB financing under this Decision should be consistent with reaching the target of at least 35% of total EIB financing operations in emerging economies and developing countries outside the EU by 2020. The EIB should take into account the European Council conclusions of 22 May 2013 on phasing out environmentally or economically harmful subsidies, including those for fossil fuels.
27.	Rec. 14	(14) The risk to the Union budget associated with EIB financing operations under the private sector lending mandate should be priced and the revenues generated from the risk pricing should be paid into the Guarantee Fund for external actions in order to cover the commercial risk and to avoid market distortions.	(14) The risk to the Union budget associated with EIB financing operations under the private sector lending mandate should be priced.(...) The revenues generated from (...) such risk pricing should be paid into the Guarantee Fund for external actions in order to cover the commercial risk and to avoid market distortions.	(14) The risk to the Union budget associated with EIB financing operations under the private sector lending mandate should be priced and the revenues generated from the risk pricing should be paid into the Guarantee Fund for external actions in order to cover the commercial risk and to avoid market distortions.	(14) The risk to the Union budget associated with EIB financing operations under the private sector lending mandate should be priced.(...) The revenues generated from (...) such risk pricing should be paid into the Guarantee Fund for external actions in order to cover the commercial risk and to avoid market distortions
28.	Rec. 15	(15) The EIB should develop and implement a set of indicators in its Results Measurement	(15) The EIB should develop and implement a set of indicators in its Results Measurement	(15) The EIB should develop and implement a set of indicators in its Results Measurement	Agreed. Last part depending on the agreement on confidentiality.

		<p>framework for projects in the public sector and in the private sector directed to refugees and host communities. Therefore, an assessment of the contribution of EIB financing operations addressing root causes of migration should be included in the Commission's annual reporting to the European Parliament and to the Council on EIB financing operations.</p>	<p>framework for projects in the public sector and in the private sector that address the root causes of migration, and the needs of transit and host communities. (...) An assessment of the contribution of EIB financing operations addressing root causes of migration should be included in the Commission's annual reporting to the European Parliament and to the Council on EIB financing operations.</p>	<p>framework for projects in the public sector and in the private sector <i>addressing the root causes of migration and the long-term economic resilience of refugees, migrants, host and transit communities.</i> Therefore, an assessment of the contribution of EIB financing operations <i>towards these objectives, notably contribution to SDGs, the involvement of local civil society, and the alignment with Union external policy priorities and budget priorities</i> should be included in the Commission's annual reporting to the European Parliament and to the Council on EIB financing operations. <i>The EIB should take all necessary steps to consolidate its accountability to the European Parliament, through transparency and access to information, by publishing the results, evaluations and impact appraisals of projects on a systematic basis via the Results Measurement Framework.</i></p>	<p>(15) The EIB should develop and implement a set of indicators in its Results Measurement framework for projects <i>directed to fulfilling the new objective supported by the EU guarantee.</i> Therefore, an assessment of the contribution of EIB financing operations <i>towards this objective, including where applicable the contribution to SDGs, the involvement of local civil society, and the alignment with Union external policy priorities and budget priorities</i> should be included in the Commission's annual reporting to the European Parliament and to the Council on EIB financing operations.</p> <p>[Last part removed given proposal from EP on transparency and confidentiality]</p>
29. a	Rec. 15a			<p><i>(15 a) Greater visibility and transparency of EIB operations under the ELM should be ensured, in particular with regard to sub-projects financed through financial intermediaries,</i></p>	<p>(15 a) The visibility and transparency of EIB operations under the ELM should be ensured, in particular with regard to projects financed through financial intermediaries,</p>

				<i>improving access to information for the Union's institutions and for the general public.</i>	improving access to information for the Union's institutions and for the general public, <i>taking into account the need to protect confidential and commercially sensitive information.</i>
29b	Rec 15 b				(15b) On 12 October 2016, the EIB approved the implementation of the Economic Resilience Initiative in the Southern Neighbourhood and Western Balkans. Private sector projects approved under the Resilience Initiative should be able to be included within the EU guarantee coverage, subject to confirmation by the Commission that they respect the terms to be agreed in the guarantee agreement. [see line 101]
29c	Rec 15c				<i>(15c) EIB financing operations shall be consistent with the principles contained in the Commission Communication entitled 'A renewed EU strategy 2011-14 for Corporate Social Responsibility', including with regard to financial</i>

					<i>intermediaries.</i> [see line 65; modified and moved from line 68]
30.	Rec. 16	(16) Only where it concerns the need to address urgencies and crisis situations that could arise within the mandate period and which are recognised as Union external policy priorities, the ceiling for reallocation between the regions by the EIB in the course of the mandate should be increased from 10 % to 20 %. The private sector mandate of EUR 2 300 000 000 and the amount of EUR 1 400 000 000 dedicated to public sector projects cannot be reallocated because its purpose is to address root causes of migration.	(16) Only where it concerns the need to address urgencies and crisis situations that could arise within the mandate period and which are recognised as Union external policy priorities, the ceiling for reallocation between the regions by the EIB in the course of the mandate should be increased from 10 % to 20 %. (...).	(16) Only where it concerns the need to address urgencies and crisis situations that could arise within the mandate period and which are recognised as Union external policy priorities, the ceiling for reallocation between the regions by the EIB in the course of the mandate should be increased from 10 % to 20 %. The <i>EIB should notify the European Parliament of any reallocation decision by providing a justification report and an impact assessment.</i> The private sector mandate of EUR 2 300 000 000 and the amount of EUR 1 400 000 000 dedicated to public sector projects cannot be reallocated because <i>its purpose is</i> to address root causes of migration <i>and the needs of refugees, migrants, transit and host communities</i> .	For technical discussion (16) Only where it concerns the need to address urgencies and crisis situations that could arise within the mandate period and which are recognised as Union external policy priorities, the ceiling for reallocation between the regions by the EIB in the course of the mandate should be increased from 10 % to 20 %. (...). The Commission should keep the European Parliament and the Council regularly informed of such reallocations. See line 121
31.	Rec. 16a		(16a) Given the importance of the EIB Resilience Initiative in the EU's strategy to address the root causes of migration, and the needs of transit and host communities, it remains of utmost importance that the		For technical discussion (16a) (...). Given the importance of the EIB Resilience Initiative in the EU's strategy to address the root causes of migration, and the needs of transit and host

			<p>ELM regional ceilings earmarked for such projects are absorbed completely. Nevertheless, if due to unforeseen circumstances, the earmarked amounts cannot be absorbed fully, some flexibility should be allowed. Therefore, if by 30 June 2018 the EIB concludes that it is not in the position to absorb its forecasted target under the Resilience Initiative, the total amount of EUR 1 400 000 000 earmarked from the general mandate dedicated to public sector projects and EUR 2 300 000 000 earmarked under the private sector lending mandate may be reallocated up to 20 % within and/or between the regions "Pre-accession Countries and Beneficiaries" and "Neighbourhood and Partnership Countries" as defined by this Decision. Any such reallocation should be subject to a prior agreement between the Commission and the EIB.</p>		<p>communities, it remains of utmost importance that the ELM regional ceilings earmarked for such projects are absorbed completely. Nevertheless, if due to unforeseen circumstances, the earmarked amounts cannot be absorbed fully, some increased flexibility should also be allowed. Therefore, if by 30 June 2018 the EIB concludes that it is not in the position to absorb its forecasted target under the Resilience Initiative, the total amount of EUR 1 400 000 000 earmarked from the general mandate dedicated to public sector projects and EUR 2 300 000 000 earmarked under the private sector lending mandate may be reallocated up to 20 % within and/or between the regions "Pre-accession Countries and Beneficiaries" and "Neighbourhood and Partnership Countries" as defined by this Decision. Any such reallocation should be subject to a prior agreement between the Commission and the EIB.</p> <p>See line 121</p>
32.	Rec.	(17) The list of eligible regions and countries and potentially	(17) The lists of eligible regions and countries and	(17) The list of eligible regions and countries and potentially	(17) The lists of eligible regions and countries and

	17	eligible regions and countries should be modified in order to exclude high income countries with high credit rating (Brunei, Iceland, Israel, Singapore, Chile and South Korea). In addition, Iran is to be added to the list of potentially eligible regions and countries.	potentially eligible regions and countries should be modified in order to exclude high income regions and countries with high credit rating, namely Brunei, Chile, Iceland, Israel, Singapore, South Korea and Taiwan . In addition, Iran (...) should be added to the list of potentially eligible regions and countries.	eligible regions and countries should be modified in order to exclude high income countries with high credit rating (Brunei, Iceland, Israel, Singapore, Chile and South Korea). In addition, Iran is to be added to the list of potentially eligible regions and countries.	potentially eligible regions and countries should be modified in order to exclude high income regions and countries with high credit rating, namely Brunei, Chile, Iceland, Israel, Singapore, South Korea and Taiwan . In addition, Iran (...) should be added to the list of potentially eligible regions and countries.
33.	Rec. 18	(18) Decision No 466/2014/EU should therefore be amended accordingly,	(18) Decision No 466/2014/EU should therefore be amended accordingly,	(18) Decision No 466/2014/EU should therefore be amended accordingly,	No change.
34.		HAVE ADOPTED THIS DECISION:	HAVE ADOPTED THIS DECISION:	HAVE ADOPTED THIS DECISION:	No change.
35.	Art. 1- Title	Article 1	Article 1	Article 1	No change.
36.	Art. 1- intro	Decision No 466/2014/EU is amended as follows:	Decision No 466/2014/EU is amended as follows:	Decision No 466/2014/EU is amended as follows:	No change.
37.	Art. 1 point 1	(1) Article 2 is replaced by the following:	(1) Article 2 is replaced by the following:	(1) Article 2 is replaced by the following:	No change.
38.		‘Article 2	‘Article 2	‘Article 2	No change.

39.		<i>Ceilings for EIB financing operations under EU guarantee</i>	<i>Ceilings for EIB financing operations under EU guarantee</i>	<i>Ceilings for EIB financing operations under EU guarantee</i>	No change.
40.		1. The maximum ceiling of the EIB financing operations under EU guarantee throughout the period 2014-20 shall not exceed EUR 32 300 000 000. Amounts initially earmarked for financing operations but subsequently cancelled shall not count against the ceiling.	1. The maximum ceiling of the EIB financing operations under EU guarantee throughout the period 2014-20 shall not exceed EUR 32 300 000 000. Amounts initially earmarked for financing operations but subsequently cancelled shall not count against the ceiling.	1. The maximum ceiling of the EIB financing operations under EU guarantee throughout the period 2014-20 shall not exceed EUR 38 470 000 000 . Amounts initially earmarked for financing operations but subsequently cancelled shall not count against the ceiling.	FOR POLITICAL TRILOGUE 30/5
41.		This maximum ceiling shall be broken down into:	This maximum ceiling shall be broken down into:	This maximum ceiling shall be broken down into:	No change.
42.		(a) a maximum amount of EUR 30 000 000 000 under a general mandate, of which an amount of up to EUR 1 400 000 000 is earmarked for projects in the public sector directed to refugees and host communities;	(a) a maximum amount of EUR 30 000 000 000 under a general mandate, of which an amount of up to EUR 1 400 000 000 is earmarked for projects in the public sector (...) that address the root causes of migration, and the needs of transit and host communities;	(a) a maximum amount of EUR 36 170 000 000 under a general mandate, of which an amount of up to EUR 1 400 000 000 is earmarked for projects in the public sector directed to addressing the root causes of migration and the needs of refugees, migrants, transit and host communities;	FOR POLITICAL TRILOGUE 30/5 : ceiling (a) a maximum amount of EUR [36 170 000 000] under a general mandate, of which an amount of up to EUR 1 400 000 000 is earmarked for projects in the public sector directed to the long-term economic resilience of refugees, migrants, host and transit communities and communities of origin as a strategic response to addressing root causes of migration;

					[Harmonised with lines 43/47/86]
43.		(b) a maximum amount of EUR 2 300 000 000 under a private sector lending mandate for projects addressing root causes of migration.	(b) a maximum amount of EUR 2 300 000 000 under a private sector lending mandate for projects addressing root causes of migration, and the needs of transit and host communities.	(b) a maximum amount of EUR 2 300 000 000 under a private sector lending mandate for projects addressing root causes of migration and the needs of refugees, migrants, transit and host communities.	(b) a maximum amount of EUR 2 300 000 000 under a private sector lending mandate for projects directed to the long-term economic resilience of refugees, migrants, host and transit communities and communities of origin as a strategic response to addressing root causes of migration [Harmonised with lines 42/47/86]
44.		2. The maximum amounts under the general mandate and the private sector lending mandate referred to in paragraph 1 shall be broken down into regional ceilings and sub-ceilings as laid down in Annex I. Within the regional ceilings, the EIB shall progressively ensure a balanced country distribution within the regions covered by the EU guarantee.’;	2. The maximum amounts under the general mandate and the private sector lending mandate referred to in paragraph 1 shall be broken down into regional ceilings and sub-ceilings as laid down in Annex I. Within the regional ceilings, the EIB shall progressively ensure a balanced country distribution within the regions covered by the EU guarantee.’;	2. The maximum amounts under the general mandate and the private sector lending mandate referred to in paragraph 1 shall be broken down into regional ceilings and sub-ceilings as laid down in Annex I. Within the regional ceilings, the EIB shall ensure an adequate country distribution within the regions covered by the EU guarantee, in line with Union external policy priorities which shall be reflected in the regional technical operational guidelines referred to in Article 5;	2. The maximum amounts under the general mandate and the private sector lending mandate referred to in paragraph 1 shall be broken down into regional ceilings and sub-ceilings as laid down in Annex I. Within the regional ceilings and over the period referred to in Article 1 paragraph 5, the EIB shall ensure an adequate a country distribution within the regions covered by the EU guarantee, balanced in line with Union external policy priorities which shall be reflected in the regional technical operational guidelines

					<p><i>referred to in Article 5;</i></p> <p>Note: Article 1(5) reads "The EU guarantee shall cover EIB financing operations signed during the period from 1 January 2014 to 31 December 2020."</p>
45.	Art. 1 point 2	(2) Article 3 is amended as follows:	(2) Article 3 is amended as follows:	(2) Article 3 is amended as follows:	No change.
46A	Art. 1 point 2				<p>(aa) in paragraph 1, point (a) is amended as follows:</p> <p>(a) local private sector development, in particular support to SMEs <i>micro, small and medium-sized enterprises (SMEs)</i></p> <p>Note: to cover EP amendments in line 51 which highlight/emphasise the inclusion of microenterprises in the scope of this objective.</p>
46.	Art. 1 point 2 (a)	(a) in paragraph 1, the following point (d) is added:	(a) in paragraph 1, the following point (...) is added:	(a) in paragraph 1, the following point (d) is added:	(a) in paragraph 1, the following point (...) is added:
47.		'(d) strategic response to addressing root causes of	'(d) strategic response to addressing root causes of	(d) the <i>long-term economic resilience of refugees, migrants,</i>	(d) the <i>long-term economic resilience of refugees, migrants,</i>

	migration.';	migration.';	<i>host and transit communities as a strategic response to addressing root causes of migration including, but not limited to, poverty, inequality, demographic growth, lack of employment and economic opportunities, and climate change;</i>	<i>host and transit communities and communities of origin as a strategic response to addressing root causes of migration</i> The 2nd part from "including" moved to a new separate provision or recital defining “root causes of migration” (proposed by Commission). [Harmonised with lines 42/43/86]
48.		(aa) in paragraph 3, the words "Pre-accession countries" are replaced by "Pre-accession countries and beneficiaries";		(aa) in paragraph 3, the words "Pre-accession countries" are replaced by "Pre-accession countries and beneficiaries";
49.	[ORIGINAL 2014 DECISION TEXT] Article 3, paragraph 4: 4. In developing countries, as defined in the Organisation for Economic Cooperation and Development list of official development assistance recipients, the EIB financing operations shall contribute, in accordance with Articles 208 and 209 TFEU, indirectly to the objectives of the		<i>(a a) In Article 3, paragraph 4 is replaced by the following:</i> "4. In developing countries, as defined in the Organisation for Economic Cooperation and Development list of official development assistance recipients, the EIB financing operations shall focus , in accordance with Articles 208 and 209 TFEU, on the objectives of the Union development cooperation policy, in particular towards reducing	<i>(a a) In Article 3, paragraph 4 is replaced by the following:</i> "4. In developing countries, as defined in the Organisation for Economic Cooperation and Development list of official development assistance recipients, the EIB financing operations shall contribute , in accordance with Articles 208 and 209 TFEU, to the objectives of the Union development cooperation policy, in particular towards reducing

		Union development cooperation policy, <u>such as</u> reducing poverty through inclusive growth and sustainable economy, environmental and social development.		poverty through inclusive growth and sustainable <i>economic</i> , environmental and social development."	poverty through inclusive growth and sustainable <i>economic</i> , environmental and social development."
50.	Art. 1 point 2 (b)	(b) in paragraph 5, the first subparagraph is replaced by the following:	(b) in paragraph 5, the first subparagraph is replaced by the following:	(b) in paragraph 5, the first subparagraph is replaced by the following:	No change.
51.		‘To ensure that private sector investments have the greatest development impact, the EIB shall endeavour to strengthen the local private sector in beneficiary countries through support to local investment as provided for in point (a) of paragraph 1. EIB financing operations supporting the general objectives set out in paragraph 1 shall endeavour to also enhance its support to investment projects run by SMEs from the Union. In order to effectively monitor the use of funds for the benefit of the SMEs concerned, the EIB shall establish and maintain adequate contractual provisions imposing standard reporting obligations on both the	‘5. To ensure that private sector investments have the greatest development impact, the EIB shall endeavour to strengthen the local private sector in beneficiary countries through support to local investment as provided for in point (a) of paragraph 1. EIB financing operations supporting the general objectives set out in paragraph 1 shall endeavour to also enhance its support to investment projects run by SMEs from the Union. In order to effectively monitor the use of funds for the benefit of the SMEs concerned, the EIB shall establish and maintain adequate contractual provisions imposing standard reporting obligations on	To ensure that private sector investments have the greatest development impact, the EIB shall endeavour to <i>contribute to creating favourable conditions for private enterprise and investment and ensure that in priority</i> the local private sector, <i>including MSMEs, cooperatives and social enterprises</i> in beneficiary countries <i>is strengthened</i> , through support to local investment as provided for in point (a) of paragraph 1. EIB financing operations supporting the general objectives set out in paragraph 1 shall endeavour to also enhance its support to investment projects run by <i>MSMEs from the recipient</i>	To ensure that private sector investments have the greatest development impact, the EIB shall endeavour to <i>contribute to creating favourable conditions for private enterprise and investment and shall ensure that as a in priority</i> the local private sector, <i>including <u>Micro-Small and Medium Enterprises (MSMEs)</u>, cooperatives and social enterprises</i> in beneficiary countries <i>is strengthened</i> , through support to local investment as provided for in point (a) of paragraph 1. EIB financing operations supporting the general objectives set out in paragraph 1 shall endeavour to also enhance its support to investment projects

		<p>financial intermediaries and the beneficiaries’;</p>	<p>both the financial intermediaries and the beneficiaries’;</p>	<p><i>country and</i> from the Union, <i>enabling access to finance, while mobilising the development of new investment projects run by MSMEs, further facilitating the internationalisation of MSMEs. EIB financing operations shall contribute to improving market access for SMEs in the Union's third country partners and their integration into global value chains and shall further contribute to enhancing Union companies' internationalisation and competitiveness.</i> In order to effectively monitor <i>and evaluate</i> the use of funds for the benefit of the <i>MSMEs</i> concerned, the EIB shall <i>carry out thorough due diligence and</i> establish and maintain adequate contractual provisions imposing standard reporting obligations on both the financial intermediaries and the <i>final</i> beneficiaries; <i>The EIB shall endeavour to identify the obstacles to access to funding faced by SMEs and shall ensure that they are overcome;</i></p>	<p>run by <i>MSMEs from the recipient country and</i> from the Union, <i>enabling access to finance while mobilising the development of for new investment projects run by MSMEs, further facilitating the internationalisation of MSMEs. EIB financing operations shall contribute to improving allow <u>MSMEs to take advantage of, inter alia,</u> market access for SMEs in the Union's third country partners and their integration into global value chains and shall further contribute to enhancing Union companies' internationalisation and competitiveness.</i> In order to effectively monitor <i>and evaluate</i> the use of funds for the benefit of the <i>MSMEs</i> concerned, the EIB shall <i>carry out thorough due diligence and</i> establish and maintain adequate contractual provisions imposing standard reporting obligations on both the financial intermediaries and the <i>final</i> beneficiaries; <i>The EIB shall endeavour to identify <u>and contribute to addressing the</u></i></p>
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					<i>obstacles to access to funding faced by SMEs <u>including micro, small and medium sized enterprises</u> and shall ensure that they are overcome;</i>
52.		<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 3, paragraph 5, second subparagraph:</p> <p>The EIB shall cooperate with financial intermediaries that can support the specific needs of SMEs in the countries of operation and that do not participate in EIB financing operations implemented in an eligible country through vehicles located in a foreign non-cooperative jurisdiction referred to in Article 13.</p>		<p><i>(b a) in paragraph 5, the second subparagraph is replaced by the following:</i></p> <p>"The EIB shall cooperate with financial intermediaries that can support the specific needs of SMEs in the countries of operation and that do not participate in <i>EIB financing</i> operations implemented <i>in an eligible country</i> through vehicles located in a foreign non-cooperative jurisdiction referred to in Article 13."</p>	<p>FOR POLITICAL TRILOGUE 30/5</p> <p>[Linked to tax compromise proposal in line 92]</p>
53.		<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 3, paragraph 6:</p> <p>6. EIB financing operations supporting the general objective set out in point (b) of paragraph 1 shall support investment projects predominantly in the areas of</p>		<p><i>(b b) in Article 3, paragraph 6 is replaced by the following:</i></p> <p>"6. EIB financing operations supporting the general objective set out in point (b) of paragraph 1 shall support investment projects predominantly in the areas of transport, energy, environmental infrastructure, information and</p>	<p>"6. EIB financing operations supporting the general objective set out in point (b) of paragraph 1 shall support investment projects predominantly in the areas of transport, energy, environmental infrastructure, information and communication technology, health and education. This</p>

		transport, energy, environmental infrastructure, information and communication technology, health and education. This includes production and integration of energy from renewable sources, energy systems transformation enabling a switch to lower carbon intensive technologies and fuels, sustainable energy security and energy infrastructure, including for gas production and transportation to Union energy market, as well as electrification of rural areas, environmental infrastructure such as water and sanitation and green infrastructure, telecommunications and broadband network infrastructure.		communication technology, health and education. This includes production and integration of energy from renewable sources, energy efficiency measures, energy systems transformation enabling a switch to lower carbon intensive technologies and fuels, sustainable energy security and energy infrastructure, including for gas production and transportation to Union energy market, as well as electrification of rural areas, environmental infrastructure such as water and sanitation and green infrastructure, telecommunications and broadband network infrastructure."	includes production and integration of energy from renewable sources, energy efficiency measures, energy systems transformation enabling a switch to lower carbon intensive technologies and fuels, sustainable energy security and energy infrastructure, including for gas production and transportation to Union energy market, as well as electrification of rural areas, environmental infrastructure such as water and sanitation and green infrastructure, telecommunications and broadband network infrastructure."
54.	Art. 1 point 2 (c)	(c) paragraphs 7 and 8 are replaced by the following:	(c) paragraphs 7 and 8 are replaced by the following:	(c) paragraphs 7 and 8 are replaced by the following:	No change.
55.		'7. EIB financing operations supporting the general objectives set out in point (c) of paragraph 1 shall back investment projects in climate change mitigation and	'7. EIB financing operations supporting the general objectives set out in point (c) of paragraph 1 shall back investment projects in climate change mitigation and	'7. EIB financing operations supporting the general objectives set out in point (c) of paragraph 1 shall back investment projects in climate change mitigation and	'7. EIB financing operations supporting the general objectives set out in point (c) of paragraph 1 shall back investment projects in climate change mitigation and

		adaptation that contribute to the overall objectives of the United Nations Framework Convention on Climate Change and of the Paris Agreement adopted under that Convention, in particular by avoiding or reducing greenhouse gas emissions in the areas of renewable energy, energy efficiency and sustainable transport, or by increasing resilience to the adverse impacts of climate change on vulnerable countries, sectors and communities.	adaptation that contribute to the overall objectives of the United Nations Framework Convention on Climate Change and of the Paris Agreement adopted under that Convention, in particular by avoiding or reducing greenhouse gas emissions in the areas of renewable energy, energy efficiency and sustainable transport, or by increasing resilience to the adverse impacts of climate change on vulnerable countries, sectors and communities.	adaptation that contribute to the overall objectives of the United Nations Framework Convention on Climate Change and of the Paris Agreement adopted under that Convention, in particular by avoiding or reducing greenhouse gas emissions and reducing the carbon footprint in the areas of renewable energy, energy efficiency and sustainable transport, or by increasing resilience to the adverse impacts of climate change on vulnerable countries, sectors and communities.	adaptation that contribute to the overall objectives of the United Nations Framework Convention on Climate Change and of the Paris Agreement adopted under that Convention, in particular by avoiding or reducing greenhouse gas emissions and reducing the carbon footprint in the areas of renewable energy, energy efficiency and sustainable transport, or by increasing resilience to the adverse impacts of climate change on vulnerable countries, sectors and communities.
56.		The eligibility criteria for climate action projects are defined in the EIB climate change strategy ⁷ updated in 2015. On the basis of the methodologies for the assessment of project greenhouse gas emissions and emission variations drawn up by the EIB, an analysis of the carbon footprint shall be included in the environmental assessment	The eligibility criteria for climate action projects are defined in the EIB climate change strategy ⁸ updated in 2015. On the basis of the methodologies for the assessment of project greenhouse gas emissions and emission variations drawn up by the EIB, an analysis of the carbon footprint shall be included in the environmental assessment	The eligibility criteria for climate action projects are defined in the EIB climate change strategy ⁹ updated in 2015. On the basis of the methodologies for the assessment of project greenhouse gas emissions and emission variations drawn up by the EIB, an analysis of the carbon footprint shall be included in the environmental assessment	No change.

⁷ 'EIB Climate Strategy – Mobilising finance for the transition to a low-carbon and climate-resilient economy' adopted by the EIB on the 22nd of September 2015.

⁸ 'EIB Climate Strategy – Mobilising finance for the transition to a low-carbon and climate-resilient economy' adopted by the EIB on the 22nd of September 2015.

⁹ 'EIB Climate Strategy – Mobilising finance for the transition to a low-carbon and climate-resilient economy' adopted by the EIB on the 22nd of September 2015.

		procedure to determine whether project proposals optimise energy-efficiency improvements.	procedure to determine whether project proposals optimise energy-efficiency improvements.	procedure to determine whether project proposals optimise energy-efficiency improvements.	
57.		Over the period covered by this decision, the EIB should endeavour to sustain the current high level of climate-relevant operations, while the minimum volume of those operations shall represent at least 25 % of the total EIB financing operations.	Over the period covered by this decision, the EIB (...) shall endeavour to sustain the current high level of climate-relevant operations, while the minimum volume of those operations shall represent at least 25 % of the total EIB financing operations outside the Union, with a view to further increasing this target by 2020.	Over the period covered by this Decision, the EIB should endeavour to sustain a high level of climate-relevant operations, the volume of which shall represent at least 25 % of the total EIB financing operations outside the Union, gradually increasing this target to at least 35 % by 2020.	“Over the period covered by this Decision, the EIB should endeavour to sustain a high level of climate-relevant operations, the volume of which shall represent at least 25 % of the total EIB financing operations outside the Union. EIB financing under this Decision shall be consistent with reaching the target of at least 35% of total EIB financing operations in emerging economies and developing countries outside the EU by 2020 gradually increasing this target to 35% by 2020 in developing countries. ”
58.				<i>EIB operations shall inter alia integrate concrete actions to phase out financing projects detrimental to the achievement of Union's climate objectives and step up efforts to support renewable energy sources and energy efficiency.</i>	<i>EIB operations shall inter alia integrate concrete actions to phase out financing projects detrimental to the achievement of Union's climate objectives and step up efforts to support renewable energy sources and energy efficiency.</i>
59.		The EIB shall enhance the adaptation elements in its contribution to climate change	The EIB shall enhance the climate change adaptation elements in its contribution to	The EIB shall enhance the adaptation elements in its contribution to climate change	The EIB shall enhance the climate change adaptation elements in its contribution to

		projects.	(...) projects across EIB financing operations within the External Lending Mandate.	projects.	(...) projects across EIB financing operations within the External Lending Mandate.
60.		8. EIB financing operations supporting the general objectives set out in point (d) of paragraph 1 shall back investment projects that address root causes of the migration and contribute to long-term economic resilience and safeguard sustainable development in beneficiary countries. EIB financing operations shall, in particular, address increased needs for infrastructure and related services to cater for the migrants influx, and boost employment opportunities for host and refugee communities to foster economic integration and enable refugees to become self-reliant.	8. EIB financing operations supporting the general objective(...) set out in point (d) of paragraph 1 shall back investment projects that address root causes of the migration and contribute to long-term economic resilience and safeguard sustainable development in beneficiary countries. EIB financing operations shall, in particular, address increased needs for infrastructure and related services to cater for the migrants influx, and boost employment opportunities for host and refugee communities to foster economic integration and enable refugees to become self-reliant.	8. EIB financing operations supporting the general objectives set out in point (d) of paragraph 1 shall back investment projects that address root causes of the migration and contribute to long-term economic resilience and safeguard sustainable development in beneficiary countries <i>while ensuring compliance with the SDGs</i> . EIB financing operations shall, in particular, address increased needs for infrastructure and related services to cater for the migrants influx, boost employment opportunities for host and refugee communities to foster economic integration and enable refugees to become self-reliant, <i>strengthen humanitarian action and support for creation of decent jobs, while ensuring the full respect of human, labour and social rights, fundamental freedoms and gender mainstreaming by implementing</i>	8. EIB financing operations supporting the general objectives set out in point (d) of paragraph 1 shall back investment projects that address root causes of the migration and contribute to long-term economic resilience and safeguard sustainable development in beneficiary countries while ensuring compliance with <i>and to the SDGs</i> . EIB financing operations shall, in particular, address increased needs for infrastructure and related services to cater for the migrants influx, boost employment opportunities for host and refugee communities to foster economic integration and enable refugees to become self-reliant, <i>strengthen humanitarian action and support for creation of decent jobs, while ensuring the full respect of human, labour and social rights, fundamental freedoms and gender mainstreaming equality by</i>

				<p><i>a rights-based approach (RBA) encompassing all human and social rights in line with the principles of transparency, participation, non-discrimination and accountability. EIB financing operations shall recognise that gender equality is a cross cutting issue to achieving sustainable development. A gender perspective shall be applied to all financing operations. The EIB shall develop a Gender Action Plan by 31 December 2017 and shall ensure that all EIB operations under this mandate comply with the principles of its Gender Strategy approved in December 2016.</i></p>	<p><i>implementing a rights-based approach (RBA) encompassing all human and social rights in line with the principles of transparency, participation, non-discrimination and accountability.</i></p> <p><i>EIB financing operations shall recognise that gender equality is a cross cutting issue to achieving sustainable development. A gender perspective shall be applied to all financing operations. The EIB shall develop a Gender Action Plan by 31 December 2017 and shall ensure that all EIB operations under this mandate comply with the principles of its Gender Strategy approved in December 2016.</i></p> <p><i>Last part moved to line 64</i></p>
61.		Those financing operations shall support the following:	Those financing operations shall support the following:	Those financing operations shall support the following:	No change.
62.		(a) the private sector in the areas of SMEs, corporate finance and microfinance;	(a) the private sector in the areas of SMEs, corporate finance and microfinance;	(a) the private sector in the areas of SMEs, corporate finance and microfinance;	No change.

63.		(b) the public sector, including municipalities and public sector entities, in terms of infrastructure and services to address significantly increased needs.’;	(b) the public sector, including municipalities and public sector entities, in terms of infrastructure and services to address significantly increased needs.’;	(b) the public sector, including municipalities and public sector entities, in terms of infrastructure and services, <i>and in particular health care and special facilities for children, sanitation services and school education</i> , to address significantly increased needs;	(b) the public sector, including municipalities and public sector entities, in terms of infrastructure and services, <i>including health care and special facilities for children, sanitation services and school education</i> , to address significantly increased needs;
64.				<i>(ca) the following paragraph is inserted:</i> <i>“8a. EIB financing operations supporting the general objectives set out in paragraph 1 shall recognise that, as a cross-cutting issue in achieving sustainable development, gender equality is an important element for project due diligence. A gender perspective shall be applied to all such financing operations.</i>	<i>(ca) the following paragraph is inserted:</i> <i>“8a. EIB financing operations supporting the general objectives set out in paragraph 1 shall recognise that gender equality is a cross-cutting issue to achieving sustainable development and an important element for project due diligence. A gender perspective shall be applied to all such financing operations. <u>The EIB will develop a Gender Action Plan by 31 December 2017 in line with its commitment and shall ensure that all EIB financing operations comply with the commitments set out in its Gender Strategy approved in December 2016.</u></i>

					Moved from line 60 Note: the term 'EIB financing operations' is defined for the purposes of the ELM in Article 1(2)
65.				<p><i>(cb) the following paragraph is inserted:</i></p> <p><i>“8b. The EIB shall ensure that companies participating in projects co-financed by the EIB shall be required to adhere to the principle of equal pay and pay transparency and to the principle of gender equality as set out in Directive 2006/54/EC of the European Parliament and of the Council^{1a}. EIB decisions on project financing shall take into account action by candidate companies in the field of corporate social responsibility;</i></p>	<p><i>(cb) the following paragraph is inserted:</i></p> <p><i>“8b. The EIB shall seek to ensure that companies participating in projects co-financed by the EIB shall adhere to the principle of equal pay and pay transparency and to the principle of gender equality as set out in Directive 2006/54/EC of the European Parliament and of the Council^{1a}. EIB decisions on project financing shall take into account action by candidate <u>companies potential beneficiary companies</u> in the field of equal pay and corporate social responsibility;</i></p> <p><i>[CSR see also lines 29 and 68]</i></p>
66.		[ORIGINAL 2014 DECISION TEXT]		<i>(c c) paragraph 9 is replaced by the following:</i>	<i>(c c) paragraph 9 is replaced by the following:</i>

		<p>Article 3, paragraph 9:</p> <p>9. The EU guarantee shall cover only EIB financing operations carried out in eligible countries that have concluded a framework agreement with the EIB establishing the legal conditions under which such operations are to be carried out.</p>		<p>"9. The EU guarantee shall cover only EIB financing operations carried out in eligible countries that have concluded a framework agreement with the EIB establishing the legal conditions under which such operations are to be carried out. <i>Legal conditions under which operations are to be carried out shall also include environmental, social and human rights and labour standards.</i>"</p>	<p>"9. The EU guarantee shall cover only EIB financing operations carried out in eligible countries that have concluded a framework agreement with the EIB establishing the legal conditions under which such operations are to be carried out <i>which shall be compatible with the EIB's Statement of Environmental and Social Principles and Standards and Environmental and Social Handbook.</i>"</p>
67.				<p><i>(2a) in Article 5, paragraph 1 the following subparagraph is added after subparagraph 3: The Commission and the EIB shall ensure that local civil society is sufficiently well informed about planned and ongoing operations.</i></p>	<p><i>(2a) in Article 5, paragraph 1 the following subparagraph is added after subparagraph 3: The Commission and the EIB shall ensure that information about planned and ongoing <u>approved</u> operations or any significant change thereto is published and readily available to local civil society sufficiently well.</i></p>
68.				<p><i>(2b) in Article 5, paragraph 1 the following subparagraph is added after subparagraph 7:</i></p> <p><i>EIB financing operations shall</i></p>	<p><i>(2b) in Article 5, paragraph 1 subparagraph 3 is amended as follows:</i></p> <p>"In updating the regional</p>

				<p><i>be consistent with the Commission Communication entitled ‘A renewed EU strategy 2011-14 for Corporate Social Responsibility’, including with regard to financial intermediaries.</i></p>	<p>technical operational guidelines, the Commission and the EIB shall take into account relevant European Parliament resolutions and Council decisions and conclusions, <i>as well as internationally recognized principles and guidelines on corporate social responsibility.</i></p> <p>The regional technical operational guidelines shall be consistent with the priorities contained in the national or regional programmes, where available, drawn up by the beneficiary countries, taking due account of any consultation with local civil society in the process of drawing up those programmes."</p> <p>[EP AM modified and moved to new Recital 15c line 29c]</p>
69.				<p><i>(2 c) In Article 5, the following paragraph is inserted:</i></p> <p><i>“1a. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 concerning amendments to Annex IV, by including in particular a list of root causes of</i></p>	<p>FOR POLITICAL TRILOGUE 07/06</p>

				<i>migration by region.”</i>	
70.	Art. 1 point 3	(3) in Article 8(1), the following second subparagraph is added:	(3) in Article 8(1), the following (...) subparagraph is added:	(3) in Article 8(1), the following second subparagraph is added:	No change.
71.		‘The Comprehensive Guarantee shall also apply to EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b).’;	‘The Comprehensive Guarantee shall also apply to EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b).’;	‘The Comprehensive Guarantee shall also apply to EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b).’;	No change.
72.		[ORIGINAL 2014 DECISION TEXT] Article 8, paragraph 5: 5. Financing agreements with individual promoters relating to EIB financing operations shall also include appropriate environmental and social provisions in accordance with the EIB’s own rules and procedures.		<i>(3a) in Article 8, paragraph 5 is replaced by the following:</i> “5. Financing agreements with individual promoters relating to EIB financing operations shall also include appropriate <i>procurement</i> , environmental, <i>climate</i> and social provisions in accordance with the EIB’s own rules and procedures, <i>including requirements to make the EU guarantee and EIB involvement visible to the end beneficiary.</i> ”	<i>(3a) in Article 8, paragraph 5 is replaced by the following:</i> “5. Financing agreements with individual promoters relating to EIB financing operations shall also include appropriate <i>procurement</i> , environmental, <i>climate</i> and social provisions in accordance with the EIB’s own rules and procedures, <i>including requirements to make the EU guarantee and EIB involvement visible to the end beneficiary.</i> ”
73.		[ORIGINAL 2014 DECISION TEXT] Article 8, paragraph 6: 6. The Commission and the		<i>(3b) in Article 8, paragraph 6 is replaced by the following:</i> "6. The Commission and the EIB shall set out in the guarantee	[EP proposal on confidentiality: lines 28, 73, 89, 91 , 93] <i>(3b) in Article 8, paragraph 6</i>

		<p>EIB shall set out in the guarantee agreement referred to in Article 14 a clear and transparent allocation policy allowing the EIB to identify, within its external activity, the operations to be financed under this Decision in order to ensure the most effective use of the EU guarantee. The allocation policy shall be based on the creditworthiness of EIB financing operations as assessed by the EIB, the ceilings as defined in Annex I, the nature of the counterparty, whether a sovereign State or a sub-sovereign entity falling under paragraph 1 of this Article or a private entity, EIB risk absorption capacity and other relevant criteria, including added value of the EU guarantee. The European Parliament and the Council shall be informed on the allocation policy in accordance with Article 14.</p>		<p>agreement referred to in Article 14 a clear and transparent allocation policy allowing the EIB to identify, within its external activity, the operations to be financed under this Decision in order to ensure the most effective use of the EU guarantee. The allocation policy shall be based on the creditworthiness of EIB financing operations as assessed by the EIB, the ceilings as defined in Annex I, the nature of the counterparty, whether a sovereign State or a sub-sovereign entity falling under paragraph 1 of this Article or a private entity, EIB risk absorption capacity and other relevant criteria, including added value of the EU guarantee. The European Parliament and the Council shall be informed on the allocation policy <i>under this Decision including in comparison with EIB's own risk lending allocation policy outside the Union</i>, in accordance with Article 14."</p>	<p><i>is replaced by the following:</i></p> <p>"6. The Commission and the EIB shall set out in the guarantee agreement referred to in Article 14 a clear and transparent allocation policy allowing the EIB to identify, within its external activity, the operations to be financed under this Decision in order to ensure the most effective use of the EU guarantee. The allocation policy shall be based on the creditworthiness of EIB financing operations as assessed by the EIB, the ceilings as defined in Annex I, the nature of the counterparty, whether a sovereign State or a sub-sovereign entity falling under paragraph 1 of this Article or a private entity, EIB risk absorption capacity and other relevant criteria, including added value of the EU guarantee. The European Parliament and the Council shall <i>receive</i> the allocation policy in accordance with Article 14."</p>
74.		[ORIGINAL 2014 DECISION TEXT]		<i>(3 c) in Article 9, the first subparagraph of paragraph 1 is</i>	<i>(3 c) in Article 9, the first subparagraph of paragraph 1 is</i>

		<p>Article 9, paragraph 1, first subparagraph:</p> <p>The EIB shall carry out thorough due diligence and, where appropriate, shall require project promoters to carry out local public consultation, in line with Union social and environmental principles, with the relevant national and local stakeholders, as well as with civil society, at project planning stage and implementation stage on social, human rights, environmental, economic and development-related aspects of investment projects covered by the EU guarantee, and to provide information relevant for the assessment of the contribution to the fulfilment of Union external policy and strategic objectives.</p>		<p><i>replaced by the following:</i></p> <p>"The EIB shall carry out thorough due diligence and, where appropriate, shall require project promoters to carry out local public consultation, in line with Union social and environmental principles, with the relevant national and local stakeholders, as well as with civil society, at project planning stage and implementation stage on social, human rights, gender equality, environmental, economic and development-related aspects of investment projects covered by the EU guarantee, and to provide information relevant for the assessment of the contribution to the fulfilment of Union external policy and strategic objectives.</p>	<p><i>replaced by the following:</i></p> <p>"The EIB shall carry out thorough due diligence and, where appropriate in accordance with its Statement of Environmental and Social Principles and Standards and Environmental and Social Standards Handbook, shall require project promoters to carry out local public consultation, in line with Union social and environmental principles, with the relevant national and local stakeholders, as well as with civil society, at project planning stage and implementation stage on social, human rights, gender equality, environmental, economic and development-related aspects of investment projects covered by the EU guarantee, and to provide information relevant for the assessment of the contribution to the fulfilment of Union external policy and strategic objectives.</p>
75.				<p><i>(3 d) in Article 9, paragraph 1, the following subparagraph is inserted after the first</i></p>	<p><i>(3 d) in Article 9, paragraph 1, the following subparagraph is inserted after the first</i></p>

			<p><i>subparagraph:</i></p> <p><i>"The EIB shall ensure that the principle of free prior informed consent is implemented, prior to financing operations affecting land and natural resources.";</i></p>	<p><i>subparagraph:</i></p> <p><i>"The EIB shall ensure that the principle of free prior informed consent is implemented, prior to financing operations affecting land and natural resources.";</i></p>
76.	<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 9, paragraph 1, second subparagraph:</p> <p>“Where appropriate, this appraisal shall include an assessment of how the capacities of the beneficiaries of EIB financing can be reinforced throughout the project cycle with technical assistance. The EIB’s own rules and procedures shall include the necessary provisions on assessment of environmental and social impact of investment projects and of aspects related to human rights and conflict prevention, to ensure that investment projects supported under this Decision are environmentally and socially sustainable.</p>	<p>(3e) <i>in Article 9, the second subparagraph of paragraph 1, is replaced by the following:</i></p> <p><i>“Where appropriate, This appraisal shall include an assessment of how the capacities of the beneficiaries of EIB financing can be reinforced throughout the project cycle with technical assistance. The EIB’s own rules and procedures shall include the necessary provisions on assessment of environmental and social impact of investment projects and of aspects related to human rights and conflict prevention, to ensure that investment projects supported under this Decision are environmentally and socially sustainable. As part of its available internal guidance on application of due diligence, the</i></p>	<p>(3e) <i>in Article 9, the second subparagraph of paragraph 1, is replaced by the following:</i></p> <p><i>Where appropriate This appraisal shall include an assessment of whether the capacities of the beneficiaries of EIB financing should be reinforced throughout the project cycle with technical assistance, and if so, how this should be done. The EIB’s own rules and procedures shall include the necessary provisions on assessment of environmental and social impact of investment projects and of aspects related to human rights and conflict prevention, to ensure that investment projects supported under this Decision are environmentally and socially sustainable. As part of its available internal guidance on</i></p>	

				<p><i>EIB shall develop practical guidance on the assessment of aspects related to all basic human rights, to be used during the ex ante assessment and ongoing monitoring on a project-by-project basis, including for projects involving financial intermediaries, based on the existing frameworks, in particular the EU Strategic Framework and Action Plan for Human Rights, and taking into account existing human rights benchmarks provided by the Union, relevant United Nations bodies and human rights organisations.”</i></p>	<p><i>application of due diligence, the EIB shall <u>improve as necessary</u> practical guidance on the assessment of aspects related to all basic human rights <u>through its Environmental and Social Handbook</u>, to be used during the ex ante assessment and ongoing monitoring on a project-by-project basis, including for projects involving financial intermediaries, based on the existing frameworks, in particular the EU Strategic Framework and Action Plan for Human Rights, and taking into account existing human rights benchmarks provided by the Union, relevant United Nations bodies and human rights organisations.”</i></p>
77.		<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 9, paragraph 3:</p> <p>3. The EIB monitoring shall also endeavour to cover the implementation of intermediated operations and the performance of financial intermediaries in support</p>		<p><i>(3 f) Article 9(3) is replaced by the following:</i></p> <p>"3. The EIB monitoring shall also endeavour to cover the implementation of intermediated operations and the performance of financial intermediaries in support of SMEs."</p>	<p><i>(3 f) Article 9(3) is replaced by the following:</i></p> <p>"3. The EIB monitoring shall also endeavour to cover the implementation of intermediated operations and the performance of financial intermediaries in support of SMEs."</p>

		of SMEs."			
78.		[ORIGINAL 2014 DECISION TEXT] Article 9, paragraph 5: “5. The results of monitoring shall, where possible, be disclosed, subject to confidentiality requirements and the agreement of relevant parties.”		<i>(3 g) in Article 9, paragraph 5 is replaced by the following:</i> “5. The results of monitoring shall, where possible, be disclosed, subject to confidentiality requirements and the agreement of relevant parties.”	<i>(3 g) in Article 9, paragraph 5 is replaced by the following:</i> “5. The results of monitoring shall, where possible, be disclosed, subject to confidentiality requirements and the agreement of relevant parties.”
79.	Art. 1 point 4	(4) in Article 10, the following third subparagraph is added:	(4) in Article 10, the following (...)paragraph is added:	(4) in Article 10, the following third subparagraph is added:	(4) in Article 10, the following (...)paragraph is added:
80.		‘The risk for the Union budget associated with EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b) shall be priced and the revenues generated from the risk pricing shall be paid into the Guarantee Fund for external actions’;	‘The risk for the Union budget associated with EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b) shall be priced and the revenues generated from the commercial risk pricing shall be paid into the Guarantee Fund for external actions.’;	‘The risk for the Union budget associated with EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b) shall be priced and the revenues generated from the risk pricing shall be paid into the Guarantee Fund for external actions’;	‘The risk for the Union budget associated with EIB financing operations under the private sector lending mandate referred to in Article 2(1)(b) shall be priced and the revenues generated from the commercial risk pricing shall be paid into the Guarantee Fund for external actions.’;
81.	Art. 1 point 5	(5) Article 11(1) is amended as follows:	(5) Article 11(1) is amended as follows:	(5) Article 11(1) is amended as follows:	No change.

82.	Art. 1 point 5 (a)	(a) in point (b), the following sentence is added:	(a) in point (b), the following sentence is added:	(a) point (b), <i>is amended as follows:</i>	(a) point (b), <i>is amended as follows:</i>
83.		‘(b) Indicators for projects providing strategic response addressing root causes of migration shall be developed by the EIB;’;	‘(b) Indicators for projects providing strategic response addressing root causes of migration shall be developed by the EIB;’;	(b) <i>an assessment of the added value, the estimated outputs, outcomes and development impact of EIB financing operations at an aggregated basis, drawing on the EIB’s Results Measurement framework annual report. To that end, the EIB shall use performance indicators in relation to development, environmental and social aspects, including human right and gender equality aspects, of projects funded, taking into account the relevant indicators under the 2005 Paris Declaration for Aid Effectiveness. Indicators for gender equality shall include the promotion of equality between women and men, gender budgeting and targets, and, where possible, shall be evaluated ex post by disaggregating data by gender. Indicators for environmental aspects of projects</i>	(b) an assessment of the added value, the estimated outputs, outcomes and development impact of EIB financing operations at an aggregated basis, drawing on the EIB’s Results Measurement framework annual report. To that end, the EIB shall use <i>outcome performance</i> indicators in relation to development, environmental and social aspects, including human right <i>and gender equality</i> aspects, of projects funded, taking into account the relevant indicators under the 2005 Paris Declaration for Aid Effectiveness. <i>Indicators for gender equality shall be developed in line with the EIB’s Gender Strategy and forthcoming Gender Action Plan;</i> they shall reflect the promotion of equality between women and men, <i>gender budgeting and targets and, where possible, shall be evaluated</i>

			<p><i>shall include criteria for clean technology which are oriented in principle at energy efficiency and technologies for reducing emissions. The EIB shall develop indicators for projects providing strategic response addressing root causes of migration and building long-term economic resilience of host and transit communities, in detailed and regular consultation and cooperation with stakeholders, civil society, affected communities, and NGOs;</i></p>	<p><i>ex post by disaggregating data by sex gender. Indicators for environmental aspects of projects shall include criteria for clean technology which are oriented in principle at energy efficiency and technologies for reducing emissions. The EIB shall develop indicators for projects providing strategic response addressing root causes of migration and building long-term economic resilience of host and transit communities, taking into account the views of in detailed and regular consultation and cooperation with stakeholders, civil society, affected communities, and NGOs;</i></p>
84.	<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 11, paragraph 1, point c:</p> <p>"(c) an assessment of the contribution of EIB financing operations to the fulfilment of Union external policy and strategic objectives, taking into account the regional technical operational guidelines referred to</p>		<p><i>(a a) point c is replaced by the following:</i></p> <p>"(c) an assessment of the contribution of EIB financing operations to the fulfilment of Union external policy and strategic objectives, taking into account the regional technical operational guidelines referred to in Article 5</p>	<p><i>(a a) point c is amended as follows:</i></p> <p>"(c) an assessment of the contribution of EIB financing operations to the fulfilment of Union external policy and strategic objectives, taking into account the compliance with the principles guiding Union external action as referred to in Article 21 TEU, the regional</p>

		<p>in Article 5;</p>		<p><i>The Commission, in cooperation with the European External Action Service (EEAS), shall establish a framework and methodology for annual reporting by the EIB on its operations covered by the Community Guarantee and their compliance with the general principles guiding Union external action as referred to in Article 21 TEU. The key objective of this reporting shall be to monitor the compliance of the EIB with obligations under the Treaty on the European Union and notably the provisions of its Article 21, including respect for and promotion of human rights, eradication of poverty, and the management of environmental risks.</i></p> <p><i>That methodology shall be developed by the Commission and the EEAS by ... [one year after the entry into force of this amending Decision] and shall build on reporting on human rights compliance by the EIB, as requested by the EU Strategic Framework and Action Plan for</i></p>	<p>technical operational guidelines referred to in Article 5 and the EU Strategic Framework and Action Plan for Human Rights;</p>
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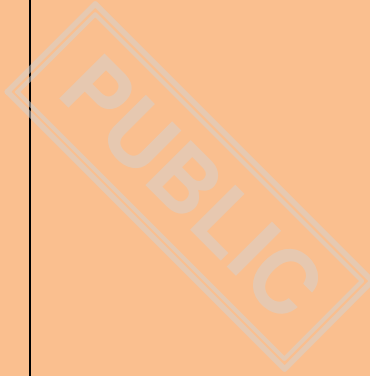
				<p><i>Human Rights.</i></p> <p><i>Based on the annual reporting by the EIB, the Commission shall submit each year to the European Parliament its own evaluation of the information provided by the EIB and suggest possible changes in the EIB's policies and procedures for adoption by the Member States after taking into account the opinion of the European Parliament on those changes. Possible recommendations by the European Commission and the European Parliament on how to improve EIB reporting to that end shall be reflected by it in the context of the updating of the Regional technical operational guidelines."</i></p>	
85.		<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 11, paragraph 1, point e:</p> <p>"(e) an assessment of the quality of EIB financing operations, in particular, the extent to which the EIB has taken into account environmental and</p>		<p><i>a b) In Article 11, paragraph 1, point (e) is replaced by the following:</i></p> <p>"(e) an assessment of the quality of EIB financing operations, in particular, the extent to which the EIB has taken into account environmental and</p>	<p><i>a b) In Article 11, paragraph 1, point (e) is replaced by the following:</i></p> <p>"(e) an assessment of the quality of EIB financing operations, in particular, the extent to which the EIB has taken into account environmental and</p>

		social sustainability in the due diligence and monitoring of the investment projects financed;		social sustainability in the due diligence and monitoring of the investment projects financed <i>as well as measures to maximise local ownership by promoting the involvement of affected communities, civil society organisations and NGOs;</i> "	social sustainability in the due diligence and monitoring of the investment projects financed <i>as well as measures to maximise local <u>engagement</u> by promoting the involvement of affected communities, civil society organisations and NGOs;</i> "
86.	Art. 1 point 5 (b)	(b) the following point (j) is added: '(j) An assessment of the contribution of EIB financing operations in providing strategic response addressing root causes of migration. ';	(b) the following point (j) is added: '(j) An assessment of the contribution of EIB financing operations in providing strategic response addressing root causes of migration. ';	(b) the following point (j) is added: (j) An assessment of the contribution of EIB financing operations in providing strategic response addressing root causes of migration <i>stemming from poverty, inequality, demographic growth, lack of employment and economic opportunities, climate change and contributing to the long-term economic resilience of refugees, migrants, host and transit communities;</i>	(b) the following point (j) is added: (j) An assessment of the contribution of EIB financing operations in <i>contributing to the long-term economic resilience of refugees, migrants, host and transit communities and communities of origin</i> as a strategic response to addressing root causes of migration <i>stemming from poverty, inequality, demographic growth, lack of employment and economic opportunities, climate change and;</i> Deleted part moved to a recital (see line 10).
87.		[ORIGINAL 2014 DECISION TEXT]		<i>(5 a) in Article 11, paragraph 2 is replaced by the following:</i>	<i>(5 a) in Article 11, paragraph 2 is replaced by the following:</i>

		<p>Article 11, paragraph 2:</p> <p>2. For the purposes of the Commission's reporting referred to in paragraph 1, the EIB shall provide the Commission with yearly reports on EIB financing operations carried out under this Decision including all necessary elements allowing the Commission to report in accordance with paragraph 1. The EIB may also provide to the Commission additional information relevant for the European Parliament and the Council to have a comprehensive overview of EIB external activity.</p>		<p>2. For the purposes of the Commission's reporting referred to in paragraph 1, the EIB shall provide the Commission with yearly reports on EIB financing operations carried out under this Decision including all necessary elements allowing the Commission to report in accordance with paragraph 1. The EIB may also provide to the Commission additional information relevant for the European Parliament and the Council to have a comprehensive overview of EIB external activity. <i>The European Parliament may, on the basis of the yearly reports, draw up recommendations to the EIB concerning ongoing projects.</i></p>	<p>2. For the purposes of the Commission's reporting referred to in paragraph 1, the EIB shall provide the Commission with yearly reports on EIB financing operations carried out under this Decision including all necessary elements allowing the Commission to report in accordance with paragraph 1. The EIB may also provide to the Commission additional information relevant for the European Parliament and the Council to have a comprehensive overview of EIB external activity. <i>The European Parliament may, on the basis of the yearly reports, draw up recommendations to the EIB concerning ongoing projects.</i></p>
88.	<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 12, paragraph 1, introductory part:</p> <p>1. In accordance with its own transparency policy and Union principles on access to documents and information, and progressively with International Aid Transparency Initiative</p>		<p><i>(5 b) in Article 12, paragraph 1, the introductory part is replaced by the following:</i></p> <p>"1. In accordance with its own transparency policy and Union principles on access to documents and information, and progressively with International Aid Transparency Initiative standards, the EIB shall</p>	<p><i>(5 b) in Article 12, paragraph 1, the introductory part is replaced by the following:</i></p> <p>"1. In accordance with its own transparency policy and Union principles on access to documents and information, and progressively with International Aid Transparency Initiative</p>	

		standards, the EIB shall make publicly available on its website information relating to:		<i>proactively and systematically</i> make publicly available on its website information relating to:"	standards, the EIB shall make publicly available on its website information relating to:"
89.		[ORIGINAL 2014 DECISION TEXT] Article 12, paragraph 1, point a: (a) all EIB financing operations carried out under this Decision, after the project approval stage, in particular indicating whether an investment project is covered by the EU guarantee and how it contributes to the goals of the Union external action, noting in particular its economic, social and environmental, impact;		<i>(5 c) in Article 12, paragraph 1, point (a) is replaced by the following:</i> "(a) all EIB financing operations carried out under this Decision, after the project approval stage, in particular indicating whether an investment project is covered by the EU guarantee and how it contributes to the goals of the Union external action, noting in particular its economic, social and environmental, <i>climate and gender specific</i> impact, <i>as well as publish relevant information related to individual projects under this decision, including the Results Measurement sheets, taking into account the protection of confidential and commercially sensitive information;</i> "	[EP proposal on confidentiality lines 28, 73, 89, 91, 93] <i>(5 c) in Article 12, paragraph 1, point (a) is replaced by the following:</i> "(a) all EIB financing operations carried out under this Decision, after the project approval stage, in particular indicating whether an investment project is covered by the EU guarantee and how it contributes to the goals of the Union external action, noting in particular its economic, social and environmental, <i>climate and gender specific</i> impact. ” [Part on ReM sheets moved to a new paragraph below line 91 as this paragraph relates to publication on the EIB website]
90.		[ORIGINAL 2014 DECISION TEXT] Article 12, paragraph 1, point c: (c) where possible and		<i>(5 d) Article 12, paragraph 1, point (c) is replaced by the following:</i> “(c) where possible and appropriate, existing framework	<i>(5 d) Article 12, paragraph 1, point (c) is replaced by the following:</i> “(c) where possible and

		appropriate, existing framework agreements between the EIB and a recipient country. When signing new agreements or amending existing ones, the EIB shall endeavour to make possible their disclosure;		agreements between the EIB and a recipient country. When signing new agreements or amending existing ones, the EIB shall <i>ensure</i> their disclosure;”	appropriate, existing framework agreements between the EIB and a recipient country. When signing new agreements or amending existing ones, the EIB shall <i>ensure</i> their disclosure;”
91.					<p>[EP proposal on confidentiality: lines 28, 73, 89, 91, 93]</p> <p>This part moved back from Article 9 to Article 12 as favored by Council (see line 89):</p> <p><i>“2a. (new) Upon request, the EIB shall provide the European Parliament with Results Measurement sheets for investment projects covered by the EU guarantee, taking into account the protection of confidential and commercially sensitive information and <u>subject to the respective internal rules governing the treatment of confidential information.</u>”</i></p> <p>The compromise proposal by the EP consists in the wording proposed for lines 28, 73, 89, 91, 93 + a letter exchange with EIB (no separate agreement) drawing their attention in particular to:</p> <p>- EP Rules of procedure (in</p>

					<p>particular Rule 210a)</p> <ul style="list-style-type: none"> - EP relevant Bureau decision (concerning the rules governing the treatment of confidential info by the EP - 15 April 2013 - published in the OJ¹⁰) - EP Secretary General Handling instructions on confidential information, to be annexed to the letter <p>The relevant part in the EP - EIB agreement under EFSI (Article 10) could also be duplicated in the letter</p> <p>[EP Handling Instruction n°8 on breaches of security, loss or compromise of confidential information and investigations and General Security operating procedures applicable for the secure reading room of DG IPOL are circulated separately as illustration]</p>
92.	<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Article 13:</p> <p>Non-cooperative jurisdictions</p> <p>In its financing operations, the EIB shall not tolerate any</p>			<p><i>(5 e) Article 13 is replaced by the following:</i></p> <p>“Article 13</p> <p>Non-cooperative jurisdictions</p> <p>In its financing operations, the EIB shall <i>comply with relevant</i></p>	<p>FOR POLITICAL TRILOGUE 07/6.</p> <p>“Article 13</p> <p>Prevention of money laundering, fight against terrorism, taxation, non-cooperative jurisdictions</p>

¹⁰ [http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1494501847593&uri=CELEX:32014D0401\(01\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1494501847593&uri=CELEX:32014D0401(01))

	<p>activities carried out for illegal purposes, including money laundering, financing of terrorism, tax fraud and tax evasion, corruption, and fraud affecting the financial interests of the Union. In particular the EIB shall not participate in any financing operation implemented in an eligible country through a foreign vehicle located in a non-cooperative jurisdiction identified as such by the Union, the United Nations, the Organisation for Economic Cooperation and Development or the Financial Action Task Force.</p> <p>In its financing operations, the EIB shall apply the principles and standards set out in Union law on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, including a requirement to take reasonable measures to identify the beneficial owners where applicable.</p>		<p><i>standards and applicable legislation on the prevention of money laundering, and the fight against</i> terrorism, tax fraud and tax evasion.</p> <p><i>The EIB shall not make use of or engage in tax avoidance structures, in particular aggressive tax planning schemes or practices not complying with tax good governance criteria, as set out in the legal acts of the Union, Council conclusions, Commission communications or any formal notice by the Commission.</i></p> <p><i>The EIB shall not maintain business relations with entities incorporated or established in jurisdictions that do not cooperate with the Union in relation to the application of the internationally agreed tax standards on transparency and exchange of information.</i></p> <p><i>When concluding agreements with financial intermediaries, the EIB shall transpose the requirements referred to in this Article into the relevant contracts and shall request country-by-country reporting about their observance.</i></p> <p><i>The EIB shall, following a</i></p>	<p>In its financing operations, the EIB shall comply with applicable EU legislation and agreed international and EU standards and, therefore, shall not support projects under this decision that contribute to money laundering, terrorism financing, tax avoidance, tax fraud and tax evasion.</p> <p>In addition the EIB shall not enter into new or renewed operations with entities incorporated or established in jurisdictions listed under the relevant EU policy on non-cooperative jurisdictions, or that are identified as high risk third countries pursuant to article 9.2 of Directive 2015/849, or that do not effectively comply with EU or internationally agreed tax standards on transparency and exchange of information. The EIB may derogate from this principle only if the project is physically implemented in one of those jurisdictions, and does not present any indication that the relevant operation falls under any of the categories listed in paragraph 1.</p> <p>When concluding agreements with financial intermediaries, the EIB shall transpose the requirements referred to in this</p>
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				<p><i>consultation with the Commission and stakeholders, revise and update its policy on non-cooperative jurisdictions at the latest following the adoption of the Union list of non-cooperative jurisdictions. Every year thereafter, the Commission shall submit a report to the European Parliament and to the Council on the implementation of that policy.</i></p>	<p>Article into the relevant agreements and shall request the financial intermediaries to report on their observance.</p> <p>The EIB shall review its policy on non-cooperative jurisdictions at the latest following the adoption of the Union list of non-cooperative jurisdictions for tax purposes.”</p> <p>Linked to line 52</p>
93.		<p>[ORIGINAL 2014 DECISION TEXT]</p> <p>Sole paragraph:</p> <p>The Commission and the EIB shall sign a guarantee agreement laying down the detailed provisions and procedures relating to the EU guarantee as set out in Article 8, and shall inform the European Parliament and the Council accordingly.</p>		<p><i>(5 f) in Article 14, paragraph 1 is replaced by the following:</i></p> <p>"The Commission and the EIB shall sign a guarantee agreement laying down the detailed provisions and procedures relating to the EU guarantee as set out in Article 8, which they shall communicate to the European Parliament and the Council"</p>	<p>[EP proposal on confidentiality: lines 28, 73, 89, 91, 93]</p> <p><i>(5 f) in Article 14, paragraph 1 is replaced by the following:</i></p> <p>"The Commission and the EIB shall sign a guarantee agreement laying down the detailed provisions and procedures relating to the EU guarantee as set out in Article 8, which shall be communicated to the European Parliament and the Council subject where appropriate, to the respective internal rules governing the treatment of confidential information."</p>
94.				<p><i>(5 g) in Article 18 the following</i></p>	<p>FOR POLITICAL TRILOGUE</p>

				<i>paragraph is inserted:</i> <i>"2a. The delegation of power referred to in Article 5 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force of this amending Decision]."</i>	7/6
95.		[ORIGINAL 2014 DECISION TEXT] Article 18, paragraph 3: "3. The delegation of power referred to in Article 4 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force."		<i>(5 h) in Article 18, paragraph 3 is replaced by the following:</i> "3. The delegation of power referred to in <i>Articles 4 and 5</i> may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force."	FOR POLITICAL TRILOGUE 7/6
96.		[ORIGINAL 2014 DECISION TEXT] Article 18, paragraph 5: 5. A delegated act adopted pursuant to Articles 4 shall enter into force only if no objection has been expressed either by the European Parliament or by the		<i>(5 i) in Article 18, paragraph 5 is replaced by the following:</i> "5. A delegated act adopted pursuant to <i>Articles 4 and 5</i> shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period	FOR POLITICAL TRILOGUE 7/6

		Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.		of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council."	
97.	Art. 1 point 6	(6) Article 20 is replaced by the following:	(6) Article 20 is replaced by the following:	(6) Article 20 is replaced by the following:	No change.
98.			<p>‘Article 20</p> <p>Reporting</p> <p>By 30 June 2018, the Commission shall submit to the European Parliament and the Council a report evaluating the application of this Decision that shall provide input for a possible new decision on the External Lending Mandate covered by the EU guarantee.</p>		<p>‘Article 20</p> <p>Reporting</p> <p>By 30 June 2019, the Commission shall submit to the European Parliament and the Council a report evaluating the application of this Decision that shall provide input for a possible new decision on the External Lending Mandate covered by the EU guarantee.</p>
99.		‘By 31 December 2021, the Commission shall present to the European Parliament and to the	‘By 31 December 2021, the Commission shall present to the European Parliament and to the	‘By 31 December 2021, the Commission shall present to the European Parliament and to the	‘By 31 December 2021, the Commission shall present to the European Parliament and to the

		Council a final evaluation report on the application of this Decision.’	Council a final evaluation report on the application of this Decision.’	Council a final evaluation report on the application of this Decision.’	Council a final evaluation report on the application of this Decision.’
100.	Art. 1 point 6a		(6a) the following Article is inserted:		(6a) the following Article is inserted:
101.			<p>'Article 20a</p> <p>Transitional provision</p> <p>Projects financed by the EIB for the private sector lending mandate before [date of the entry into force of this amending Decision] and the conclusion of an EU Guarantee Agreement between the Commission and the EIB may be included within the EU guarantee coverage, subject to confirmation by the Commission of the respect of the terms to be agreed in the EU Guarantee Agreement.'</p>	<p><i>Article 1 a</i></p> <p><i>Transitional provision</i></p> <p><i>The EIB may finance projects for the private sector lending mandate before the entry into force of this Decision and the conclusion of a guarantee agreement between the Commission and the EIB. Such projects may be included within the EU guarantee coverage, subject to confirmation by the Commission of the respect of the terms to be agreed in the guarantee agreement.</i></p>	<p>'Article 20a</p> <p>Transitional provision</p> <p>The EIB may finance projects for the private sector lending mandate <u>that were approved after 12 October 2016 and before</u> the entry into force of [Decision of the EP and of the Council n°.../2017/EU amending Decision n°466/2014/EU granting an EU guarantee to the EIB] and the conclusion of a guarantee agreement between the Commission and the EIB. Such projects may be included within the EU guarantee coverage, subject to confirmation by the Commission of the respect of the terms to be agreed in the guarantee agreement.</p> <p>See line 29b</p>

102.	Art. 1 point 7	(7) Annexes I, II and III are replaced by the text in the Annexes I, II and III to this Decision	(7) Annexes I, II and III are replaced by the texts in the Annexes (...) to this Decision	(7) Annexes I, II and III are replaced by the text in the Annexes I, II and III to this Decision	(7) Annexes I, II and III are replaced by the texts in the Annexes (...) to this Decision
103.	Art. 1 point 7a		(7a) In the first paragraph of Annex IV, the words "candidates and potential candidates" are replaced by "Pre-accession countries and beneficiaries."		(7a) In the first paragraph of Annex IV, the words "candidates and potential candidates" are replaced by "Pre-accession countries and beneficiaries."
104.	Art. 2	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	No change.
105.		<i>This Decision shall enter into force on the twentieth following that of its publication in the Official Journal of the European Union.</i>	<i>This Decision shall enter into force on the twentieth following that of its publication in the Official Journal of the European Union.</i>	<i>This Decision shall enter into force on the twentieth following that of its publication in the Official Journal of the European Union.</i>	No change.
106.		Done at Brussels,	Done at Brussels,	Done at Brussels,	No change.
107.		<i>For the European Parliament</i>	For the European Parliament For the Council	<i>For the European Parliament</i>	No change.
108.		The President The President	The President The President	The President The President	No change.
109.					
110.	Annex I	"ANNEX I	"ANNEX I	"ANNEX I	No change.
111.					No change.

112.		REGIONAL CEILINGS	REGIONAL CEILINGS	REGIONAL CEILINGS	No change.
113.		A. Pre-accession countries: EUR 9 679 000 000 of which EUR 9 239 000 000 under the general mandate and EUR 440 000 000 under the private sector lending mandate.	A. Pre-accession countries and beneficiaries : EUR 9 679 000 000 of which EUR 9 239 000 000 under the general mandate and EUR 440 000 000 under the private sector lending mandate.	A. Pre-accession countries: EUR 9 679 000 000 of which EUR 9 239 000 000 under the general mandate and EUR 440 000 000 under the private sector lending mandate.	A. Pre-accession countries and beneficiaries : EUR 9 679 000 000 of which EUR 9 239 000 000 under the general mandate and EUR 440 000 000 under the private sector lending mandate.
114.		B. Neighbourhood and Partnership countries: EUR 18 374 000 000, broken down into the following sub-ceilings:	B. Neighbourhood and Partnership countries: EUR 18 752 616 000 , broken down into the following sub-ceilings:	B. Neighbourhood and Partnership countries: EUR 23 145 000 000 , broken down into the following sub-ceilings:	FOR POLITICAL TRILOGUE 7/6
115.		(i) Mediterranean countries: EUR 12 366 000 000 of which EUR 10 506 000 000 under the general mandate and EUR 1 860 000 000 under the private sector lending mandate;	(i) Mediterranean countries: EUR 12 416 000 000 of which EUR 10 556 000 000 under the general mandate and EUR 1 860 000 000 under the private sector lending mandate;	(i) Mediterranean countries: EUR 13 607 000 000 of which EUR 11 747 000 000 under the general mandate and EUR 1 860 000 000 under the private sector lending mandate;	FOR POLITICAL TRILOGUE 7/6
116.		(ii) Eastern Europe, Southern Caucasus and Russia: EUR 6 008 000 000;	(ii) Eastern Europe, Southern Caucasus and Russia: EUR 6 336 616 000 ;	(ii) Eastern Europe, Southern Caucasus and Russia: EUR 9 538 000 000 ;	FOR POLITICAL TRILOGUE 7/6
117.		C. Asia and Latin America: EUR 3 785 000 000, broken down into the following sub-ceilings:	C. Asia and Latin America: EUR 3 452 226 000 , broken down into the following sub-ceilings:	C. Asia and Latin America: EUR 5 130 000 000 , broken down into the following <i>indicative</i> sub-ceilings:	FOR POLITICAL TRILOGUE 7/6
118.		(i) Latin America: EUR 2 543 000 000;	(i) Latin America: EUR 2 313 870 000 ;	(i) Latin America: EUR 3 318 000 000 ;	FOR POLITICAL TRILOGUE 7/6
119.		(ii) Asia: EUR 1 040 000 000;	(ii) Asia: EUR 936 356 000 ;	(ii) Asia: EUR 1 510 000 000 ;	FOR POLITICAL TRILOGUE

					7/6
120.		(iii) Central Asia: EUR 202 000 000;	(iii) Central Asia: EUR 202 000 000;	(iii) Central Asia: EUR 302 000 000 ;	FOR POLITICAL TRILOGUE 7/6
121.		D. South Africa: EUR 462 000 000.	D. South Africa: EUR 416 158 000 .	D. South Africa: EUR 516 000 000 .	FOR POLITICAL TRILOGUE 7/6
122.		Within the overall fixed ceiling, the EIB governing bodies may decide, after consulting the Commission, to reallocate an amount of up to 20 % of the sub-regional ceilings within regions and up to 20% of the regional ceilings between regions. The total amount of EUR 2 300 000 000 earmarked under the private sector lending mandate in points A and B shall not be modified.	Within the overall fixed ceiling, the EIB governing bodies may decide, after consulting the Commission, to reallocate an amount of up to 20 % of the sub-regional ceilings within regions and up to 20% of the regional ceilings between regions. In the event that by 30 June 2018, the EIB governing bodies conclude that the EIB is not in the position to absorb its forecasted target under the Resilience Initiative, the total amount of EUR 1 400 000 000 earmarked from the general mandate dedicated to public sector projects and EUR 2 300 000 000 earmarked under the private sector lending mandate (...) may be reallocated up to 20 % within and/or between the regions A and B of this Annex. Any reallocation under the Resilience Initiative is subject to a prior agreement between the Commission and the EIB. "	Within the overall fixed ceiling, the EIB governing bodies may decide, after consulting the Commission, to reallocate an amount of up to 20 % of the sub-regional ceilings within regions and up to 20% of the regional ceilings between regions. The total amount of EUR 2 300 000 000 earmarked under the private sector lending mandate in points A and B shall not be modified. <i>EIB governing bodies shall in particular use such possibility of reallocation to allow for a continued focus of the EU guarantee on priority countries with a higher risk profile than those covered under EIB's Own Risk Facilities. The Commission shall keep the European Parliament and the Council regularly informed of such reallocations including in comparison with EIB's own risk lending allocation policy outside</i>	Within the overall ceiling, the EIB governing bodies may decide, after consulting the Commission, to reallocate an amount of up to 20 % of the sub-regional ceilings within regions and up to 20% of the regional ceilings between regions. In the event that by 30 June 2018, the EIB governing bodies conclude that the EIB is not in the position to absorb its forecasted target under the Resilience Initiative, the total amount of EUR 1 400 000 000 earmarked from the general mandate dedicated to public sector projects and EUR 2 300 000 000 earmarked under the private sector lending mandate (...) may be reallocated up to 20 % within and/or between the regions A and B of this Annex. Any reallocation under the Resilience Initiative is subject to a prior agreement between the Commission and the EIB. " EIB governing bodies shall in

				<i>the Union.</i>	particular use such possibility of reallocation to allow for a continued focus of the EU guarantee on projects with a higher risk profile in priority regions. The Commission shall keep the European Parliament and the Council regularly informed of such reallocations. See lines 30 and 31
123.					No change.
124.	Annex II	"ANNEX II	"ANNEX II	"ANNEX II	No change.
125.		POTENTIALLY ELIGIBLE REGIONS AND COUNTRIES	POTENTIALLY ELIGIBLE REGIONS AND COUNTRIES	POTENTIALLY ELIGIBLE REGIONS AND COUNTRIES	No change.
126.		A. Pre-accession countries	A. Pre-accession countries and beneficiaries	A. Pre-accession countries	A. Pre-accession countries and beneficiaries
127.		<i>1. Candidates</i>	<i>(...)</i>	<i>1. Candidates</i>	<i>(...)</i>
128.		Albania, former Yugoslav Republic of Macedonia, Montenegro, Serbia, Turkey	<i>Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo* Montenegro, Serbia, Turkey¹¹</i>	Albania, former Yugoslav Republic of Macedonia, Montenegro, Serbia, Turkey	<i>Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo* Montenegro, Serbia, Turkey¹²</i>
129.		2. Potential candidates	<i>(...)</i>	2. Potential candidates	<i>(...)</i>

¹¹ The EIB Resilience Initiative does not include Turkey because that is covered by a separate EU-Turkey agreement.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/(1999) and the ICJ Opinion on the Kosovo declaration of independence.

¹² The EIB Resilience Initiative does not include Turkey because that is covered by a separate EU-Turkey agreement.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/(1999) and the ICJ Opinion on the Kosovo declaration of independence.

130.		Bosnia and Herzegovina, Kosovo	(...)	Bosnia and Herzegovina, Kosovo	(...)
131.		B. Neighbourhood and Partnership countries	B. Neighbourhood and Partnership countries	B. Neighbourhood and Partnership countries	No change.
132.		1. Mediterranean countries	1. Mediterranean countries	1. Mediterranean countries	No change.
133.		Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, Tunisia	Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, Tunisia	Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, Tunisia	No change.
134.		2. Eastern Europe, Southern Caucasus and Russia	2. Eastern Europe, Southern Caucasus and Russia	2. Eastern Europe, Southern Caucasus and Russia	No change.
135.		Eastern Europe: Belarus, Republic of Moldova, Ukraine	Eastern Europe: Belarus, Republic of Moldova, Ukraine	Eastern Europe: Belarus, Republic of Moldova, Ukraine	No change.
136.		Southern Caucasus: Armenia, Azerbaijan, Georgia	Southern Caucasus: Armenia, Azerbaijan, Georgia	Southern Caucasus: Armenia, Azerbaijan, Georgia	No change.
137.		Russia	Russia	Russia	No change.
138.		C. Asia and Latin America	C. Asia and Latin America	C. Asia and Latin America	No change.
139.		1. Latin America	1. Latin America	1. Latin America	No change.
140.		Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	No change.
141.		2. Asia	2. Asia	2. Asia	No change.

142.		Afghanistan, Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iran, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, Taiwan, Thailand, Vietnam, Yemen	Afghanistan, Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iran, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, (...), Thailand, Vietnam, Yemen	Afghanistan, Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iran, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, Taiwan, Thailand, Vietnam, Yemen	Agreed on 27 April Afghanistan, Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iran, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, (...), Thailand, Vietnam, Yemen
143.		3. Central Asia	3. Central Asia	3. Central Asia	No change.
144.		Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	No change.
145.		D. South Africa	D. South Africa	D. South Africa	No change.
146.		South Africa	South Africa	South Africa	No change.
147.					No change.
148.	Anne x III	<i>"ANNEX III</i>	<i>"ANNEX III</i>	<i>"ANNEX III</i>	No change,
149.		ELIGIBLE REGIONS AND COUNTRIES	ELIGIBLE REGIONS AND COUNTRIES	ELIGIBLE REGIONS AND COUNTRIES	No change.
150.		A. Pre-accession countries	A. Pre-accession countries and beneficiaries	A. Pre-accession countries	A. Pre-accession countries and beneficiaries
151.		1. Candidates	(...)	1. Candidates	(...)
152.		Albania, former Yugoslav Republic of Macedonia, Montenegro, Serbia, Turkey	Albania, Bosnia and Herzegovina , former Yugoslav Republic of Macedonia, Kosovo* ,	Albania, former Yugoslav Republic of Macedonia, Montenegro, Serbia, Turkey	Albania, Bosnia and Herzegovina , former Yugoslav Republic of Macedonia, Kosovo* ,

			Montenegro, Serbia, Turkey ¹³		Montenegro, Serbia, Turkey ¹⁴
153.		2. Potential candidates	(...)	2. Potential candidates	(...)
154.		Bosnia and Herzegovina, Kosovo	(...)	Bosnia and Herzegovina, Kosovo	(...)
155.		B. Neighbourhood and Partnership countries	B. Neighbourhood and Partnership countries	B. Neighbourhood and Partnership countries	No change.
156.		1. Mediterranean countries	1. Mediterranean countries	1. Mediterranean countries	No change.
157.		Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia	Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia	Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia	No change.
158.		2. Eastern Europe, Southern Caucasus and Russia	2. Eastern Europe, Southern Caucasus and Russia	2. Eastern Europe, Southern Caucasus and Russia	No change.
159.		Eastern Europe: Belarus, Republic of Moldova, Ukraine	Eastern Europe: Belarus, Republic of Moldova, Ukraine	Eastern Europe: Belarus, Republic of Moldova, Ukraine	No change.
160.		Southern Caucasus: Armenia, Azerbaijan, Georgia	Southern Caucasus: Armenia, Azerbaijan, Georgia	Southern Caucasus: Armenia, Azerbaijan, Georgia	No change.
161.		Russia	Russia	Russia	No change.
162.					
163.		C. Asia and Latin America	C. Asia and Latin America	C. Asia and Latin America	No change.
164.		1. Latin America	1. Latin America	1. Latin America	No change.
165.		Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala,	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala,	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala,	No change.

¹³ The EIB Resilience Initiative does not include Turkey because that is covered by a separate EU-Turkey agreement.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/(1999) and the ICJ Opinion of 22 July 2010 on the Kosovo's declaration of independence.

¹⁴ The EIB Resilience Initiative does not include Turkey because that is covered by a separate EU-Turkey agreement.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/(1999) and the ICJ Opinion of 22 July 2010 on the Kosovo's declaration of independence.

		Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela	
166.		2. Asia	2. Asia	2. Asia	No change.
167.		Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam, Yemen	Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam, Yemen	Bangladesh, Bhutan, Cambodia, China, India, Indonesia, Iraq, Laos, Malaysia, Maldives, Mongolia, Myanmar/Burma, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam, Yemen	No change.
168.		3. Central Asia	3. Central Asia	3. Central Asia	No change.
169.		Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan	No change.
170.		D. South Africa	D. South Africa	D. South Africa	No change.
171.		South Africa	South Africa	South Africa	No change.

WORKING DOCUMENT FOR TRILOGUE VI (7 June 2017)

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC, Euratom) No 480/2009 establishing a Guarantee Fund for external actions

		Commission proposal COM (2016) 582	Council GA 13928/1/16	Parliament report of 30.3.2017 A8-0132/2017	Text after technical meeting of 22 May 2017¹
1.		Proposal for a	Proposal for a	Proposal for a	No change.
2.		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	No change.
3.	Title	amending Regulation (EC, Euratom) No 480/2009 establishing a Guarantee Fund for external actions	amending Regulation (EC, Euratom) No 480/2009 establishing a Guarantee Fund for external actions	amending Regulation (EC, Euratom) No 480/2009 establishing a Guarantee Fund for external actions	No change.
4.		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,	No change.
5.	Cit. 1	Having regard to the Treaty on the Functioning of the European	Having regard to the Treaty on the Functioning of the European	Having regard to the Treaty on the Functioning of the European	No change.

¹ Normal characters : text acceptable subject to overall agreement (nothing is agreed until everything is agreed). Other formatting: compromise proposal to be discussed.

		Union, and in particular Articles 209 and 212 thereof,	Union, and in particular Articles 209 and 212 thereof,	Union, and in particular Articles 209 and 212 thereof,	
6.	Cit. 2	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,	No change.
7.	Cit. 3	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,	No change.
8.		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	No change.
9.		Whereas:	Whereas:	Whereas:	No change.
10.	Rec. 1	(1) The Guarantee Fund for external actions is regulated by Council Regulation (EC, Euratom) No 480/2009 ² .	(1) The Guarantee Fund for external actions is regulated by Council Regulation (EC, Euratom) No 480/2009 ³ .	(1) The Guarantee Fund for external actions is regulated by Council Regulation (EC, Euratom) No 480/2009 ⁴ .	No change.
11.	Rec. 2	(2) The Guarantee Fund is endowed by one annual payment from the general budget of the Union, by interest on Guarantee Fund resources invested and by amounts recovered from defaulting debtors.	(2) The Guarantee Fund is endowed by one annual payment from the general budget of the Union, by interest on Guarantee Fund resources invested and by amounts recovered from defaulting debtors.	(2) The Guarantee Fund is endowed by one annual payment from the general budget of the Union, by interest on Guarantee Fund resources invested and by amounts recovered from defaulting debtors. <i>The annual payment should not be to the detriment of existing activities under heading 4.</i>	FOR POLITICAL TRILOGUE 30/5

² 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).

³ 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).

⁴ 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).

12.	Rec. 3	(3) Risk premium revenues generated under the financing operations of the European Investment Bank (EIB) that benefit from a Union budgetary guarantee should be paid to the Guarantee Fund.	(3) Risk premium revenues generated under the financing operations of the European Investment Bank (EIB) that benefit from a Union budgetary guarantee should be paid to the Guarantee Fund.	(3) Risk premium revenues generated under the financing operations of the European Investment Bank (EIB) that benefit from a Union budgetary guarantee should be paid to the Guarantee Fund.	No change.
13.	Rec. 4	(4) The amount of the Guarantee Fund in surplus exceeding 10% of the Union's total outstanding capital liabilities should be paid back to the general budget of the Union in order to better protect the budget against potential additional risk of default of the EIB financing operations addressing root causes of migration.	(4) The amount of the Guarantee Fund in surplus exceeding 10% of the Union's total outstanding capital liabilities should be paid back to the general budget of the Union in order to better protect the budget against potential additional risk of default of the EIB financing operations addressing root causes of migration.	(4) The amount of the Guarantee Fund in surplus exceeding 10% of the Union's total outstanding capital liabilities should be paid back to the general budget of the Union in order to better protect the budget against potential additional risk of default of the EIB financing operations addressing <i>the migratory pressures stemming from poverty, inequality, demographic growth, lack of employment and economic opportunities, climate change and the long term consequences of forced displacement.</i>	<p>AGREED AT TECHNICAL LEVEL</p> <p>(4) The amount of the Guarantee Fund in surplus exceeding 10% of the Union's total outstanding capital liabilities should be paid back to the general budget of the Union in order to better protect the budget against potential additional risk of default of the EIB financing operations addressing <i>the long-term economic resilience of refugees, migrants, host and transit communities and communities of origin as a strategic response to addressing root causes of migration;</i></p>
14.	Rec. 5	(5) The financial management of the Guarantee Fund should be transferred from the EIB to the Commission, which has an established practice of managing similar investments. By taking over the asset management of the Guarantee	(5) The financial management of the Guarantee Fund should be transferred from the EIB to the Commission, which has an established practice of managing similar investments. By taking over the asset management of the Guarantee	(5) The financial management of the Guarantee Fund should be transferred from the EIB to the Commission, which has an established practice of managing similar investments <i>and should be carried out under the highest standards of</i>	FOR POLITICAL TRILOGUE 30/5

		Fund, the Commission should be able to streamline and consolidate its asset management activities, building on existing structures and a good track record.	Fund, the Commission should be able to streamline and consolidate its asset management activities, building on existing structures and a good track record.	<i>transparency and democratic accountability.</i> By taking over the asset management of the Guarantee Fund, the Commission should be able to <i>further</i> streamline and consolidate its asset management activities, building on existing structures and <i>further strengthening its</i> track record. <i>The transfer of management should lead to cost savings for the general budget of the Union and should enable the Commission to provide to the European Parliament better and more accurate information about the management and situation of the Guarantee Fund.</i>	
15.	Rec. 6	(6) Regulation (EC, Euratom) No 480/2009 should therefore be amended accordingly,	(6) Regulation (EC, Euratom) No 480/2009 should therefore be amended accordingly,	(6) Regulation (EC, Euratom) No 480/2009 should therefore be amended accordingly,	No change.
16.		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	No change.
17.	Art. 1	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	No change.
18.		Regulation (EC, Euratom) No 480/2009 is amended as follows:	Regulation (EC, Euratom) No 480/2009 is amended as follows:	Regulation (EC, Euratom) No 480/2009 is amended as follows:	No change.
19.	Art. 1 point 1	(1) in Article 2, the following fourth indent is added:	(1) in Article 2, the following (...) indent is added:	(1) in Article 2, the following fourth indent is added:	AGREED AT TECHNICAL LEVEL (1) in Article 2, the following

					(...) indent is added:
20.		‘— risk premium revenues generated under the financing operations of the EIB for which the Union provides a guarantee.’;	‘— risk premium revenues generated under the financing operations of the EIB for which the Union provides a guarantee which is remunerated. ’;	‘— risk premium revenues generated under the financing operations of the EIB for which the Union provides a guarantee.’;	AGREED AT TECHNICAL LEVEL ‘— risk premium revenues generated under the financing operations of the EIB for which the Union provides a guarantee which is remunerated. ’;
21.	Art. 1 point 2	(2) in Article 3, the third paragraph is replaced by the following:	(2) in Article 3, the third paragraph is replaced by the following:	(2) in Article 3, the third paragraph is replaced by the following:	No change.
22.		‘If the amount of the Guarantee Fund exceeds 10% of the Union's total outstanding capital liabilities, the surplus shall be paid back to the general budget of the European Union. That surplus shall be paid in one transaction to a special heading in the statement of revenue in the general budget of the European Union of the year n + 1 on the basis of the year-end n-1	‘If the amount of the Guarantee Fund exceeds 10% of the Union's total outstanding capital liabilities, the surplus shall be paid back to the general budget of the European Union. That surplus shall be paid in one transaction to a special heading in the statement of revenue in the general budget of the European Union of the year n + 1 on the basis of the year-end n-1	‘If the amount of the Guarantee Fund exceeds 10% of the Union's total outstanding capital liabilities, the surplus shall be paid back to the general budget of the European Union. That surplus shall be paid in one transaction to a special heading in the statement of revenue in the general budget of the European Union of the year n + 1 on the basis of the year-end n-1	FOR POLITICAL TRILOGUE 30/5

		difference between 10% of the total outstanding capital liabilities amount and the value of the Fund's net assets, calculated at the beginning of the year n.';	difference between 10% of the total outstanding capital liabilities amount and the value of the Fund's net assets, calculated at the beginning of the year n.';	difference between 10% of the total outstanding capital liabilities amount and the value of the Fund's net assets, calculated at the beginning of the year n.';	
23.	Art. 1 point 3	(3) Article 7 is replaced by the following:	(3) Article 7 is replaced by the following:	(3) Article 7 is replaced by the following:	FOR POLITICAL TRILOGUE 30/5
24.		'Article 7	'Article 7	'Article 7	FOR POLITICAL TRILOGUE 30/5
25.		The Commission shall ensure the financial management of the Fund. The Commission shall manage and invest the resources of the Guarantee Fund in accordance with the principle of sound financial management and shall follow appropriate prudential rules.';	The Commission shall ensure the financial management of the Fund. The Commission shall manage and invest the resources of the Guarantee Fund in accordance with the principle of sound financial management and shall follow appropriate prudential rules.';	The Commission shall ensure the financial management of the Fund <i>in accordance with this Regulation and with the internal rules and procedures of the Fund. In addition,</i> the Commission shall manage and invest the resources of the Guarantee Fund in accordance with the principle of sound financial management and shall follow appropriate prudential rules, <i>while taking into account the principles guiding the Union's external action. The</i>	FOR POLITICAL TRILOGUE 30/5

				<i>Commission shall explain to the European Parliament how the management of the Fund is integrated into its broader development strategy.</i>	
26.	Art. 1 point 4	(4) Article 8 is replaced by the following:	(4) Article 8 is replaced by the following:	(4) Article 8 is replaced by the following:	No change.
27.		<i>'Article 8</i>	<i>'Article 8</i>	<i>'Article 8</i>	No change.
28.		By 31 March of each year, the Commission shall submit to the European Parliament, to the Council and to the Court of Auditors, in the context of the financial statements of the Commission, the required information on the situation of the Guarantee Fund.	By 31 March of each year, the Commission shall submit to the European Parliament, to the Council and to the Court of Auditors, in the context of the financial statements of the Commission, the required information on the situation of the Guarantee Fund.	By 31 March of each year, the Commission shall submit to the European Parliament, to the Council and to the Court of Auditors, in the context of the financial statements of the Commission, <i>all</i> required information on the situation of the Guarantee Fund.	FOR POLITICAL TRILOGUE 30/5
29.		In addition, it shall, by 31 May of each year, submit to the European Parliament, to the Council and to the Court of Auditors an annual report on the management of the Guarantee	In addition, it ' The Commission shall, by 31 May of each year, submit to the European Parliament, to the Council and to the Court of Auditors an annual report on the management of the Guarantee	In addition, it shall, by 31 May of each year, submit to the European Parliament, to the Council and to the Court of Auditors an annual report on the management of the Guarantee	FOR POLITICAL TRILOGUE 30/5 In addition, it ' The Commission shall, by 31 May of each year, submit to the European Parliament, to

	<p>Fund in the previous calendar year. The annual report shall contain the presentation of the financial position of the Guarantee Fund at the end of the previous calendar year, the financial flows during the previous calendar year as well as the significant transactions and any relevant information on the financial accounts. The report shall also include information about the financial management and performance and the risk of the Guarantee Fund at the end of the previous calendar year.’</p>	<p>Fund in the previous calendar year. The annual report shall contain the presentation of the financial position of the Guarantee Fund at the end of the previous calendar year, the financial flows during the previous calendar year as well as the significant transactions and any relevant information on the financial accounts during the previous calendar year. As of 2018 the annual report shall also include information about the financial management and performance, and the risk of the Guarantee Fund and an assessment on the adequacy of the 9% target and of the 10% threshold for the Fund, referered to in second and third paragraph of Article 3 respectively.²</p>	<p>Fund in the previous calendar year and an assessment of the adequacy of the 9 % target amount and of the 10 % threshold referred to in Article 3, and of the asset management of the Guarantee Fund by the Commission. That annual report shall contain the presentation of the financial position and functioning of the Guarantee Fund at the end of the previous calendar year, the financial flows during the previous calendar year as well as the significant transactions and any relevant information on the financial accounts, <i>such as detailed information on the outstanding capital of guaranteed loans or the Guarantee Fund's assets in difficult market environments, as well as conclusions and lessons learned.</i> The report shall</p>	<p>the Council and to the Court of Auditors an annual report on the management of the Guarantee Fund in the previous calendar year. The annual report shall contain the presentation of the financial position and functioning of the Guarantee Fund at the end of the previous calendar year, the financial flows during the previous calendar year as well as the significant transactions and any relevant information on the financial accounts, such as detailed information on the outstanding capital of guaranteed loans or the Guarantee Fund's assets in difficult market environments, during the previous calendar year, <i>as well as conclusions and lessons learned.</i> As of 2018 the annual report shall also include information about the financial</p>
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				also include information about the financial management and performance and the risk of the Guarantee Fund at the end of the previous calendar year.’	management and performance, and the risk of the Guarantee Fund and an assessment on the adequacy of the 9% target and of the 10% threshold for the Fund, referred to in second and third paragraph of Article 3 respectively. ²
30.			In addition, by 30 June 2018, the Commission shall submit to the European Parliament and to the Council a report evaluating the possibility of transferring the asset management of the Guarantee Fund from the EIB to the Commission. Where appropriate, the report shall be accompanied by a legislative proposal for the transferal of the asset management of the Guarantee Fund.’		FOR POLITICAL TRILOGUE 30/5
31.	Art. 2	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	No change.
32.		This Regulation shall enter into force on the twentieth day	This Regulation shall enter into force on the twentieth day	This Regulation shall enter into force on the twentieth day	No change.

		following that of its publication in the <i>Official Journal of the European Union</i> .	following that of its publication in the <i>Official Journal of the European Union</i> .	following that of its publication in the <i>Official Journal of the European Union</i> .	
33.		This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	No change.
34.		Done at Brussels,	Done at Brussels,	Done at Brussels,	No change.
35.		<i>For the European Parliament For the Council</i>	<i>For the European Parliament For the Council</i>	<i>For the European Parliament For the Council</i>	No change.
36.		<i>The President The President</i>	<i>The President The President</i>	<i>The President The President</i>	No change.