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WORKING PAPER

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WORKING DOCUMENT

From:	Presidency
To:	JHA Counsellors on Financial Instruments
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing the Internal Security Fund

With reference to CM 3779/20 REV 1, delegations will find attached the document prepared by the Presidency and are requested to examine and send written comments on.

Proposal for a Regulation of the European Parliament and of the Council establishing the Internal Security Fund

As part of the ongoing inter-institutional negotiations, the Presidency would like feedback on all the lines in the table below.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
88.	(g) 'exchange of and access to information' means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime;	(g) 'exchange of and access to information' means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol, <i>Eurojust and the European Public Prosecutor's Office</i> in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular <i>terrorism and cybercrime, as well as</i> cross-border <i>serious and</i> organised crime, <i>processed in compliance with applicable Union data protection rules</i> ; [AM39]	(g) 'exchange of and access to information' means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 <i>of the Treaty on the Functioning of the European Union</i> (TFEU) as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime <i>and terrorism</i> ;	Council: T, maybe P EP: T COM drafting proposal 02.09.20: g) 'exchange of and access to information' means the secure collection, storage, processing, analysis, <i>access to</i> and exchange <i>transfer</i> of information relevant to the authorities referred to in Article 87 <i>of the Treaty of the Functioning of the European Union</i> (TFEU) as well as to Europol <i>and other relevant Union agencies</i> in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border, <i>serious and</i> organised crime <i>and terrorism</i> ; EP can accept COM drafting

99.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, <i>inter alia through increased cooperation</i> , in particular by tackling <i>preventing and combating</i> terrorism and <i>violent extremism, including</i> radicalisation, serious and organised crime, and <i>as well as</i> and by assisting and protecting victims of crime. <i>The Fund shall also support preparedness for and management of security-related incidents.</i> [AM43]	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union in particular by <i>preventing and</i> tackling terrorism and radicalisation, serious and organised crime and cybercrime, <i>by managing effectively security-related risks and crises</i> , and by assisting and protecting victims of crime.	T → P COM compromise drafting 02.09.20: The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by <i>preventing and combating and tackling</i> terrorism and radicalisation, serious and organised crime, and cybercrime, and by assisting and protecting victims of crime as well as by preparing for, protecting against and effectively managing security related incidents, risks and crises within the scope of this Regulation. EP can accept COM drafting
102.	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to serious and organised crime with a cross-border dimension; and	(b) to <i>improve and</i> intensify cross-border <i>coordination and cooperation, including relevant</i> joint operations among and within the Union <i>Member States'</i> law enforcement and other competent authorities in relation to <i>terrorism, and</i> serious and organised crime with a cross-border dimension; and [AM45]	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to <i>all forms of crime, in particular to terrorism and</i> serious and organised crime with a cross-border dimension; and	T → P COM compromise drafting 02.09.20: (b) to improve and intensify cross-border cooperation, including joint operations among and within Member States' the Union law enforcement and other competent authorities in relation to <i>all forms of crime, in particular to</i> terrorism and serious and organised crime with a cross-border

				dimension; and EP can accept COM drafting (to be adjusted following agreement on definition of “competent authorities”)
103.	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States.	(c) to support effort at the <i>necessary</i> strengthening <i>of the Member States</i> in relation to combatting and preventing crime, including terrorism, <i>cybercrime and violent extremism, including radicalisation</i> , in particular through increased cooperation between public authorities, <i>the relevant Union agencies</i> , civil society and private partners <i>actors</i> , <i>within and across the Member States, and civilian crisis management following a security-related incident</i> ; [AM46]	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including and terrorism <i>including in particular</i> through increased cooperation between public authorities, <i>and all the relevant actors</i> including civil society and private partners across the Member States.	T → P COM compromise drafting 02.09.20: (c) to support the necessary effort at strengthening <i>of the Member States’</i> capabilities of in relation to preventing and combating crime, including terrorism, and radicalisation <i>as well as managing security-related incidents, risks and crises, including in particular</i> through increased cooperation between public authorities, the relevant Union agencies, actors <i>including</i> civil society and private partners across the Member States. EP can accept COM drafting