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General Secretariat

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LIMITE

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INFORMATION

From:	Presidency
To:	Working Party of Foreign Relations Counsellors
Subject:	CBSD amendment to IcSP - after technical meeting on 13 October 2017

Further to the discussion in RELEX on 12 October, please find enclosed the 4-column table after technical meeting on 13 October 2017.



European Parliament

2014-2019



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Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11
March 2014 establishing an instrument contributing to stability and peace

– COMPARATIVE TABLE –

Interinstitutional File:
2016/0207 (COD)

NO	Commission proposal COM(2016)0447 final/2	Council mandate WK 827/2016 REV 9	EP mandate A8-0261/2017	Outcomes of trilogues
	Title			
1.	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace
	Citations			
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209(1) and 212(2) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments, Acting in accordance with the ordinary legislative procedure, Whereas:	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209(1) and 212(2) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments, Acting in accordance with the ordinary legislative procedure, Whereas:	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209(1) and 212(2) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments, Acting in accordance with the ordinary legislative procedure, Whereas:	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209(1) and 212(2) thereof, Having regard to the proposal from the European Commission, After transmission of the draft legislative act to the national parliaments, Acting in accordance with the ordinary legislative procedure,

NO	Commission proposal COM(2016)0447 final/2	Council mandate WK 827/2016 REV 9	EP mandate A8-0261/2017	Outcomes of trilogues
				Whereas:
	Recitals			
3.	<p>(1) The 2005 European Consensus on Development recognised the link between security and development.¹⁶</p> <p>¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006</p>	<p>(1) The 2005 European Consensus on Development recognised the link between security and development.¹</p> <p>¹ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006</p>	<p>(1) The 2005 European Consensus on Development recognised the link between security and development.¹⁶</p> <p>¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006</p>	<p>(1) The 2005 European Consensus on Development recognised the link between security and development.¹</p> <p>¹ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006</p>
4.	<p>(2) The United Nations’ 2030 Agenda for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16.a specifically requests to “strengthen relevant national institutions, including through international cooperation, for building</p>	<p>(2) The [...] 2030 Agenda for Sustainable Development, adopted by Resolution of the United Nations General Assembly on 25 September 2015², underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy</p>	<p>(2) The United Nations’ 2030 Agenda for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16.a specifically requests to “strengthen relevant national institutions, including</p>	<p>(2) The [...] 2030 Agenda for Sustainable Development, adopted by Resolution of the United Nations General Assembly on 25 September 2015², underlines the importance of promoting peaceful and inclusive societies both as</p>

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	<p>capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.¹⁷</p> <hr/> <p>¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015</p>	<p>outcomes. SDG 16.a specifically requests to “Strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.</p> <hr/> <p>² A/RES/70/1.</p>	<p>through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.¹⁷</p> <hr/> <p>¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015</p>	<p>a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16.a specifically requests to “Strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.</p> <hr/> <p>¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015.</p>
5.		<i>(2a) The primary objective of Union development policy is the reduction and, in the long term, the eradication of poverty.</i>		<i>(2a) The primary objective of Union development policy is the reduction and, in the long term, the eradication of poverty.</i>
6.		<i>(2b) The OECD Development Assistance Committee (DAC) High</i>		<i>(2b) The OECD Development Assistance</i>

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		<p><i>Level Meeting Communiqué of 19 February 2016, updated the reporting directives on Official Development Assistance (ODA) in the field of peace and security³. The financing of the actions undertaken in accordance with Article 3a of this Regulation constitutes Official Development Assistance (ODA) when it fulfils the criteria set out in these reporting directives or any reporting directives the OECD/DAC may agree upon subsequently.</i></p> <p>³ Document DCD/DAC(2016)3/FINAL of 8 April 2016.</p>		<p><i>Committee (DAC) High Level Meeting Communiqué of 19 February 2016, updated the reporting directives on Official Development Assistance (ODA) in the field of peace and security³. The financing of the actions undertaken in accordance with Article 3a of this Regulation constitutes Official Development Assistance (ODA) when it fulfils the criteria set out in these reporting directives or any reporting directives the OECD/DAC may agree upon subsequently.</i></p> <p>³ Document DCD/DAC(2016)3/FINAL of 8 April 2016.</p>
7.	(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and development. Those actions	(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty	(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and	(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a conflict prevention, crisis

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	are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.	eradication and development. [...] Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.	development. Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.	management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and development. [...] Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.
8.	(4) The European Council conclusions of 19/20 December 2013 emphasised the importance of supporting partner countries and regional organisations, through providing training, advice, equipment and resources where appropriate, so that they can increasingly prevent or manage crises by themselves.	(4) The European Council conclusions of 19/20 December 2013 on Common Security and Defence Policy (CSDP) emphasised the importance of supporting partner countries and regional organisations, through providing training, advice, equipment and resources where appropriate, so that they can increasingly prevent or manage crises by themselves.	(4) The European Council conclusions of 19/20 December 2013 emphasised the importance of supporting partner countries and regional organisations, through providing training, advice, equipment and resources where appropriate, so that they can increasingly prevent or manage crises by themselves.	(4) The European Council conclusions of 19/20 December 2013 on Common Security and Defence Policy (CSDP) emphasised the importance of supporting partner countries and regional organisations, through providing training, advice, equipment and resources where appropriate, so that

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				they can increasingly prevent or manage crises by themselves.
9.	<p>(5) In the Joint Communication entitled ‘Capacity building in support of security and development – Enabling partners to prevent and manage crisis’, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy reiterated the need for stable and secure societies in order to achieve development objectives.¹⁸</p> <p>¹⁸ JOIN(2015) 17 final of 28 April 2015</p>	<p>(5) In the Joint Communication entitled ‘Capacity building in support of security and development – Enabling partners to prevent and manage crisis’, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy reiterated the need for stable and secure societies in order to achieve development objectives.⁴</p> <p>⁴ JOIN(2015) 17 final of 28 April 2015</p>	<p>(5) In the Joint Communication entitled ‘Capacity building in support of security and development – Enabling partners to prevent and manage crisis’, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy reiterated the need for stable and secure societies in order to achieve development objectives.¹⁸</p> <p>¹⁸ JOIN(2015) 17 final of 28 April 2015</p>	<p>(5) In the Joint Communication entitled ‘Capacity building in support of security and development – Enabling partners to prevent and manage crisis’, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy reiterated the need for stable and secure societies in order to achieve development objectives.⁴</p> <p>⁴ JOIN(2015) 17 final of 28 April 2015</p>
10.	<p>(6) The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic</p>	<p>(6) <i>In line with the EU's Comprehensive Approach and in order to maximize the impact, efficiency and consistency of EU support, the Council conclusions on [...] CSDP of 18 May 2015 invited the High Representative for Foreign Affairs and Security Policy (HR) and the Commission to develop, in consultation with</i></p>	<p>(6) The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also</p>	<p>(6) <i>In line with the EU's Comprehensive Approach and in order to maximize the impact, efficiency and consistency of EU support, the Council conclusions on [...] CSDP of 18 May 2015 invited the High Representative for</i></p>

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	<p>framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as well as development cooperation instruments and freedom, security and justice actors.</p> <p>¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015</p>	<p><i>the Member States, an EU-wide strategic framework to support Security Sector Reform. This policy concept⁵ brings together CSDP and all other relevant [...] CFSP tools as well as development co-operation instruments, while respecting their respective legal bases, primary objectives and decision-making procedures.</i></p> <p>⁵ <i>Joint Communication to the European Parliament and the Council on Elements for an EU-wide strategic framework to support security sector reform (JOIN (2016) 31 final of 5 July 2016).</i></p>	<p>invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as well as development cooperation instruments and freedom, security and justice actors.</p> <p>¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015</p>	<p><i>Foreign Affairs and Security Policy (HR) and the Commission to develop, in consultation with the Member States, an EU-wide strategic framework to support Security Sector Reform. This policy concept⁵ brings together CSDP and all other relevant [...] CFSP tools as well as development co-operation instruments, while respecting their respective legal bases, primary objectives and decision-making procedures.</i></p> <p>⁵ <i>Joint Communication to the European Parliament and the Council on Elements for an EU-wide strategic framework to support security sector reform (JOIN (2016) 31 final of 5 July 2016).</i></p>
11.			<p>(6a) <i>The use of this instrument should be closely monitored and regular updates given to the European Parliament on activities that are</i></p>	<p><u>Commission proposal:</u></p> <p><i>The Commission is to closely monitor measures</i></p>

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			<p><i>financed under its provisions. It should be noted that the duration of this instrument is strictly limited to the end of the current Multiannual Financial Framework, whereupon the Commission should undertake a fully-fledged interdisciplinary evaluation of the actions funded in accordance with the provisions on CBSD established under this Regulation and of relevant instruments used by Member States to fund CBSD. That evaluation should assess the coherence of CBSD actions funded by the Union and its Member States with the EU Global Strategy and the UN Sustainable Development Goals. Any future instruments created to address the security-development nexus should be based on the conclusions of this evaluation, only be undertaken after a wide-ranging, multi-stakeholder public consultation and should facilitate civilian cooperation among the Union, local and regional public or intergovernmental structures as well as NGOs in order to provide support to third countries.</i></p>	<p><i>under this Regulation. The Commission is to keep the European Parliament duly informed, in a timely manner, about the implementation of Union assistance pursuant to this Regulation. No later than 30 June 2020, the Commission is to evaluate the impact, effectiveness and coherence with the Sustainable Development Goal 16 of measures pursuant to this Regulation. To that end, the Commission is to associate all relevant stakeholders, including civil society organisations and local authorities in the evaluation phase ensuring they play a meaningful role in the process. The Commission is to where appropriate, undertake joint evaluations with the Member States. The results are to inform programme design and resource allocation, and</i></p>

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				<i>to further enhance the consistency and complementarity of the Union's external action.</i>
12.		<i>(6a) Capacity building of military actors in third countries should be undertaken as part of the Union's development cooperation policy when it mainly pursues objectives in the field of development and as part of the Union's CFSP when it mainly pursues objectives in the field of peace and security, in compliance with Article 40 TEU. This Regulation respects the application of the procedures and the extent of the powers of the institutions under the Union's development cooperation policy and its CFSP.</i>		<i>(6a) Capacity building of military actors in third countries should be undertaken as part of the Union's development cooperation policy when it mainly pursues objectives in the field of development and as part of the Union's CFSP when it mainly pursues objectives in the field of peace and security, in compliance with Article 40 TEU. This Regulation respects the application of the procedures and the extent of the powers of the institutions under the Union's development cooperation policy and its CFSP.</i>
13.	(7) Regulation (EU) No 230/2014 should therefore be amended accordingly.	(7) Regulation (EU) No 230/2014 should therefore be amended accordingly.	(7) Regulation (EU) No 230/2014 should therefore be amended accordingly.	(7) Regulation (EU) No 230/2014 should therefore be amended accordingly.

NO	Commission proposal COM(2016)0447 final/2	Council mandate WK 827/2016 REV 9	EP mandate A8-0261/2017	Comments / Outcomes of trilogues
	Articles			
14.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	
15.	Regulation (EU) No 230/2014 is amended as follows:	Regulation (EU) No 230/2014 is amended as follows:	Regulation (EU) No 230/2014 is amended as follows:	Regulation (EU) No 230/2014 is amended as follows:
16.	(1) In Article 1(2) the following sub-paragraph is added:	(1) In Article 1(2) the following sub-paragraph is added:	(1) In Article 1(2) the following sub-paragraph is added:	(1) In Article 1(2) the following sub-paragraph is added:
17.	“Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with the overarching objective of achieving sustainable development.”	“Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a [...] in the context of a wider security sector reform process [...] or capacity building in support of development and security for development in third countries, in line with the overarching objective of achieving sustainable development.”	“Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with the overarching objective of achieving sustainable development.”	“Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a [...] in the context of a wider security sector reform process [...] or capacity building in support of development and security for development in third countries, in line with the overarching objective of achieving sustainable development.”
18.	(2) The following Article 3a is inserted:	(2) The following Article 3a is inserted:	(2) The following Article 3a is inserted:	(2) The following Article 3a is inserted:
19.	“Article 3a	“Article 3a	“Article 3a	“Article 3a

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20.	Capacity building in support of security and development	Capacity building <i>of military actors</i> in support of development <i>and security for development</i>	Capacity building in support of security and development	Capacity building <i>of military actors</i> in support of development <i>and security for development</i>
21.	1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of military actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article.	1. In order to contribute to sustainable development [...] which requires the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of military actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article, to deliver development activities and security for development activities.	1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of military actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article.	1. In order to contribute to sustainable development [...] which requires the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of military actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article, to deliver development activities and security for development activities.
22.	2. Assistance may cover in particular the provision of capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.	2. Assistance may cover in particular the provision of capacity building programmes, [...] including training, mentoring and [...] advice on, inter alia, human rights, governance and the rule of law, the protection of women and children, civilian crisis response, human resources management and technical co-operation, as well as the provision of equipment,	2. Assistance may cover in particular the provision of capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.	<u>EP suggestion:</u> <u>Assistance pursuant to this Article may cover in particular the provision of capacity building programmes in support of development and security for development, including training, mentoring and advice, as well as the</u>

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		infrastructure improvements and [...] <i>directly related</i> services, <i>in support of development and security for development</i> .		provision of equipment; infrastructure improvements and [...] services <i>directly related to that assistance</i> . EP suggestion to delete the list proposed by the Council: '... training, mentoring and advice on, <i>inter alia</i> for example, human rights, governance and the rule of law, the protection of women and children, civilian crisis response, human resources management and technical co-operation, ...'
23.	3. Assistance pursuant to this Article shall only be provided:	3. Assistance pursuant to this Article shall only be provided:	3. Assistance pursuant to this Article shall only be provided:	3. Assistance pursuant to this Article shall only be provided:
24.	(a) where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and the premise of the achievement of stable, peaceful and inclusive societies is denied by a serious threat to the existence of functioning State institutions, as well as to the protection of human rights and fundamental freedoms, or State institutions can no longer cope with this serious threat; and	(a) where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and [...] <i>there is a</i> threat to the existence of functioning State institutions, [...] <i>or a threat</i> to the protection of human rights and fundamental freedoms <i>and</i> State institutions [...] <i>cannot</i> cope with [...] <i>that</i> threat;	(a) where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and the premise of the achievement of stable, peaceful and inclusive societies is denied by a serious threat to the existence of functioning State institutions, as well as to the protection of human rights and fundamental freedoms, or State institutions can no longer cope with	(a) where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and [...] <i>there is a</i> threat to the existence of functioning State institutions, [...] <i>or a threat</i> to the protection of human rights and

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		and	this serious threat; and	fundamental freedoms <i>and</i> State institutions [...] <i>cannot</i> cope with [...] <i>that</i> threat; and
25.	(b) where a consensus exists between the country concerned and the international community and/or the European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.	(b) where a consensus exists between the country concerned and the [...] European Union that [...] military <i>actors</i> are key for [...] <i>preserving, establishing or re-establishing the conditions essential for sustainable</i> development, [...] <i>including</i> in crises and fragile <i>or destabilised</i> contexts and situations.	(b) where a consensus exists between the country concerned and the international community and/or the European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.	(b) where a consensus exists between the country concerned and the [...] European Union that [...] military <i>actors</i> are key for [...] <i>preserving, establishing or re-establishing the conditions essential for sustainable</i> development, [...] <i>including</i> in crises and fragile <i>or destabilised</i> contexts and situations.
26.	4. Union assistance shall not be used to finance:	4. Union assistance <i>under this instrument</i> shall not be used to finance <i>capacity building of military actors for purposes other than the delivery of development or security for development. In particular, it shall not be used to finance:</i>	4. Union assistance shall not be used to finance:	<u>EP suggestion:</u> <u>4. Union assistance pursuant to this Article shall not be used to finance capacity building of military actors for purposes other than the delivery of development activities and security for development activities (EP comment: as in line 21). In particular, it shall not be used to finance:</u>

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27.	(a) recurrent military expenditure;	(a) recurrent military expenditure;	(a) recurrent military expenditure;	(a) recurrent military expenditure;
28.	(b) the procurement of arms and ammunition;	(b) the procurement of arms and ammunition, <i>or any other equipment designed to deliver lethal force</i> ;	(b) the procurement of arms and ammunition;	<u>EP suggestion:</u> <u>Leave out Council amendment or clarify aim with examples to be provided by the Council.</u>
29.	(c) training which is solely designed to contribute to the fighting capacity of the armed forces.	(c) training which is [...] designed to contribute <i>specifically</i> to the fighting capacity of the armed forces.	(c) training which is solely designed to contribute to the fighting capacity of the armed forces.	<u>(c) training which is [...] designed to contribute specifically to the fighting capacity of the armed forces.</u> <u>On trilogue agenda as compromise wording to be agreed.</u>
30.	5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law principles.	5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law principles.	5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law principles.	5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law

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				principles.
31.	6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.”	6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.	6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.”	6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.
32.	(3) In Article 7, paragraph (1) is replaced by the following:	(3) In Article 7, paragraph (1) is replaced by the following:	(3) In Article 7, paragraph (1) is replaced by the following:	(3) In Article 7, paragraph (1) is replaced by the following:
33.	“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”	“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”	“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”	“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”
34.	(4) In Article 8, paragraph (1) is replaced by the following:	(4) In Article 8, paragraph (1) is replaced by the following:	(4) In Article 8, paragraph (1) is replaced by the following:	(4) In Article 8, paragraph (1) is replaced by the following:
35.	“1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a as appropriate. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.”	“1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a as appropriate. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.”	“1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a as appropriate. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.”	“1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a as appropriate. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions

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				concerned.”
36.	(5) In Article 10, paragraph (1) is replaced by the following:	(5) In Article 10, paragraph (1) is replaced by the following:	(5) In Article 10, paragraph (1) is replaced by the following:	(5) In Article 10, paragraph (1) is replaced by the following:
37.	“1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including international humanitarian law.”	“1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including <i>human rights law and</i> international humanitarian law.”	“1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including international humanitarian law.”	“1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including <i>human rights law and</i> international humanitarian law.”
38.	(6) In paragraph 1 of Article 13:	(6) In paragraph 1 of Article 13:	(6) In paragraph 1 of Article 13:	(6) In paragraph 1 of Article 13:
	The number ‘2 338 719 000’ is replaced by ‘2 438 719 000’.	The number ‘2 338 719 000’ is replaced by ‘2 438 719 000’.	The number ‘2 338 719 000’ is replaced by ‘2 438 719 000’.	The number ‘2 338 719 000’ is replaced by ‘2 438 719 000’.
			<i>Article 1 a new</i>	

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39.			<p><i>Assistance falling under Article 3a shall be financed through redeployment within Heading IV of the general budget of the Union of the 2014-2020 multiannual financial framework without mobilising additional resources. Such redeployment shall exclude use of appropriations allocated to measures under Regulation (EU) No 233/2014^{1a}.</i></p> <p>^{1a} <i>Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020.</i></p>	<p><u>EP suggestion:</u></p> <p><u>Joint Declaration of the EP, Council and Commission:</u> <u>The European Parliament, the Council and the Commission agree that capacity building in support of development and security for development should be financed through redeployments within Heading IV of the multiannual financial framework for the years 2014-2020. Furthermore, without prejudice to the prerogatives of the budgetary authority in the annual budgetary procedure, such redeployments should not entail any reductions in the amounts foreseen for measures under Regulation (EU) No 233/2014.</u></p> <p><u>^{1a} Regulation (EU) No</u></p>

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				<u>233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020.</u>
	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	
40.	This Regulation shall enter into force on the day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the day following that of its publication in the <i>Official Journal of the European Union</i> .
41.	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.	This Regulation shall be binding in its entirety and directly applicable in all Member States.

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42.	Done at Strasbourg,	Done at Strasbourg,	Done at Strasbourg,	Done at Strasbourg,