

Technical meeting on 19.10.20 (15:00 - 18:00)**Horizontal provisions (AMF, BMVI, ISF)****Agenda+ provisional outcome**

1) Lines open for discussion following the adoption of Council's full mandate

Topic	AMF	BMVI	ISF	Provisional outcome
Timeframe of the Fund/ instrument	Article 1 (lines 75, 76)	Article 1 (lines 93-95)	Article 1 (line 74-79)	EP to come back on the timeframe for AMF. Provisional agreement to harmonise paragraphs 2 in AMF, ISF and paragraph 3 in BMVI including a reference to specific objectives and measures.
Transfers with other programmes	Article 8(4) (line 128a)	Article 7(5) (line 155a)	Article 7(5) (new line)	The proposed "receiving clause" might need to be slightly adapted for a better alignment with Art. 21 CPR. Drafting improvement proposed by CLS (after the meeting): <i>"Without prejudice to the resources allocated to Member States under shared management and transferrable iIn accordance with Article 21 of Regulation (EU) XX [CPR], up to 5% in total of [remainder of text unchanged, but replacing "the instrument" with "the fund", or "the instrument" in the case of BMVI].</i>

				Negotiations still ongoing on the relevant provisions in the CPR (Block 1 including Art. 21).
External dimension of migration	Recital 3, Articles 9(2), 28(3a) (lines 14, 138, 258a) + (line 172)*	Recital 34, Articles 8(2), 25(3a) (lines 48, 162, 289a) + (lines 203, 204)*	Recital 21, Articles 8(2), 27(3a) (lines 33, 168 + new line) + (line 218)*	Strong opposition from the EP to the additions of the Council in lines 138/ 162/ 168 (a "<i>significant part of the funding</i>"). Request of the EP to discuss at political level for each instrument. Comments per instrument as follows. ISF: EP against the reference to "<i>combatting illegal migration</i>". BMVI: EP questions the reference to "<i>external migration management</i>". More flexibility of the EP on the proposed reporting provisions. Presidency to consult internally and come back.
Mid-tem review	Recital 35, Articles 11(2), 14 (lines 46, 153, 174a-177)	Recital 39, Articles 10(2), 13 (lines 54, 179, 215-220)	Recital 26, Articles 10(4), 13 (lines 39, 187, 220-224)	Discussions on the possible influence of a late adoption of the Regulations and subsequent delays in programming. Line 174a (AMF) can be removed. Agreement to remove "<i>where appropriate</i>" and to leave the reference to Art. 12 CPR in the three proposals.
Pre-financing	Recital 48a , Articles 11a, 26(3)	Recital 50a , Articles 10a, 23(3)	Recital 38a , Articles 11a, 22(3)	EP pointed out that in the current MFF the pre-financing was of 3%. Possible revision of this

	(lines 58a, 153a-153i, 244)	(lines 68a, 179a-179i, 272)	(new lines, 273)	percentage in the first year of the programming period.
Transfers under Seal of Excellence	Title, Article 27 (lines 246, 248)	Title, Article 24(2) (lines 277, 279)	Title, Article 23 (lines 276, 278)	Horizontal approach adopted by Council across MFF proposals. EP requested a list of other sectoral proposals on which similar provisions have been agreed on. EP to check internally.
Transitional provisions	Recital 55a , Article 34(3) (lines 65a, 295a-295g)	Recital 57a, Article 31(3) (lines 76a, 340a-340g)	Recital 46a , Article 30(4) (new lines)	EP queried about the thresholds per instrument and the necessity of the new provisions. COM confirmed that the provisions, including references to the existing Regulations, are needed.

* Lines added to the batch on third countries.

2) Additional lines for discussion

Topic	AMF	BMVI	ISF	Provisional outcome
Eligible entities	Article 6 (lines 107-116) Article 18a (lines 204a-204j)	Article 5 (lines 132-140) Article 16a (lines 239-247)	Article 5 (lines 140-148) Article 15a (lines 240-248)	EP still unsure about the location of the Article. COM and Council prefer it in the section under direct/ indirect management. EP enquired about legal entities established in a third country being exceptionally eligible (and not included in work programmes). COM to come back.
Information, communication and publicity	Article 25, accompanying recitals (lines 234-236a)	Article 22, accompanying recitals (lines 263-267)	Article 21, accompanying recitals (lines 265-268)	
Evaluation	Article 26 (lines 261-263l)	Article 26 (lines 294-304)	Article 26 (lines 291-301)	
Annual performance review	Article 27 (lines 265-273, 276-277)	Article 27 (lines 306-322)	Article 27 (lines 302-315)	
Scope of support	Lines 98, 171, 343, 344, 351, 361, 373	Lines 118, 213, 409, 410, 426, 438	Lines 128, 217, 368	Comprehensive versus indicative list of actions. EP and COM against.
Processing of personal data	Article 31a (lines 280a-280c)	Article 28a (lines 323-325)	Article 27a (lines 319-321)	

NB: A new meeting will be convened on 29.10 (p.m.) to continue with the remaining items of the agenda.