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WORKING PAPER

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INFORMATION

From:	General Secretariat of the Council
To:	Delegations
N° Cion doc.:	10153/18 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund

Delegations will find, in the annex to this note, and for information purposes only, the latest 4CT on the abovementioned proposal.

09/11/2020

post technical meeting on 30/10/2020

PUBLIC

LEGEND

	ST 10153/18 + ADD 1 (COM proposal – 471 final/ 471 FV 2)	A8-0106/2019 EP Position at the first reading adopted on 13/03/2019	ST 10973/4/20 General approach (Council on 12 October 2020)	LEGEND
1.				Not agreed
2.				Provisionally agreed
3.				Horizontal provision Not agreed
N.				Horizontal provision Provisionally agreed

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
establishing the Asylum and Migration Fund**

2018/0248 (COD)

	ST 10153/18 + ADD 1 (COM proposal – 471 final/ 471 FV 2)	A8-0106/2019 EP Position at the first reading adopted on 13/03/2019	ST 10148/19 Partial general approach (JHA Council on 7 June 2019)¹	
1.	Proposal for a		Proposal for a	
2.	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION (EU) 2019/... OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
3.	establishing the Asylum and Migration Fund	establishing the Asylum, and Migration and Integration Fund [Am. 1]	establishing the Asylum, and Migration and Integration Fund	Provisional agreement confirmed at the trilogue meeting on 7 October across the proposal.
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,	
5.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and Article 79(2) and (4) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2), and Article 79(2) and (4) and Article 80 thereof, [Am. 2]	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and Article 79(2) and (4) thereof,	The issue will be returned to later in the context of the broader discussion on solidarity.

¹ Text in square brackets [...] is not subject to the partial general approach

6.	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,	
7.	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,	
8.	Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,	Having regard to the opinion of the European Economic and Social Committee ⁴ ,	
9.	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	Having regard to the opinion of the Committee of the Regions ⁷ ,	
10.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure ⁸ ,	Acting in accordance with the ordinary legislative procedure,	
11.	Whereas:	Whereas:	Whereas:	

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ OJ C , , p. .

⁷ OJ C , , p. .

⁸ Position of the European Parliament of 13 March 2019.

12.	(1) In the context of the evolving migratory challenges characterised by the need to support strong reception, asylum, integration and migration systems of Member States, prevent and adequately handle situations of pressure and replace irregular and unsafe arrivals with legal and safe pathways, investing in efficient and coordinated migration management in the Union is key to realising the Union's objective of constituting an area of freedom, security and justice pursuant to Article 67(2) of the Treaty on the Functioning of the European Union.	(1) In the context of the evolving migratory challenges characterised by the need to support strong reception, asylum, integration and migration systems of Member States, prevent and adequately handle <i>in solidarity</i> situations of pressure and replace irregular and unsafe arrivals with legal and safe pathways, investing in efficient and coordinated migration management in the Union is key to realising the Union's objective of constituting an area of freedom, security and justice pursuant to Article 67(2) of the Treaty on the Functioning of the European Union. [Am. 3]	(1) In the context of the evolving migratory challenges characterised by the need to support strong reception, asylum, integration and migration systems of Member States, prevent and adequately handle situations of pressure and replace irregular and unsafe arrivals with legal and safe pathways, investing in efficient and coordinated migration management in the Union is key to realising the Union's objective of constituting an area of freedom, security and justice pursuant to Article 67(2) of the Treaty on the Functioning of the European Union.	
13.	(2) The importance of a coordinated approach by the Union and the Member States is reflected in the European Agenda on Migration of May 2015, which stressed the need for a consistent and clear common policy to restore confidence in the Union's ability to bring together European and national efforts	(2) The importance of a coordinated approach by the Union and the Member States is reflected in the European Agenda on Migration of May 2015, which stressed the need for a consistent and clear common policy to restore confidence in the Union's ability to bring together European and national efforts to address migration and	(2) The importance of a coordinated approach by the Union and the Member States is reflected in the European Agenda on Migration of May 2015, which stressed the need for a consistent and clear common policy to restore confidence in the Union's ability to bring together European and national efforts to address migration and work together in an	

	to address migration and work together in an effective way, in accordance with the principles of solidarity and fair sharing of responsibility, and was confirmed in its mid-term review of September 2017 and the progress report of March and May 2018.	work together in an effective way, in accordance with the principles principle of solidarity and fair sharing of responsibility <i>between the Member States as established in Article 80 of the Treaty on the Functioning of the European Union</i> , and was confirmed in its mid-term review of September 2017 and the progress report of March and May 2018. [Am. 4]	effective way, in accordance with the principles of solidarity and fair sharing of responsibility, and was confirmed in its mid-term review of September 2017 and the progress report of March and May 2018.	
14.	(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management that aims to restore control of external borders and reduce irregular arrivals and the number of deaths at sea, and should be based on a flexible and coordinated use of all available Union and Member State instruments. The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements.	(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management that aims to restore control of external borders and reduce irregular arrivals and the number of deaths at sea, and should be based on a flexible and coordinated use of all available Union and Member State instruments. The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements. <i>The European Council called</i>	(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management that aims to restore control of external borders and reduce irregular arrivals and the number of deaths at sea, and should be based on a flexible and coordinated use of all available Union and Member State instruments. The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements. <i>In that context, a significant part of the funding from the thematic facility should</i>	

		<i>moreover for voluntary resettlement programmes to be implemented and developed.</i> [Am. 5]	<i>be used to support actions in or in relation to third countries. In its conclusions of 28 June 2018, the European Council reconfirmed that a precondition for a functioning EU policy relies on a comprehensive approach to migration which combines more effective control of the EU's external borders, increased external action and the internal aspects, in line with EU's principles and values. The European Council underlined the need for flexible instruments, allowing for fast disbursement, to combat illegal migration.</i>	
15.	(4) In order to support efforts to ensure a comprehensive approach to management of migration grounded on mutual trust, solidarity and responsibility sharing among Member States and Union institutions, with the objective of ensuring a common sustainable Union policy on asylum and immigration, Member States should be supported by adequate financial resources in the form of the Asylum and	(4) In order to support efforts to ensure a comprehensive approach to management of migration grounded on mutual trust, solidarity and responsibility sharing among Member States and Union institutions, with the objective of ensuring a common sustainable Union policy on asylum and immigration, Member States should be supported by adequate financial resources in the form of the Asylum, and Migration and	(4) In order to support efforts to ensure a comprehensive approach to management of migration grounded on mutual trust, solidarity and responsibility sharing among Member States and Union institutions, with the objective of ensuring a common sustainable Union policy on asylum and immigration, Member States should be supported by adequate financial resources in the form of the Asylum, and Migration and	

	Migration Fund (hereinafter referred to as ‘the Fund’).	Integration Fund (hereinafter referred to as ‘the Fund’). [Am. 6]	Integration Fund (hereinafter referred to as ‘the Fund’).	
15a		<i>(4a) The Fund should fully respect human rights, comply with Agenda 2030, the principle of policy coherence for development, as set out in Article 208 TFEU, and the commitments at the international level in relation to migration and asylum, notably the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration (GCM).</i> [Am. 7]		
15b		<i>(4b) Managing the Fund from a development perspective should take into account the various root causes of migration such as conflict, poverty, lack of agricultural capacity, education and inequality.</i> [Am. 8]		
16	(5) The Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union’s international	(5) <i>Actions supported by</i> the Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, <i>including the right to the protection of personal data</i> , and	(5) The Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the	

	obligations as regards fundamental rights.	with the Union's <i>and Member States</i> international obligations as regards fundamental rights, <i>including the UN Convention on the Rights of the Child (UNCRC) and the Geneva Convention Relating to the Status of Refugees of 28 July 1951, as supplemented by the Protocol of 31 January 1967.</i> [Am. 9]	Union's international obligations as regards fundamental rights.	
16a		<i>(5a) The principles of gender equality and of non-discrimination, which are among the Union's core values, should be respected and promoted when implementing the Fund. The Fund should not support any action that contributes to any form of segregation or social exclusion.</i> [Am. 10]		
16b		<i>(5b) In the implementation of the Fund, priority should be given to actions which address the situation of unaccompanied and separated minors through early identification and registration and to actions carried out in the best interests of the child.</i> [Am. 11]		

17.	(6) The Fund should build on the results and investments achieved with the support of its predecessors: the European Refugee Fund established by the Decision 573/2007/EC of the European Parliament and the Council, the European Fund for the Integration of third-country nationals established by the Council Decision 2007/435/EC, the European Return Fund established by the Decision 575/2007/EC of the European Parliament and the Council for the period 2007-2013 and the Asylum, Migration and Integration Fund for the period 2014-2020, as established by Regulation (EU) 516/2014 of the European Parliament and of the Council. It should at the same time take into account all relevant new developments.	(6) The Fund should build on the results and investments achieved with the support of its predecessors: the European Refugee Fund established by the Decision 573/2007/EC of the European Parliament and the Council, the European Fund for the Integration of third-country nationals established by the Council Decision 2007/435/EC, the European Return Fund established by the Decision 575/2007/EC of the European Parliament and the Council for the period 2007-2013 and the Asylum, Migration and Integration Fund for the period 2014-2020, as established by Regulation (EU) 516/2014 of the European Parliament and of the Council. It should at the same time take into account all relevant new developments	(6) The Fund should build on the results and investments achieved with the support of its predecessors: the European Refugee Fund established by the Decision 573/2007/EC of the European Parliament and the Council, the European Fund for the Integration of third-country nationals established by the Council Decision 2007/435/EC, the European Return Fund established by the Decision 575/2007/EC of the European Parliament and the Council for the period 2007-2013 and the Asylum, Migration and Integration Fund for the period 2014-2020, as established by Regulation (EU) 516/2014 of the European Parliament and of the Council. It should at the same time take into account all relevant new developments.	
18.	(7) The Fund should support the efficient management of migration flows, <i>inter alia</i> by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need of international protection	(7) The Fund should support <i>solidarity between Member States and</i> the efficient management of migration flows, <i>inter alia</i> by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need of	(7) The Fund should support the efficient management of migration flows, <i>inter alia</i> by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need of international protection through	

	through resettlement and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure the Union's long-term competitiveness and the future of its social model and reduce incentives for irregular migration through a sustainable return and readmission policy. The Fund should support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to counter irregular migration and ensure sustainability of return and effective readmission to third countries.	international protection through resettlement and humanitarian admission and the transfer of applicants for or beneficiaries of international protection between Member States, enhancing the protection of vulnerable asylum seekers such as children, supporting integration strategies and a more effective legal migration policy, so as creating safe and legal pathways to the Union which should also help to ensure the Union's long-term competitiveness and the future of its social model and reduce incentives for irregular migration through a sustainable return and readmission policy. As an instrument of internal Union policy and the only funding instrument for asylum and migration at Union level, the Fund should primarily support actions on asylum and migration within the Union. However, within defined limits and subject to the appropriate safeguards, the Fund should support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of	resettlement, humanitarian admission and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure the Union's long-term competitiveness and the future of its social model and reduce incentives for irregular migration through a sustainable return and readmission policy. The Fund should support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to counter irregular migration and ensure sustainability of return and effective readmission to third countries. Support provided by the fund is without prejudice to the entirely voluntary nature of resettlement and relocation of applicants for, and beneficiaries of, international protection under the legal framework of the Common European Asylum System applicable at the time of adoption of this Regulation.	
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		international protection, to establish avenues on legal migration and to counter irregular migration and networks of smugglers and traffickers in human beings and ensure the sustainability of safe and dignified return and effective readmission to as well as reintegration in third countries. [Am. 12]		
19.	(8) The migration crisis highlighted the need to reform the Common European Asylum System to ensure that efficient asylum procedures to prevent secondary movements, to provide uniform and appropriate reception conditions for applicants for international protection, uniform standards for the granting of international protection and appropriate rights and benefits for beneficiaries of international protection. At the same time, the reform was needed to put in place a fairer and more effective system of determining Member States' responsibility for applicants for international protection as well	(8) The migration crisis and the rising number of deaths in the Mediterranean over the past years highlighted the need to reform the Common European Asylum System and to put in place a fairer and more effective system of determining Member States' responsibility for applicants for international protection as well as a framework for Member States' resettlement and humanitarian admission efforts with a view to increasing the overall number of available resettlement places globally. At the same time, reform is needed to ensure that efficient and rights based asylum procedures to prevent secondary movements, are in place and accessible, and to	(8) The migration crisis highlighted the need to reform the Common European Asylum System to ensure that efficient asylum procedures to prevent secondary movements, to provide uniform and appropriate reception conditions for applicants for international protection, uniform standards for the granting of international protection and appropriate rights and benefits for beneficiaries of international protection. At the same time, the reform was needed to put in place a fairer and more effective system of determining Member States' responsibility for applicants for international protection as well as a Union framework for Member States' resettlement efforts.	

	as a Union framework for Member States' resettlement efforts. Therefore, it is appropriate for the Fund to provide increased support to Member States' efforts to fully and properly implement the reformed Common European Asylum System.	provide uniform and appropriate reception conditions for applicants for international protection, uniform standards for the granting of international protection and appropriate rights and benefits for beneficiaries of international protection, At the same time, the reform was needed to put in place a fairer and more effective system of determining Member States' responsibility for applicants for international protection as well as a Union framework for Member States' resettlement efforts effective and efficient return procedures for irregular migrants . Therefore, it is appropriate for the Fund to provide increased support to Member States' efforts to fully and properly implement the reformed Common European Asylum System. [Am. 13]	Therefore, it is appropriate for the Fund to provide increased support to Member States' efforts to fully and properly implement the reformed Common European Asylum System.	
20.	(9) The Fund should also complement and reinforce the activities undertaken by the European Union Agency for Asylum (EUAA) established by Regulation (EU)... [EUAA	(9) The Fund should also complement and reinforce the activities undertaken by the European Union Agency for Asylum (EUAA) established by Regulation (EU)... [EUAA	(9) — The Fund should also complement and reinforce the activities undertaken by the [European Union Agency for Asylum (EUAA)] established by Regulation (EU)... [EUAA	

Regulation]⁹ with a view to facilitating and improving the functioning of the common European asylum system, by coordinating and strengthening practical cooperation and information exchange between Member States, promoting Union law and operational standards on asylum in order to ensure a high degree of uniformity based on high protection standards as regards procedures for international protection, reception conditions and the assessment of protection needs across the Union, enabling a sustainable and fair distribution of applications for international protection, facilitate convergence in the assessment of applications for international protection across the Union, support the resettlement efforts of the Member States and provide operational and technical assistance to Member States for the management of their asylum and reception	Regulation]¹⁰ Support Office with a view to facilitating and improving the functioning of the common European asylum system, by coordinating and strengthening practical cooperation and coordinating information exchange on asylum, in particular on good practices between Member States, promoting Union and international law and contributing through relevant guidance, including operational standards, to a uniform implementation of Union law on asylum in order to ensure a high degree of uniformity based on high protection standards as regards procedures for international protection, reception conditions and the assessment of protection needs across the Union, enabling a sustainable and fair distribution of applications for international protection, facilitate convergence in the assessment of applications for international protection across the Union, support	Regulation]¹¹ with a view to facilitating and improving the functioning of the common European asylum system, by coordinating and strengthening practical cooperation and information exchange between Member States, promoting Union law and operational standards on asylum in order to ensure a high degree of uniformity based on high protection standards as regards procedures for international protection, reception conditions and the assessment of protection needs across the Union, enabling a sustainable and fair distribution of applications for international protection, facilitate convergence in the assessment of applications for international protection across the Union, support the resettlement and humanitarian admission efforts of the Member States and provide operational and technical assistance to Member States for the management of their asylum and reception systems, in particular those whose systems	
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⁹ Regulation (EU) No ... of the European Parliament and of the Council of [EUAA Regulation] (OJ L ..., [date], p. ...).

¹⁰ ~~Regulation (EU) No ... of the European Parliament and of the Council of [EUAA Regulation] (OJ L ..., [date], p. ...).~~

¹¹ Regulation (EU) No ... of the European Parliament and of the Council of [EUAA Regulation] (OJ L ..., [date], p. ...).

	systems, in particular those whose systems are subject to disproportionate pressure.	supporting the resettlement efforts of the Member States and provide providing operational and technical assistance to Member States for the management of their asylum and reception systems, in particular those whose systems are subject to disproportionate pressure. [Am. 14]	are subject to disproportionate pressure.	
20a		<i>(9a) The Fund should support the efforts by the Union and the Member States relating to the enhancement of the Member States' capacity to develop, monitor and evaluate their asylum policies in the light of their obligations under existing Union law. [Am. 15]</i>		
21.	(10) The Fund should support the efforts by the Union and the Member States relating to the enhancement of the Member States' capacity to develop, monitor and evaluate their asylum policies in the light of their obligations under existing Union law.	(10) The Fund should support the efforts by the Union and the Member States relating to the enhancement in the implementation of the Member States' capacity to develop, monitor and evaluate their asylum policies in the light of their obligations under existing Union law, ensuring full respect of fundamental rights, in particular Directives	(10) The Fund should support the efforts by the Union and the Member States relating to the enhancement of the Member States' capacity to develop, monitor and evaluate their asylum policies in the light of their obligations under existing Union law.	

		2013/33/EU¹² (Reception Conditions Directive), 2013/32/EU¹³ (Asylum Procedures Directive), 2011/95/EU¹⁴ (Qualification Directive) and 2008/115/EC¹⁵ (Return Directive) of the European Parliament and of the Council, and Regulation (EU) No 604/2013 of the European Parliament and of the Council¹⁶ (Dublin Regulation). [Am. 16]		
22.	(11) Partnerships and cooperation with third countries are an essential component of Union asylum policy to ensure the adequate management of flows of persons applying for asylum or other forms of international	(11) Partnerships and cooperation with third countries are an essential component of Union asylum policy to ensure the adequate management of flows of persons applying for asylum or other forms of international protection. With the	(11) Partnerships and cooperation with third countries are an essential component of Union asylum policy to ensure the adequate management of flows of persons applying for asylum or other forms of international protection. With the	

¹² **Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96).**

¹³ **Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).**

¹⁴ **Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9).**

¹⁵ **Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).**

¹⁶ **Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 13).**

	protection. With the aim of replacing the unsafe and irregular arrivals with legal and safe arrival to the territory of the Member States of third-country nationals or stateless persons in need of international protection, expressing solidarity with countries in regions to which or within which a large number of persons in need of international protection have been displaced by helping to alleviate the pressure on those countries, helping achieve the Union's migration policy objectives by increasing the Union's leverage <i>vis-à-vis</i> third countries, and of effectively contributing to global resettlement initiatives by speaking with one voice in international fora and with third countries, the Fund should provide financial incentives to the implementation of the Union Resettlement [and Humanitarian Admission] Framework.	aim of replacing the unsafe and irregular arrivals with legal and safe arrival to the territory of the Member States of third-country nationals or stateless persons in need of international protection, expressing solidarity with countries in regions to which or within which a large number of persons in need of international protection have been displaced by helping to alleviate the pressure on those countries, helping achieve the Union's migration policy objectives by increasing the Union's leverage <i>vis-à-vis</i> third countries, and of effectively contributing to global resettlement initiatives by speaking with one voice in international fora and with third countries, the Fund should provide financial incentives to the implementation of the Union Resettlement [and Humanitarian Admission] Framework. [Am. 17]	aim of replacing the unsafe and irregular arrivals with legal and safe arrival to the territory of the Member States of third-country nationals or stateless persons in need of international protection, expressing solidarity with countries in regions to which or within which a large number of persons in need of international protection have been displaced by helping to alleviate the pressure on those countries, helping achieve the Union's migration policy objectives by increasing the Union's leverage <i>vis-à-vis</i> third countries, and of effectively contributing to global resettlement initiatives by speaking with one voice in international fora and with third countries, the Fund should provide financial incentives to the implementation of the Union Resettlement [and Humanitarian Admission] Framework.	
22a		<i>(11a) The Fund should support the efforts made by Member</i>		

		<i>States to provide international protection and a durable solution in their territories to refugees and displaced persons identified as eligible for resettlement or under national humanitarian admission schemes, which should take into account UNHCR Projected Global Resettlement Needs. To contribute in an ambitious and effective manner, the Fund should provide targeted assistance in the form of financial incentives for each person admitted or resettled.</i> [Am. 18]		
23.	(12) Considering the high levels of migration flows to the Union in the last years and the importance of ensuring the cohesion of our societies, it is crucial to support Member States' policies for early integration of legally staying third-country nationals, including in the priority areas identified in the Action Plan on Integration of third-country nationals adopted by the Commission in 2016.	(12) Considering the high levels of migration flows to the Union in the last years and the importance of ensuring the cohesion of our societies, it is crucial to support Member States' policies for early integration of legally staying third-country nationals, including in the priority areas identified in the Action Plan on Integration of third-country nationals adopted by the Commission in 2016. [Am. 19]	(12) Considering the high levels of migration flows to the Union in the last years and the importance of ensuring the cohesion of our societies, it is crucial to support Member States' policies for early integration of legally staying third-country nationals, including in the priority areas identified in the Action Plan on Integration of third-country nationals adopted by the Commission in 2016.	
23a			<i>(12a) Integration measures financed under this Fund should</i>	

			<i>support measures tailor-made to the needs of third-country nationals such as, but not limited to, actions promoting self-empowerment of third-country nationals through language training and civic orientation courses, providing advice and assistance to third-country nationals in areas such as housing, means of subsistence, administrative and legal guidance, psychological care and health including through one-stop shops for integration. The Fund should also support horizontal measures aiming at building Member States' capacity to develop integration strategies, strengthen exchange and cooperation and promote contact, constructive dialogue and acceptance between the third-country nationals and the receiving society.</i>	
24.	(13) In order to increase efficiency, achieve the greatest Union added value and to ensure the consistency of the Union's response to foster the integration of third-country nationals, actions financed	(13) In order to increase efficiency, achieve the greatest Union added value and to ensure the consistency of the Union's response to foster the integration of third-country nationals, actions financed under the Fund	(13) In order to increase efficiency, achieve the greatest Union added value and to ensure the consistency of the Union's response to foster the integration of third-country nationals, actions financed under the Fund should	

	under the Fund should be specific and complementary to actions financed under the European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF). Measures financed under this Fund should support measures tailor-made to the needs of third-country nationals that are generally implemented in the early stage of integration, and horizontal actions supporting Member States' capacities in the field of integration, whereas interventions for third-country nationals with a longer-term impact should be financed under the ERDF and ESF+.	should be specific and complementary to actions financed under the European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF) Union's structural funds. Measures financed under this Fund should support measures tailor-made to the needs of third-country nationals that are generally implemented in the early stage stages of integration, and horizontal actions supporting Member States' capacities in the field of integration, whereas complemented by interventions for to promote the social and economic inclusion of third-country nationals with a longer-term impact should be financed under the ERDF and ESF+ structural funds. [Am. 20]	be specific and complementary to actions financed under the European Social Fund Plus (ESF+), and the European Regional Development Fund (ERDF) and the European Agricultural Fund for Rural Development (EAFRD). ESF+ can provide support to measures promoting the socio-economic integration, education and social inclusion of third country nationals, such as work-based language training, vocational education and training, employment and self-employment incentives, and provision of social services. In addition, ERDF can promote integration by supporting investments through integrated measures including housing and social services. Furthermore, the EAFRD can contribute to the socio-economic integration of third country nationals for which there is a potential for employment opportunities in rural areas. Member States should be able to support the integration of third-country nationals according to their specific situation and needs, by using the most relevant EU	
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			<i>Fund, in line with the targeted area of intervention and the objectives to be achieved and in complementarity with other EU Funds.</i> Measures financed under this Fund should support measures tailor-made to the needs of third-country nationals that are generally implemented in the early stage of integration, and horizontal actions supporting Member States' capacities in the field of integration, whereas interventions for third-country nationals with a longer-term impact should be financed under the ERDF and ESF+.	
24a		<i>(13a) The scope of the integration measures should also include beneficiaries of international protection in order to ensure a comprehensive approach to integration, taking into account the specificities of that target group. Where integration measures are combined with reception, actions should, where appropriate, also allow asylum seekers to be included. [Am. 21]</i>		
25.	(14) In this context, the authorities of the Member States responsible for the	(14) In this context, the authorities of the Member States responsible for the	(14) In this context, the authorities of the Member States responsible for the	

	implementation of the Fund should be required to cooperate and establish coordination mechanisms with the authorities identified by Member States for the purpose of the management of the interventions of the ESF+ and of the ERDF and wherever necessary with their managing authorities and with the managing authorities of other Union funds contributing to the integration of third-country nationals.	implementation of the Fund should be required to cooperate and establish coordination mechanisms with the authorities identified by Member States for the purpose of the management of the interventions of the ESF+ and of the ERDF structural funds , and wherever necessary with their managing authorities and with the managing authorities of other Union funds contributing to the integration of third-country nationals. <i>Through these coordination mechanisms, the Commission should assess the coherence and complementarity between the funds, and the extent to which measures implemented through each fund contribute to the integration of third country nationals. [Am. 22]</i>	implementation of the Fund should be required to cooperate and establish coordination mechanisms with the authorities identified by Member States for the purpose of the management of the interventions of the ESF+, <i>the EAFRD</i> and of the ERDF and wherever necessary with their managing authorities and with the managing authorities of other Union funds contributing to the integration of third-country nationals.	
26.	(15) The implementation of the Fund in this area should be consistent with the Union's common basic principles on integration, as specified in the common programme for integration.	(15) The implementation of the Fund in this area should be consistent with the Union's common basic principles on integration, as specified in the common programme for integration.	(15) The implementation of the Fund in this area should be consistent with the Union's common basic principles on integration, as specified in the common programme for integration.	
27.	(16) It is appropriate to allow those Member States that so wish to provide in their	(16) It is appropriate to allow those Member States that so wish to provide in their	(16) It is appropriate to allow those Member States that so wish to provide in their programmes	

	programmes that integration actions may include immediate relatives of third-country nationals, to the extent that this is necessary for the effective implementation of such actions. The term ‘immediate relative’ should be understood as meaning spouses, partners and any person having direct family links in descending or ascending line with the third-country national targeted by the integration action, and who would otherwise not be covered by the scope of the Fund.	programmes that integration actions may include immediate relatives of third-country nationals, <i>thus supporting family unity in the best interests of the child</i> , to the extent that this is necessary for the effective implementation of such actions. The term ‘immediate relative’ should be understood as meaning spouses, partners and any person having direct family links in descending or ascending line with the third-country national targeted by the integration action, and who would otherwise not be covered by the scope of the Fund. [Am. 23]	that integration actions may include immediate relatives of third-country nationals, to the extent that this is necessary for the effective implementation of such actions. The term ‘immediate relative’ should be understood as meaning spouses, partners and any person having direct family links in descending or ascending line with the third-country national targeted by the integration action, and who would otherwise not be covered by the scope of the Fund.	
28.	(17) Considering the crucial role played by local and regional authorities and civil society organisations in the field of integration and to facilitate the access of these entities to funding at Union level, the Fund should facilitate the implementation of actions in the field of integration by local and regional authorities or civil society organisations, including through the use of the thematic facility and	(17) Considering the crucial role played by local and regional authorities and civil society organisations <i>their representative associations</i> in the field of integration and to facilitate the <i>direct</i> access of these entities to funding at Union level, the Fund should facilitate the implementation of actions in the field of integration by local and regional authorities or civil society organisations, including through the use of the thematic	(17) Considering the crucial role played by <i>Member States’</i> local and regional authorities and civil society organisations in the field of integration and to facilitate the access of these entities to funding at Union level, the Fund should facilitate the implementation of actions in the field of integration by <i>national, regional and</i> local and regional authorities or civil society organisations, including through the use of the thematic	

	through a higher co-financing rate for these actions.	facility and through a higher co-financing rate for these actions <i>and the use of a dedicated component of the thematic facility where those local and regional authorities have the competence to carry out integration measures. [Am. 24]</i>	facility and through a higher co-financing rate for these actions.	
29.	(18) Considering the long-term economic and demographic challenges faced by the Union, it is crucial to establish well-functioning legal migration channels to the Union to maintain the Union as an attractive destination for migrants and ensure the sustainability of welfare systems and growth of the Union economy.	(18) Considering the long-term economic and demographic challenges faced by the Union <i>and the increasingly globalised nature of migration</i> , it is crucial to establish well-functioning legal migration channels to the Union to maintain the Union as an attractive destination for migrants <i>regular migration, in accordance with Member States' economic and social needs</i> , and ensure the sustainability of welfare systems and growth of the Union economy, <i>while protecting migrant workers from labour exploitation. [Am. 25]</i>	(18) Considering the long-term economic and demographic challenges faced by the Union, it is crucial to establish well-functioning legal migration channels to the Union to maintain the Union as an attractive destination for migrants and ensure the sustainability of welfare systems and growth of the Union economy.	
30.	(19) The Fund should support Member States in setting up strategies organising legal migration, enhancing their capacity to develop,	(19) The Fund should support Member States in setting up strategies organising <i>and expanding</i> legal migration <i>pathways</i> , enhancing their	(19) The Fund should support Member States in setting up strategies organising legal migration, enhancing their capacity to develop, implement,	

	implement, monitor and evaluate in general all immigration and integration strategies, policies and measures for legally staying third-country nationals, including Union legal instruments. The Fund should also support the exchange of information, best practices and cooperation between different departments of administration and levels of governance, and between Member States.	capacity to develop, implement, monitor and evaluate in general all immigration and integration strategies, policies and measures for legally staying third-country nationals, including in particular Union legal instruments for legal migration . The Fund should also support the exchange of information, best practices and cooperation between different departments of administration and levels of governance, and between Member States. [Am. 26]	monitor and evaluate in general all immigration and integration strategies, policies and measures for legally staying third-country nationals, including Union legal instruments. The Fund should also support the exchange of information, best practices and cooperation between different departments of administration and levels of governance, and between Member States.	
31.	(20) An efficient return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, in particular as set out in Directive 2008/115/EC of the European Parliament and of the	(20) An efficient and dignified return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, with an emphasis on voluntary returns , in particular as set out in Directive 2008/115/EC of the European Parliament and of the	(20) An efficient return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, in particular as set out in Directive 2008/115/EC of the European Parliament and of the Council ¹⁹ , and of an integrated and	

¹⁹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

	Council ¹⁷ , and of an integrated and coordinated approach to return management. For sustainable return policies, the Fund should equally support related measures in third countries, such as the reintegration of returnees.	Council ¹⁸ , and of an integrated and coordinated approach to return management. For sustainable return policies, The Fund should equally support related measures in third countries, such as the to facilitate and guarantee safe and dignified return and readmission as well as sustainable reintegration, of returnees as enshrined in the GCM. [Am. 27]	coordinated approach to return management. For sustainable return policies, the Fund should equally support related measures in third countries, such as the reintegration of returnees.	
32.	(21) Member States should give preference to voluntary return. In order to promote voluntary return, Member States should envisage incentives such as preferential treatment in the form of enhanced return assistance should be envisaged for the voluntary return of persons. This kind of voluntary return is in the interests of both	(21) Member States should give preference to voluntary return and ensure effective, safe and dignified return of irregular migrants. Therefore, the Fund should give preferential support to actions related to voluntary return. In order to promote voluntary return this , Member States should envisage incentives such as preferential treatment in the form of enhanced return assistance should be envisaged for the voluntary return of	(21) Member States should give preference to voluntary return. In order to promote voluntary return, Member States should envisage incentives such as preferential treatment in the form of enhanced return assistance should be envisaged for the voluntary return of persons. This kind of voluntary return is in the interests of both returnees and the authorities in terms of its cost-effectiveness.	

¹⁷ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

¹⁸ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

	returnees and the authorities in terms of its cost-effectiveness.	persons and long-term reintegration support. This kind of voluntary return is in the interests of both returnees and the authorities in terms of its cost-effectiveness. <i>The best interests of the child should be a primary consideration in all actions or decisions concerning children in migration, including returns, taking full account of the right of the child to express his or her views. [Am. 28]</i>		
33.	(22) Voluntary and enforced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the	(22) <i>While</i> voluntary and <i>returns should take priority over</i> enforced returns, <i>they</i> are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and	(22) Voluntary and en forced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and dignity of returnees.	

	fundamental rights and dignity of returnees.	dignity of returnees. <i>The Fund should support actions related to return of children only where such return is based on a positive assessment of the best interests of the child. [Am. 29]</i>		
34.	(23) Specific support measures for returnees in the Member States and in the countries of return can improve conditions of return and enhance their reintegration.	(23) Specific support measures for returnees, <i>with a particular attention to their humanitarian and protection needs</i> , in the Member States and in the countries of return can improve conditions of return and enhance their reintegration. <i>Particular attention should be paid to vulnerable groups. Return decisions should be based on a comprehensive and careful assessment of the situation in the country of origin, including an evaluation of the absorption capacity at the local level. Specific measures and actions supporting countries of origin, and in particular vulnerable people, contribute to ensure the sustainability, safety and effectiveness of returns. These measures should be implemented with the active participation of local authorities, civil society and diasporas. [Am. 30]</i>	(23) Specific support measures for returnees in the Member States and in the countries of return can improve conditions of return and enhance their <i>sustainable</i> reintegration.	

35.	(24) Readmission agreements and other arrangements are an integral component of the Union return policy and a central tool for the efficient management of migration flows, as they facilitate the swift return of irregular migrants. Those agreements and arrangements are an important element in the framework of the dialogue and cooperation with third countries of origin and transit of irregular migrants and their implementation in third countries should be supported in the interests of effective return policies at national and Union level.	(24) Formal readmission agreements and other arrangements are an integral and crucial component of the Union return policy and a central tool for the efficient management of migration flows, as they facilitate the swift return of irregular migrants. Those agreements and arrangements are an important element in the framework of the dialogue and cooperation with third countries of origin and transit of irregular migrants and the Fund should support their implementation in third countries should be supported in the interests of effective, safe and dignified return policies at national and Union level within defined limits and subject to the appropriate safeguards. [Am. 31]	(24) Readmission agreements and other arrangements are an integral component of the Union return policy and a central tool for the efficient management of migration flows, as they facilitate the swift return of irregular migrants. Those agreements and arrangements are an important element in the framework of the dialogue and cooperation with third countries of origin and transit of irregular migrants and their implementation in third countries should be supported in the interests of effective return policies at national and Union level.	
36.	(25) In addition to supporting the return of persons as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the	(25) In addition to supporting the return of persons as provided for in this Regulation integration of third country nationals or stateless persons within Member States , the Fund should also support other measures to counter irregular migration , address incentives for illegal migration or the circumventing	(25) In addition to supporting the return of persons as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the integrity of	

	integrity of Member States' immigration systems.	of existing <i>trafficking of migrants, to encourage and facilitate the establishment of</i> legal migration rules, thereby safeguarding the integrity of Member States' immigration systems <i>in the countries of origin, in full compliance with the Principle of Coherence for Sustainable Development.</i> [Am. 32]	Member States' immigration systems.	
37.	(26) The employment of irregular migrants creates a pull factor for illegal migration and undermines the development of a labour mobility policy built on legal migration schemes. The Fund should therefore support Member States, either directly or indirectly, in their implementation of Directive 2009/52/EC of the European Parliament and of the Council ²⁰ which prohibits the employment of illegally staying third-country nationals and provides for sanctions	(26) The employment of irregular migrants creates a pull factor for illegal migration and undermines the development of a labour mobility policy built on legal migration schemes <i>and endangers the rights of migrant workers, making them vulnerable to rights violations and abuse.</i> The Fund should therefore support Member States, either directly or indirectly, in their implementation of Directive 2009/52/EC of the European Parliament and of the	(26) The employment of irregular migrants creates a pull factor for illegal migration and undermines the development of a labour mobility policy built on legal migration schemes. The Fund should therefore support Member States, either directly or indirectly, in their implementation of Directive 2009/52/EC of the European Parliament and of the Council ²² which prohibits the employment of illegally staying third-country nationals and provides for sanctions against	

²⁰ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24).

²² Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24).

	against employers who infringe that prohibition.	Council ²¹ which prohibits the employment of illegally staying third-country nationals, <i>provides for a complaints and wage recuperation mechanism for exploited workers</i> and provides for sanctions against employers who infringe that prohibition. [Am. 33]	employers who infringe that prohibition.	
37a		<i>(26a) The Member States should support the requests of civil society and workers' associations, such as that concerning the establishment of a European network of reception workers of both genders, in order to connect all workers in Europe operating in the field of migration, to foster a decent welcome and an approach to migration based on human rights and the exchange of good practices in terms of reception and employment opportunities for migrants.</i> [Am. 34]		
38.	(27) The Fund should support Member States, either directly	(27) The Fund should support Member States, either directly or	(27) The Fund should support Member States, either directly or	

²¹ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24).

	or indirectly, in their implementation of Directive 2011/36/EU of the European Parliament and of the Council ²³ which sets forth provisions on assistance, support and protection of victims of trafficking in human beings.	indirectly, in their implementation of Directive 2011/36/EU of the European Parliament and of the Council ²⁴ , which sets forth provisions on assistance, support and protection of victims of trafficking in human beings. <i>These measures should take into account the gender-specific nature of trafficking in human beings. When implementing the Fund, Member States should take into consideration that persons who are obliged to leave their habitual homes for reasons of sudden or progressive climate-related change in the environment that adversely affects their lives or living conditions, have a high risk of falling victims to trafficking in human beings.</i> [Am. 35]	indirectly, in their implementation of Directive 2011/36/EU of the European Parliament and of the Council ²⁵ which sets forth provisions on assistance, support and protection of victims of trafficking in human beings.	
38a		<i>(27a) The Fund should support in particular the identification</i>		

²³ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

²⁴ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

²⁵ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

		<i>and measures addressing the needs of vulnerable asylum seekers - such as unaccompanied minors, or victims of torture or of other serious forms of violence - as set out in the Union asylum acquis. [Am. 36]</i>		
38b		<i>(27b) In order to achieve a fair and transparent distribution of resources among the objectives of the Fund, a minimum level of expenditure should be ensured for certain objectives, whether under direct, indirect, or shared management. [Am. 37]</i>		
39.	(28) The Fund should complement and reinforce the activities undertaken in the field of return by the European Border and Coast Guard Agency established by Regulation (EU) 2016/1624 of the European Parliament and of the Council ²⁶ , therefore	(28) The Fund should complement and reinforce the activities undertaken in the field of return by the European Border and Coast Guard Agency established by Regulation (EU) 2016/1624 of the European Parliament and of the Council ²⁷ ; therefore contributing to	(28) The Fund should complement and reinforce the activities undertaken in the field of return by the European Border and Coast Guard Agency established by Regulation (EU) 2016/1624... / 2019 of the European Parliament and of the	

²⁶ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

²⁷ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the

	contributing to effective European Integrated Border Management, as defined in Article 4 of that Regulation.	effective <i>without providing an additional funding stream to the European Integrated Border Management, as defined in Article 4 of that Regulation and Coast Guard Agency, for which the budgetary authority decides on an annual budget which should enable it to carry out all of its tasks. [Am. 38]</i>	Council ²⁸ , therefore contributing to effective European Integrated Border Management, as defined in Article 4 of that Regulation.	
40.	(29) Synergies, consistency and efficiency should be sought with other Union funds and overlap between actions should be avoided.	(29) Synergies, consistency, <i>complementarity</i> and efficiency should be sought with other Union funds and <i>any</i> overlap <i>or contradiction</i> between actions should be avoided. [Am. 39]	(29) Synergies, consistency and efficiency should be sought with other Union funds and overlap between actions should be avoided.	
41.	(30) Measures in and in relation to third countries supported through the Fund should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the	(30) <i>The Fund should prioritise financing for actions within the Union itself. The Fund may finance</i> measures in and in relation to third countries supported through the Fund <i>which should be limited in financial terms, while adequate to reach the objectives of the Fund as laid down in Article 3</i>	(30) Measures in and in relation to third countries supported through the Fund should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general	

European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

²⁸ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

	principles and general objectives of the Union's external action and foreign policy in respect of the country or region in question and the Union international commitments. In relation to the external dimension, the Fund should target support to enhance cooperation with third countries and to reinforce key aspects of migration management in areas of interest to the Union's migration policy.	<i>of this Regulation, and subject to appropriate safeguards. Such measures</i> should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence <i>and complementarity</i> should be sought with the principles and general objectives of the Union's external action and foreign policy in respect of the country or region in question and the Union international commitments. In relation to the external dimension, the Fund <i>The principle of policy coherence for development, as set out in paragraph 35 of the European Consensus on Development,</i> should target support to enhance cooperation with third countries and to reinforce key aspects of migration management in areas of interest to the Union's migration policy <i>be respected. Coherence with the humanitarian principles as set out in the European Consensus on Humanitarian Aid should be ensured during the</i>	objectives of the Union's external action and foreign policy in respect of the country or region in question and the Union international commitments. In relation to the external dimension, the Fund should target support to enhance cooperation with third countries and to reinforce key aspects of migration management in areas of interest to the Union's migration policy.	
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		<i>implementation of emergency assistance. [Am. 40]</i>		
42.	(31) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action undertaken by Member States alone. Financial support provided under this Regulation should contribute, in particular, to strengthening national and Union capabilities in the areas of asylum and migration.	(31) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action undertaken by Member States alone. Financial support provided under this Regulation should contribute, in particular, to <i>Member State solidarity on asylum and migration in accordance with Article 80 TFEU, and to</i> strengthening national and Union capabilities in the areas of asylum and migration. [Am. 41]	(31) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action undertaken by Member States alone. Financial support provided under this Regulation should contribute, in particular, to strengthening national and Union capabilities in the areas of asylum and migration.	
43.	(32) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> , including as regards the use of operating support under this Fund, if it has failed to fulfil its obligations under the Treaties in the area of asylum and return, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on asylum and return or if an evaluation report under the Schengen or the European	(32) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> , including as regards the use of operating support under this Fund, if it has failed to fulfil its obligations under the Treaties in the area of asylum and return, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on asylum and return or if an evaluation report under the Schengen or the European Union	(32) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> , including as regards the use of operating support under this Fund, if it has failed to fulfil its obligations under the Treaties in the area of asylum and return, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on asylum and return or if an evaluation report under the Schengen <i>evaluation and</i>	

	Union Agency for Asylum evaluation and monitoring mechanism has identified deficiencies in the relevant area.	Agency for Asylum evaluation and monitoring mechanism has identified deficiencies in the relevant area.	monitoring mechanism or the European Union Agency for Asylum evaluation and monitoring mechanism has identified deficiencies in the relevant area.	
44.	(33) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the policy and specific objectives laid down in this Regulation.	(33) The Fund should reflect the need for increased transparency , flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the policy and specific objectives laid down in this Regulation. <i>The implementation of the Fund should be guided by the principles of efficiency, effectiveness and quality of spending. Furthermore, the implementation of the Fund should be as user-friendly as possible.</i> [Am. 43]	(33) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the policy and specific objectives laid down in this Regulation.	
45.	(34) This Regulation should establish the initial amounts to Member States consisting of a fixed amount and an amount calculated on the basis of criteria laid down in Annex I, which reflect the needs and	(34) This Regulation should establish the initial amounts to Member States consisting of a fixed amount and an amount calculated on the basis of criteria laid down in Annex I , which reflect the needs and pressure	(34) This Regulation should establish the initial amounts to Member States consisting of a fixed amount and an amount calculated on the basis of criteria laid down in Annex I, which reflect the needs and pressure	

	pressure experienced by different Member States in the areas of asylum, integration and return.	experienced by different Member States in the areas of asylum, migration , integration and return. Particular attention should be given to insular societies facing disproportionate migration challenges. [Am. 44]	experienced by different Member States in the areas of asylum, integration and return. <i>In view of the special needs of those Member States who have experienced the highest number of asylum applications per capita in 2018 and 2019, it is appropriate to increase the fixed amounts for Cyprus, Malta and Greece.</i>	
46.	(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, and counter irregular migration through efficient and sustainable return policy, an additional amount should be allocated to the Member States at mid-term taking into account the absorption rates. This amount should be based on the latest available statistical data as set out in Annex I to reflect the changes in the baseline situation of Member States.	(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, to develop legal migration and counter irregular migration through efficient, rights compliant and sustainable return policy, an additional amount should be allocated to the Member States at mid-term taking into account the absorption rates. This amount should be based on the latest available statistical data as set out in Annex I to reflect the	(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, and counter irregular migration through efficient and sustainable return policy, an additional amount should be allocated to the Member States at mid-term taking into account objective criteria the absorption rates . This amount should be based on the latest available statistical data as set out in Annex I to reflect the changes in the baseline situation of Member States.	

		changes in the baseline situation of Member States. [Am. 45]		
47.	(36) To contribute to the achievement of the policy objective of the Fund, Member States should ensure that their programmes include actions addressing the specific objectives of this Regulation, that the priorities chosen are in line with the implementation measures as set out in Annex II and that the allocation of resources between the objectives ensures that the overall policy objective can be met.	(36) To contribute to the achievement of the policy objective of the Fund, Member States <i>and the Commission</i> should ensure that their <i>Member States'</i> programmes include actions addressing which <i>contribute to achieving each of</i> the specific objectives of this Regulation. <i>They should ensure furthermore that the allocation of funding to the specific objectives serves those objectives in the best possible way and is based on the most up-to-date needs, that the programmes include a minimum level of expenditure with respect to those objectives, that the sharing of resources to objectives is in proportion to the challenges faced</i> , that the priorities chosen are in line with the implementation measures as set out in Annex II and that the allocation of resources between the objectives ensures that the overall policy objective can be met. [Am. 46]	(36) To contribute to the achievement of the policy objective of the Fund, Member States should ensure that their programmes include actions addressing the specific objectives of this Regulation, that the priorities chosen are in line with the implementation measures as set out in Annex II and that the allocation of resources between the objectives ensures that the overall policy objective can be met.	
48.	(37) As challenges in the area of migration are constantly	(37) As challenges in the area of migration are constantly	(37) As challenges in the area of migration are constantly	

	evolving, there is a need to adapt the allocation of funding to the changes in migration flows. To respond to pressing needs and changes in policy and Union priorities, and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions, emergency assistance, resettlement and to provide additional support for Member States contributing to solidarity and responsibility efforts via a thematic facility.	evolving, there is a need to adapt the allocation of funding to the changes in migration flows. To respond to pressing needs and changes in policy and Union priorities, and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions, <i>actions of local and regional authorities</i>, emergency assistance, resettlement and to provide additional support for Member States contributing to solidarity and responsibility efforts via a thematic facility. [Am. 47]	evolving, there is a need to adapt the allocation of funding to the changes in migration flows. To respond to pressing needs and changes in policy and Union priorities, and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions, emergency assistance, resettlement <i>and humanitarian admission</i> and to provide additional support for Member States contributing to solidarity and responsibility efforts via a thematic facility. <i>The financial envelope allocated to the thematic facility will also serve to reinforce programmes.</i>	
49.	(38) Member States should be encouraged to use part of their programme allocation to fund the actions listed in Annex IV by benefiting from a higher Union contribution.	(38) Member States should be encouraged to use part of their programme allocation to fund the actions listed in Annex IV by benefiting from a higher Union contribution.	(38) Member States should be encouraged to use part of their programme allocation to fund the actions listed in Annex IV by benefiting from a higher Union contribution.	
49a		<i>(38a) Efforts made by Member States to fully and properly implement the Union asylum acquis, including to grant appropriate reception conditions to applicants for, and beneficiaries of, international</i>		

		<i>protection, to ensure the correct determination of status, in accordance with Directive 2011/95/EU, to apply fair and effective asylum procedures, should be supported by the Fund, in particular when those efforts are directed to unaccompanied minors for whom costs are higher. Member States should therefore receive a lump sum for each unaccompanied minor who is granted international protection, however this lump sum should not be cumulative to additional funding provided under this Regulation for resettlement. [Am. 48]</i>		
50.	(39) Part of the available resources under the Fund could also be allocated to Member States' programmes for the implementation of specific actions in addition to the initial allocation. These specific actions should be identified at Union level and should concern actions which require cooperative effort or actions necessary to address developments in the Union which require additional	(39) Part of the available resources under the Fund could also be allocated to Member States' programmes for the implementation of specific actions in addition to the initial allocation. These specific actions should be identified at Union level and should concern actions which require cooperative effort or actions necessary to address developments in the Union which require additional funding	(39) Part of the available resources under the Fund could also be allocated to Member States' programmes for the implementation of specific actions in addition to the initial allocation. These specific actions should be identified at Union level and should concern actions which require cooperative effort or actions necessary to address developments in the Union which require additional funding to be	

	funding to be made available to one or more Member States.	to be made available to one or more Member States.	made available to one or more Member States.	
51.	(40) The Fund should contribute to supporting operating costs related to asylum and return and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.	(40) The Fund should contribute to supporting operating costs related to asylum and return immigration and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes. [Am. 49]	(40) The Fund should contribute to supporting operating costs related to <i>the specific objectives of the Fund</i> asylum and return and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.	
52.	(41) To complement the implementation of the policy objective of this Fund at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union.	(41) To complement the implementation of the policy objective of this Fund at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union <i>while respecting the need to provide adequate funding, in a fair and</i>	(41) To complement the implementation of the policy objective of this Fund at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union.	

		<i>transparent manner, to achieve the objectives of the Fund. Through these actions the protection of fundamental rights in the implementation of the Fund should be ensured.</i> [Am. 50]		
	(42) In order to strengthen the Union's capacity to immediately address unforeseen or disproportionate heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country nationals, which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures, heavy migratory pressures in third countries due to political developments or conflicts, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation.	(42) In order to strengthen the Union's capacity to immediately address unforeseen or disproportionate heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country third country nationals, in one or more Member States which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures, heavy or migratory pressures challenges or significant resettlement needs in third countries due to political developments, or conflicts or natural disasters, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. [Am. 51]	(42) In order to strengthen the Union's capacity to immediately address unforeseen or disproportionate heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country nationals, which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures, heavy migratory pressures in third countries due to political developments or conflicts, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation.	

53.	(43) This Regulation should ensure the continuation of the European Migration Network set up by Council Decision 2008/381/EC ²⁹ and should provide financial assistance in accordance with its objectives and tasks.	(43) This Regulation should ensure the continuation of the European Migration Network set up by Council Decision 2008/381/EC ³⁰ and should provide financial assistance in accordance with its objectives and tasks.	(43) This Regulation should ensure the continuation of the European Migration Network set up by Council Decision 2008/381/EC ³¹ and should provide financial assistance in accordance with its objectives and tasks.	
54.	(44) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	(44) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value. [Am. 52]	(44) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	
54a			<i>(44a) Blending operations have a voluntary nature and are operations supported by the Union budget combining repayable</i>	

²⁹ 2008/381/EC: Council Decision of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

³⁰ 2008/381/EC: Council Decision of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

³¹ 2008/381/EC: Council Decision of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

			<i>and/or non-repayable forms of support from the Union budget with repayable forms of support from promotional/ development or other public finance institutions, as well as from commercial finance institutions and investors.</i>	
55.	(45) This Regulation lays down a financial envelope for the entire Asylum and Migration Fund which is to constitute the prime reference amount, within the meaning of [reference to be updated as appropriate according to the new inter-institutional agreement: point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³²], for the European Parliament and the	(45) This Regulation lays down a financial envelope for the entire Asylum and Migration Fund which is to constitute the prime reference amount, within the meaning of [reference to be updated as appropriate according to the new inter-institutional agreement: point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³³], for the European Parliament and the Council during the annual budgetary procedure.	(45) This Regulation lays down a financial envelope for the entire Asylum and Migration Fund which is to constitute the prime reference amount, within the meaning of [reference to be updated as appropriate according to the new inter-institutional agreement: point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³⁴], for the European Parliament and the Council during the annual budgetary procedure.	

³² OJ C 373, 20.12.2013, p. 1;
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

³³ OJ C 373, 20.12.2013, p. 1;
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

³⁴ ~~OJ C 373, 20.12.2013, p. 1;~~

	Council during the annual budgetary procedure.			
56.	(46) Regulation (EU) No .../... [Financial Regulation] applies to this Fund. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees.	(46) Regulation (EU) No .../... [Financial Regulation] applies to this Fund. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees	(46) Regulation (EU, <i>Euratom</i>) 2018/1046 No .../... [Financial Regulation] applies to this Fund. It The Financial Regulation lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect management implementation , financial assistance, financial instruments and budgetary guarantees.	EP: it is fine to refer to Regulation (EU, Euratom) 2018/1046 in the ordinary way (rather than using the form "Financial Regulation". The first time it must be the full title with standard footnote: (46) Regulation (EU, <i>Euratom</i>) 2018/1046 of the European Parliament and of the Council ³⁵ No .../... [Financial Regulation] applies to this Fund. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees. And the change must be done consistently, so also below in e.g. line 57 (Recital 47)
57.	(47) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, Financial	(47) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, Financial Regulation	(47) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, Financial Regulation	EP: for consistency "Financial Regulation" here should be changed to "Regulation (EU, Euratom) 2018/1046".

³⁵ **Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).**

	Regulation and Regulation (EU) .../2021 [Common Provisions Regulation].	and Regulation (EU) .../2021 [Common Provisions Regulation]. <i>In the event of conflicting provisions, this Regulation should take precedence over Regulation(EU) No X [CPR]. [Am. 53]</i>	and Regulation (EU) .../2021 [Common Provisions Regulation].	
58.	(48) Regulation (EU) .../2021 [Common Provisions Regulation] establishes the framework for action for ERDF, ESF+, the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMF), the Internal Security Fund (ISF) and the Border Management and Visa Instrument (BMVI) as a part of the Integrated Border Management Fund (IBMF), and lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for Union funds implemented under shared management. It is therefore necessary to specify the objectives of AMF, and to lay down specific provisions concerning the type of	(48) Regulation (EU) .../2021 [Common Provisions Regulation] establishes the framework for action for ERDF, ESF+, the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMF), the Internal Security Fund (ISF) and the Border Management and Visa Instrument (BMVI) as a part of the Integrated Border Management Fund (IBMF), and lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for Union funds implemented under shared management. <i>Beyond setting up financial rules common to several Union funds, including the Asylum, and Migration Fund (AMF), the Internal Security Fund (ISF) and the Border Management and Visa Instrument (BMVI) as a part of the Integrated Border Management Fund (IBMF), and lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for Union funds implemented under shared management. and Integration Fund (AMIF), it is therefore necessary to specify the objectives of AMF AMIF, and to</i>	(48) Regulation (EU) .../2021 [Common Provisions Regulation] establishes the framework for action for ERDF, ESF+, the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum, and Migration <i>and Integration</i> Fund (AMIF), the Internal Security Fund (ISF) and the Border Management and Visa Instrument (BMVI) as a part of the Integrated Border Management Fund (IBMF), and lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for Union funds implemented under shared management. It is therefore necessary to specify the objectives of AMIF, and to lay down specific provisions concerning the type of activities that may be financed by AMIF.	

	activities that may be financed by AMF.	lay down specific provisions concerning the type of activities that may be financed by AMF <i>AMIF</i> . [Am. 54]		
58a.			<i>(48a) A pre-financing scheme for the Fund is set out in Article 84 of Regulation EU.../....[CPR] with a specific pre-financing rate set out in this Regulation. In addition, in order to ensure a prompt reaction to an emergency situation, it is appropriate to set up a specific pre-financing rate for emergency assistance. The pre-financing scheme should ensure that a Member State has the means to provide support to beneficiaries from the start of the implementation of the programme.</i>	Horizontal
59.	(49) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should	(49) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use	(49) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use	EP: for consistency "the Financial Regulation" here should be changed to "Regulation (EU, Euratom) 2018/1046".

	include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	
60.	(50) In accordance with the Financial Regulation ³⁶ , Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ³⁷ , Council Regulation (Euratom, EC) No 2988/95 ³⁸ , Council Regulation (Euratom, EC) No 2185/96 ³⁹ and Council	(50) In accordance with the Financial Regulation ⁴² , Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁴³ , Council Regulation (Euratom, EC) No 2988/95 ⁴⁴ , Council Regulation (Euratom, EC) No 2185/96 ⁴⁵ and Council	(50) In accordance with <i>Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council</i> ⁴⁸ (the Financial Regulation), Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁴⁹ , Council Regulation	EP: As the first time Regulation 2018/1046 (not "No 2018/1046") is mentioned in Recital (46), Recital (46) is where the footnote must be, thus it should be deleted here as should "of the European Parliament and of the Council". And, as we understand the preference is for using the ordinary form of reference, i.e.

³⁶ OJ C , , p. .

³⁷ OJ C , , p. .

³⁸ Council Regulation (Euratom, EC) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests (OJ L 312, 23.12.95, p. 1).

³⁹ OJ C , , p. .

⁴² OJ C , , p. .

⁴³ OJ C , , p. .

⁴⁴ Council Regulation (Euratom, EC) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests (OJ L 312, 23.12.95, p. 1).

⁴⁵ OJ C , , p. .

⁴⁸ ***Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1)*** OJ C , , p. .

⁴⁹ ***Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, (OJ L 248, 18.9.2013, p. 1)*** OJ C , , p. .

Regulation (EU) 2017/1939 ⁴⁰ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to	Regulation (EU) 2017/1939 ⁴⁶ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative and/or criminal sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has	(Euratom, EC) No 2988/95 ⁵⁰ , Council Regulation (Euratom, EC) No 2185/96 ⁵¹ and Council Regulation (EU) 2017/1939 ⁵² , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities including and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative penalties sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and	Regulation (EU, Euratom) 2018/2046, there is no need to keep "(the Financial Regulation)" in the first sentence of this Recital. Also, "the Financial Regulation" mentioned in the fourth (last) sentence of this Recital should be changed to "Regulation (EU, Euratom) 2018/2046".
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⁴⁰ Council Regulation (EU) 2017/1371 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

⁴⁶ Council Regulation (EU) ~~2017/1371~~ **2017/1939** of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

⁵⁰ Council Regulation (Euratom, EC) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests (OJ L 312, 23.12.95, p. 1).

⁵¹ **Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2)** ~~OJ L 292, 15.11.1996, p. 2~~.

⁵² Council Regulation (EU) 2017/~~1371~~ **1939** of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁴¹. In accordance with the Financial Regulation, any person or entity receiving Union funds is to cooperate fully in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF and the European Court of Auditors and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁴⁷. In accordance with the Financial Regulation, any person or entity receiving Union funds is to cooperate fully in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF and the European Court of Auditors and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. Member States are to cooperate fully and give all the necessary assistance	inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity criminal offences affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office ("the EPPO") may investigate and prosecute offences against fraud and other illegal activities affecting the financial interests of the Union's financial interests of the Union, as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council⁵³. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate fully in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced	
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⁴¹ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

⁴⁷ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

⁵³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

		<i>to the Union's institutions, agencies and bodies in order to protect the Union's financial interests. The results of investigations into irregularities or fraud in relation to the Fund should be made available to the European Parliament. [Am. 55]</i>	<i>cooperation pursuant to Regulation (EU) 2017/1939, and the European Court of Auditors (ECA), and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.</i>	
60a			<i>(50a) Third countries which are members of the European Economic Area (EEA) may participate in Union programmes in the framework of the cooperation established under the Agreement on the European Economic Area²², which provides for the implementation of the programmes on the basis of a decision adopted under that Agreement. Third countries which are associated with the activities of the Union in the fields covered by the present instrument may participate in this Union Fund. Third countries may also participate on the basis of other legal instruments. A specific provision should be introduced in this Regulation to grant the necessary rights for and access to the authorizing officer responsible, OLAF, as well as the European Court of Auditors</i>	

			<i>to comprehensively exert their respective competences.</i>	
61.	(51) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 of the TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	(51) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 of the TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	(51) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 of the TFEU also concern <i>other conditionalities to protect the budget</i> ⁵⁴ . the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.	Horizontal EP: for consistency "the Financial Regulation" here should be changed to "Regulation (EU, Euratom) 2018/1046".

⁵⁴ *This recital may have to be updated pending the outcome of negotiations on the conditionality regime.*

61a		<i>(51a) Where there is clear evidence that the legality of projects, or the legality and regularity of funding, or the performance of projects would be put in doubt as a result of a reasoned opinion by the Commission in respect of an infringement under Article 258 TFEU, the Commission should ensure that there is no funding available for these projects.</i> [Am. 56]		
62.	(52) Pursuant to Article 94 of Council Decision 2013/755/EU⁵⁵, persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	(52) Pursuant to Article 94 of Council Decision 2013/755/EU⁵⁶, persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	(52) Pursuant to Article 94 of Council Decision 2013/755/EU⁵⁷, persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	

⁵⁵ Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

⁵⁶ Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

⁵⁷ Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

63.	(53) Pursuant to Article 349 of the TFEU and in line with the Commission Communication 'A stronger and renewed strategic partnership with the EU's outermost regions' ⁵⁸ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their national strategies and programmes address the specific challenges the outermost regions face in managing migration. The Fund supports these Member States with adequate resources to help these regions manage migration sustainably and handle possible situations of pressure.	(53) Pursuant to Article 349 of the TFEU and in line with the Commission Communication 'A stronger and renewed strategic partnership with the EU's outermost regions' ⁵⁹ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their national strategies and programmes address the specific challenges the outermost regions face in managing migration. The Fund supports these Member States with adequate resources to help these regions manage migration sustainably and handle possible situations of pressure.	(53) Pursuant to Article 349 of the TFEU and in line with the Commission Communication 'A stronger and renewed strategic partnership with the EU's outermost regions' ⁶⁰ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their national strategies and programmes address the specific challenges the outermost regions face in managing migration. The Fund supports these Member States with adequate resources to help these regions manage migration sustainably and handle possible situations of pressure.	
63a		<i>(53a) Civil society organisations, local and regional authorities and national parliaments in the Member States and in third countries should be consulted during the process of programming, implementing</i>		COM to propose a possible compromise proposal in lines 63a and 138a.

⁵⁸ COM(2017)623 final.

⁵⁹ COM(2017)623 final.

⁶⁰ COM(2017)623 final.

		<i>and evaluating the programmes financed through the Fund.</i> [Am. 57]		
64	(54) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, common indicators and related targets should be established in relation to each specific objective of the Fund. Through these common indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund, in accordance with the relevant provisions of Regulation (EU) .../2021 of the European	(54) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, including qualitative and quantitative indicators , as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, common indicators and related targets should be established in relation to each specific objective of the Fund. Through these common indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund, in accordance with the relevant provisions of Regulation	(54) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016, there is a need to evaluate this Fund should be evaluated on the basis of information collected in accordance with through specific monitoring requirements, while avoiding an overregulation and administrative burden, in particular on Member States, and overregulation. Those These requirements, where appropriate, should can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, common indicators and related targets should be established in relation to each specific objective of the Fund. Through these common indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund, in accordance with the relevant provisions of Regulation	Horizontal

	Parliament and of the Council [Common Provisions Regulation] and this Regulation.	(EU) .../2021 of <i>To adequately fulfil its supervisory role, the Commission should be in a position to establish the amounts actually spent from the Fund in a given year. When reporting the annual accounts of their national programme to the Commission, Member States should therefore distinguish between recoveries, pre-financing payments to final beneficiaries and reimbursements of expenditure that was actually incurred. To facilitate the audit and the monitoring of the implementation of the Fund, the Commission should include these amounts in its annual implementation report for the Fund as well as monitoring results and implementation of actions of the Fund at local, regional, national and Union level, including specific projects and partners. The Commission should present a summary of the accepted annual performance reports to the European Parliament and of the Council [Common Provisions Regulation] and this Regulation every year. Reports outlining</i>	(EU) .../2021 of the European Parliament and of the Council [Common Provisions Regulation] and this Regulation.	
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		<i>monitoring results and implementation of actions under the Fund at both Member States and Union level should be made publicly available and presented to the European Parliament. [Am. 58]</i>		
64a			<i>(54a) For the purpose of the implementation of the programmes with a view to achieving the objectives of the Fund, it is necessary to process certain personal data of participants in operations supported by the Fund. The personal data should be processed for the common indicators, for monitoring, evaluation, control and audit and, where applicable, for determining the eligibility of participants. The processing of personal data should be done in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council.⁶¹</i>	
65.	(55) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the	(55) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement	(55) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement	EP suggested a compromise proposal for recital 55 in line with their proposal in BMVI, as follows:

⁶¹ *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).*

	Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25 % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25 % of the EU budget expenditures supporting climate objectives <i>over the MFF 2021-2027 period and an annual target of 30 % as soon as possible and at the latest by 2027.</i> Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. [Am. 59]	and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 30 25 % of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	<i>"(55) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Fund(s)/Programme will should contribute to mainstream climate actions and to the achievement of an overall target of <u>30</u> 25 % of the EU budget expenditure supporting climate objectives. <u>In this context, the Funds/Programme should support activities that would respect the climate and environmental standards and priorities of the Union and the “do no harm” principle of the European Green Deal.</u>"</i>
65a			<i>(55a) Regulation (EU) No 514/2014 or any act applicable to the 2014–2020 programming period should continue to apply to programmes and projects supported by the Fund under the 2014–2020 programming period. Since the implementation period of Regulation (EU) No 514/2014 extends over to the programming period covered by this Regulation and in order to ensure continuity of implementation of certain</i>	Horizontal

			<i>projects approved by that Regulation, phasing provisions should be established. Each individual phase of the phased project should be implemented in accordance with the rules of the programming period under which it receives funding.</i>	
66.	(56) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to develop further the common monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that these consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on	(56) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the work programmes for the thematic facility, list of actions eligible for support by the instrument in Annex III , list of actions eligible for higher co-financing as listed in Annex IV, operating support provided for in Annex VII and in order to develop further the common monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and with civil society organisations, including	(56) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to develop further the common monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that these consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.	

	Better Law Making of 13 April 2016.	<i>migrants and refugees organisations</i> , and that these consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016. [Am. 60]		
67.	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁶² . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁶³ . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁶⁴ . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to	

⁶² Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁶³ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁶⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

	used for the adoption of implementing acts relating to the arrangements for providing information to the Commission in the framework of programming and reporting, given their purely technical nature.	adoption of implementing acts relating to the arrangements for providing information to the Commission in the framework of programming and reporting, given their purely technical nature.	the arrangements for providing information to the Commission in the framework of programming and reporting, given their purely technical nature.	
68.	(58) Since the objective of this Regulation, namely to contribute to an effective management of migration flows in the Union, in accordance with the common policy on asylum and international protection and the common immigration policy, cannot be sufficiently achieved by the Member States acting alone and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(58) Since the objective objectives of this Regulation, namely to enhance solidarity between Member States contribute to an effective management of migration flows in the Union, in accordance with and to the implementation, strengthening and development of the common policy on asylum, and international subsidiary protection and temporary protection and of the common immigration policy, cannot be sufficiently achieved by the Member States acting alone and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not	(58) Since the objective of this Regulation, namely to contribute to an effective management of migration flows in the Union, in accordance with the common policy on asylum and international protection and the common immigration policy, cannot be sufficiently achieved by the Member States acting alone and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	

		go beyond what is necessary in order to achieve that objective. [Am. 61]		
68a.			<i>58a. In view of the fact that certain aspects of this Regulation relate to the current Common European Asylum System it is appropriate to provide for a review mechanism to ensure consistency with any future revision of that system. Consequently, in the event that the Common European Asylum System is revised in a manner that could have an impact on the functioning of this Regulation, the Commission should present an appropriate proposal to amend this Regulation to the extent necessary.</i>	Linked to Article 34a (new)
69.	(59) In accordance with Article 3 of the Protocol on the position of [the United Kingdom] and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland [is not taking part in the adoption of this Regulation and	(59) In accordance with Article 3 of the Protocol on the position of [the United Kingdom] and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland [is not taking part in the adoption of this Regulation and is not bound by it	(59) In accordance with Articles 1 and 2 3 of the Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject	

	is not bound by it or subject to its application / has notified its wish to take part in the adoption and application of this Regulation].	or subject to its application / has notified its wish to take part in the adoption and application of this Regulation].	to its application. / has notified its wish to take part in the adoption and application of this Regulation.	
70.	(60) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	(60) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	(60) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	
71.	(61) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) .../2021 [Multiannual Financial Framework Regulation],	(61) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) .../2021 [Multiannual Financial Framework Regulation],	(61) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) .../2021 [Multiannual Financial Framework Regulation],	
72.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	

73.	CHAPTER I GENERAL PROVISIONS	CHAPTER I General provisions	CHAPTER I GENERAL PROVISIONS	
74.	<i>Article 1 Subject matter</i>	Article 1 Subject matter	<i>Article 1 Subject matter</i>	
75.	1. This Regulation establishes the Asylum and Migration Fund ('the Fund').	1. This Regulation establishes the Asylum, and Migration <i>and Integration</i> Fund ('the Fund'). [Am. 62]	1. This Regulation establishes the Asylum, and Migration <i>and Integration</i> Fund ('the Fund') <i>for the period from 1 January 2021 to 31 December 2027.</i>	Horizontal Title provisionally agreed across the proposal. Further discussions necessary
76.	2. This Regulation lays down the objectives of the Fund, the budget for the period from 2021 to 2027, the forms of Union funding and the rules for providing such funding.	2. This Regulation lays down the objectives of the Fund, the budget for the period from 2021 to 2027, the forms of Union funding and the rules for providing such funding.	2. This Regulation lays down the objectives of the Fund, the budget for the period from 2021 to 2027, the forms of Union funding and the rules for providing such funding.	Horizontal Technical EP to discuss internally.
77.	<i>Article 2 Definitions</i>	Article 2 Definitions	<i>Article 2 Definitions</i>	
78.	For the purpose of this Regulation, the following definitions shall apply:	For the purpose of this Regulation, the following definitions shall apply	For the purpose of this Regulation, the following definitions shall apply:	
79.	(a) 'applicant for international protection' means an applicant as defined in point	(a) 'applicant for international protection' means an applicant as defined in point [x] (c) of	(a) 'applicant for international protection' means an applicant as defined in point (c) of Article 2	Provisional agreement confirmed at the trilogue meeting on 7 October 2020 as follows:

	[x] of Article 2 of Regulation (EU) ... [Asylum Procedure Regulation] ⁶⁵ ;	Article 2 of Regulation (EU) ... [Asylum Procedure Regulation]⁶⁶ Directive 2013/32/EU ; [Am. 63]	of Directive 2013/32/EU [x] of Article 2 of Regulation (EU) ... [Asylum Procedure Regulation]⁶⁷;	"(a) 'applicant for international protection' means an applicant as defined in point (c) of Article 2 of Directive 2013/32/EU [x] of Article 2 of Regulation (EU) ... [Asylum Procedure Regulation]⁶⁸; "
80.	(b) 'beneficiary of international protection' within the meaning of point (2) of Article [2] of Regulation (EU) ... [Qualification Regulation] ⁶⁹ ;	(b) 'beneficiary of international protection' within the meaning of point (2) (b) of Article [2] of Regulation (EU) ... [Qualification Regulation]⁷⁰ 2 of Directive 2011/95/EU ; [Am. 64]	(b) 'beneficiary of international protection' within the meaning of point (b) of Article 2 of Directive 2011/95/EU (2) of Article [2] of Regulation (EU) ... [Qualification Regulation]⁷¹;	Provisional agreement confirmed at the trilogue meeting on 7 October 2020 as follows: "(b) 'beneficiary of international protection' within the meaning of point (b) of Article 2 of Directive 2011/95/EU (2) of Article [2] of Regulation (EU) ... [Qualification Regulation]⁷²; "
81.	(c) 'blending operation' means actions supported by the Union budget, including within blending facilities as defined in point (6) of Article 2 of the Financial Regulation, combining non-repayable	(c) 'blending operation' means actions supported by the Union budget, including within blending facilities as defined in point (6) of Article 2 of the Financial Regulation, combining non-repayable forms of support	(c) 'blending operation' means actions supported by the Union budget, including within blending facilities as defined in point (6) of Article 2 of pursuant to Article 2(6) of Regulation (EU, Euratom) 2018/1046 of the	Following the technical meeting on 22 January 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 as follows:

⁶⁵ OJ C , , p. .

⁶⁶ ~~OJ C , , p. .~~

⁶⁷ OJ C , , p. .

⁶⁸ OJ C , , p. .

⁶⁹ OJ C , , p. .

⁷⁰ ~~OJ C , , p. .~~

⁷¹ OJ C , , p. .

⁷² OJ C , , p. .

	forms of support or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	<i>European Parliament and of the Council</i> ⁷³ the Financial Regulation, combining non-repayable forms of support or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	"(c) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of Regulation (EU, Euratom) 2018/1046."
82.	(d) 'family member' means any third-country national as defined under the Union law relevant to the policy area of action supported under the Fund;	(d) 'family member' means any third-country national as defined under the Union law relevant to the policy area of action supported under the Fund;	(d) 'family member' means any third-country national as defined under the Union law relevant to the policy area of action supported under the Fund;	Agreed An understanding was reached that this definition may need to be adapted linguistically.
83.	(e) 'humanitarian admission' within the meaning of Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework] ⁷⁴ ;	(e) 'humanitarian admission' within the meaning of Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework] ⁷⁵ <i>scheme' means the admission to the territory of the Member States from a third country to which they have been displaced,</i>	(e) 'humanitarian admission' <i>means the admission following, where requested by a Member State, a referral from the European Asylum Support Office, the UNHCR, or another relevant international body, of third-country nationals or stateless persons, from a third</i>	Technical -> political A possible compromise to be considered: " e) 'humanitarian admission' <i>means the admission following, where requested by a Member State, a referral from the European</i>

⁷³ ***Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).***

⁷⁴ OJ C , , p. .

⁷⁵ OJ C , , p. .

		<i>following, where requested by a Member State, a referral from the UNHCR or another relevant international body, of third-country nationals or stateless persons who are granted international protection or a humanitarian status under national law that provides for rights and obligations equivalent to those of Articles 20 to 32 and Article 34 of Directive 2011/95/EU for beneficiaries of subsidiary protection; [Am. 65]</i>	<i>country to which they have been forcibly displaced, to the territory of the Member States and who are granted international protection or a humanitarian status under national law that provides for rights and obligations equivalent to those of Articles 20 to 34 of Directive 2011/95/EU for beneficiaries of subsidiary protection; within the meaning of Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework]⁷⁶;</i>	<i>Asylum Support Office, the UNHCR, or another relevant international body, of third-country nationals or stateless persons, from a third country to which they have been forcibly displaced, to the territory of the Member States and who are granted international protection or a humanitarian status under national law that provides for rights and obligations equivalent to those of Articles 20 to 34 of Directive 2011/95/EU for beneficiaries of subsidiary protection; within the meaning of Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework]⁷⁷."</i>
84.	(f) 'removal' means 'removal' as defined in point (5) of Article 3 of Directive 2008/115/EC;	(f) 'removal' means 'removal' as defined in point (5) of Article 3 of Directive 2008/115/EC;	(f) 'removal' means 'removal' as defined in point (5) of Article 3 of Directive 2008/115/EC;	Agreed
85.	(g) 'resettlement' means 'resettlement' as defined in Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework];	(g) 'resettlement' means 'resettlement' as defined in Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework];	(g) 'resettlement' means <i>the admission, following a referral from the United Nations High Commissioner for Refugees ('UNHCR'), of third-country nationals or stateless persons from a third country to which</i>	Technical -> political A possible compromise to be considered: "(g) 'resettlement' means 'resettlement' as defined in Article

⁷⁶ OJ C , , p. .

⁷⁷ OJ C , , p. .

		<i>United Nations High Commissioner for Refugees ('UNHCR'), of third-country nationals or stateless persons from a third country to which they have been displaced, to the territory of the Member States, and who are granted international protection and have access to a durable solution in accordance with Union and national law; [Am. 66]</i>	<i>they have been displaced, to the territory of the Member States, and who are granted international protection, or any other status which gives them similar rights and benefits under Union and national law, and have access to a durable solution in accordance with Union and national law; 'resettlement' as defined in Article [2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework];</i>	<i>[2] of Regulation (EU) ... [Union Resettlement [and Humanitarian Admission] Framework] the admission, following a referral from the United Nations High Commissioner for Refugees ('UNHCR'), of third-country nationals or stateless persons from a third country to which they have been displaced, to the territory of the Member States, and who are granted international protection and have access to a durable solution in accordance with Union and national law;"</i>
86.	(h) 'return' means 'return' as defined in point (3) of Article 3 of Directive 2008/115/EC;	(h) 'return' means 'return' as defined in point (3) of Article 3 of Directive 2008/115/EC;	(h) 'return' means 'return' as defined in point (3) of Article 3 of Directive 2008/115/EC;	Agreed
87.	(i) 'third-country national' means any person who is not a citizen of the Union as defined in Article 20(1) of the TFEU. Reference to third-country nationals shall be understood to include stateless persons and persons with undetermined nationality;	(i) 'third-country national' means any person who is not a citizen of the Union as defined in Article 20(1) of the TFEU. Reference to third-country nationals shall be understood to include stateless persons and persons with undetermined nationality;	(i) 'third-country national' means any person who is not a citizen of the Union as defined in Article 20(1) of the TFEU. Reference to third-country nationals shall be understood to include stateless persons and persons with undetermined nationality;	Agreed
88.	(j) 'vulnerable person' means any person as defined under the Union law relevant to the	(j) 'vulnerable person' means any person as defined under the Union law relevant to the policy	(j) 'vulnerable person' means any person as defined under the Union law relevant to the policy	Agreed

	policy area of action supported under the Fund.	area of action supported under the Fund.	area of action supported under the Fund.	
88a		<i>(ja) ‘unaccompanied minor’ means a minor who arrives on the territory of the Member States unaccompanied by an adult responsible for him or her whether by law or by the practice of the Member State concerned, and for as long as he or she is not effectively taken into the care of such an adult, including a minor who is left unaccompanied after he or she has entered the territory of the Member States. [Am. 67]</i>		Following the technical meeting on 7 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 as follows: "(ja) 'unaccompanied minor' means an unaccompanied minor as defined in point (l) of Article 2 of Directive 2011/95/EU."
90.	<i>Article 3 Objectives of the Fund</i>	Article 3 Objectives of the Fund	<i>Article 3 Objectives of the Fund</i>	
91.	1. The policy objective of the Fund shall be to contribute to an efficient management of migration flows in line with the relevant Union <i>acquis</i> and in compliance with the Union's commitments on fundamental rights.	1. The policy objective of the Fund shall be to contribute to an efficient management of migration flows implementation, strengthening and development of all aspects of the common European asylum policy under Article 78 TFEU and of the common European immigration policy under Article 79 TFEU in line with the relevant Union <i>acquis</i> and in compliance with principle of solidarity and fair-sharing of responsibility, while	1. The policy objective of the Fund shall be to contribute to an efficient management of migration flows in line with the relevant Union <i>acquis</i> and in compliance with the Union's commitments on fundamental rights.	Technical -> political EP Rapporteurs's proposal: The policy objective of the Fund shall be to contribute to [an efficient management of migration flows implementation, strengthening and development of all aspects of the common European asylum policy under Article 78 TFEU and of the common European immigration policy under Article 79 TFEU in line with the relevant Union <i>acquis</i> and in

		<i>fully respecting</i> the Union's commitments on <i>and the Member States' obligations under international law and the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.</i> [Am. 68]	compliance with <i>principle of solidarity and fair-sharing of responsibility</i>], <i>while fully respecting</i> the relevant Union acquis and the international obligations of the Union <i>and the Member States arising from international instruments to which they are signatory.</i> As regards the reference to the Charter of Fundamental Rights and international obligations in lines 91 and 165, a provisional agreement was reached on 7 July 2020, subject to an agreement on a new recital on the UN Convention on the Rights of the Child, as follows: "...while fully respecting the relevant Union acquis and the international obligations of the Union and the Member States arising from international instruments to which they are signatory." At the trilogue meeting on 7 October 2020, all institutions maintained their position. The Council indicated willingness to consider a text on solidarity as an overall objective,
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				instead of a specific objective (line 95b). More discussions at the technical level necessary.
92.	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:	Agreed
93.	(a) to strengthen and develop all aspects of the Common European Asylum System, including its external dimension;	(a) to strengthen and develop all aspects of the Common European Asylum System, including its external dimension;	(a) to strengthen and develop all aspects of the Common European Asylum System, including its external dimension;	Agreed
94.	(b) to support legal migration to the Member States including to contribute to the integration of third-country nationals;	(b) to support strengthen and develop legal migration to the policies on the European and national level in accordance with Member States' including to contribute to the integration of third-country nationals economic and social needs; [Am. 69]	(b) to support legal migration to the Member States and including to contribute to the integration of third-country nationals;	Political -> technical At the trilogue meeting on 7 October, the institutions maintained their positions on the splitting of the objective on legal migration and integration. Further discussions at the technical level necessary.
95.	(c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries.	(c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries. and promote the effective	(c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries.	Political -> technical The issue will be discussed again at the political level at a later stage.

		<i>integration and social inclusion of third-country nationals in complementarity with other Union funds; [Am. 70]</i>		
95a		<i>(ca) to contribute to countering irregular migration and ensuring effective, safe and dignified return, readmission and reintegration in third countries; [Am. 71]</i>		Political -> technical The issue will be discussed again at the political level at a later stage.
95b		<i>(cb) to ensure solidarity and fair sharing of responsibility between the Member States, in particular towards those most affected by migration challenges, including through practical cooperation; [Am. 72]</i>		Political -> technical Linked to line 138e. See also line 91.
96.	3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.	3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.	3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.	Agreed "3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II."
96a		<i>Article 3a Partnership</i>		EP presented alternative wording to be considered by Council (5/11/2019). Council prefers to await outcome of negotiations on Partnerships under the CPR.

				EP affirms that an addition in AMIF is appropriate and that there is no need to wait for CPR.
96b		<i>For this Fund, partnerships shall include at least local and regional authorities or their representative associations, relevant international organisations, non-governmental organisations, in particular refugee and migrants organisations, national human rights institutions and equality bodies, and economic and social partners.</i>		Technical -> political The EP suggested a compromise at the trilogue meeting on 5/11. In light of subsequent technical discussions, the EP's compromise proposal refers to the provisional agreement of the co-legislators on Article 6 CPR and could be adjusted to read as follows: <i>"For this Fund, partnerships shall, pursuant to point (c) of Article 6(1) of [the CPR], include at least regional, local, urban and other public authorities [or their representative associations], relevant international organisations, non-governmental organisations, in particular refugee and migrant-led organisations, national human rights institutions and equality bodies, and economic and social partners."</i> Further discussions might be necessary at the political level. The Council can support the latest compromise proposal subject replacing 'in particular' with 'such as'.

				The EP suggested the term 'including' as a counter proposal.
96c		<i>These partners shall be involved in a meaningful way in the preparation, implementation, monitoring and evaluation of programmes. [Am. 73]</i>		Technical -> political See line 96b
97.	<i>Article 4 Scope of support</i>	Article 4 Scope of support	<i>Article 4 Scope of support</i>	
98.	1. Within the objectives referred to in Article 3, and in line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.	1. Within the objectives referred to in Article 3, and in line In accordance with the implementation measures listed in Annex II, the Fund shall in particular support the actions that contribute to the achievement of the objectives referred to in Article 3 and are listed in Annex III. The Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for support from the Fund in Annex III. [Am. 74]	1. Within the objectives referred to in Article 3, and in line with the implementation measures listed in Annex II, the Fund shall in particular support the actions such as those listed in Annex III.	Political <i>EP does not agree to horizontal approach as positions on Annex III (open v. closed list differ between the Funds)</i> At the trilogue meeting on 7 October, the three institutions maintained their position on the open and close nature of Annex III and the use of delegated acts to adapt it. Further discussions necessary.
99.	2. To achieve the objectives of this Regulation, the Fund may support the actions in line with the Union priorities as referred to in Annex III in	2. To achieve the objectives referred to in Article 3 of this Regulation, the Fund may, in exceptional cases, within defined limits and subject to	2. To achieve the objectives of this Regulation, the Fund may support the actions in line with the Union priorities as referred to in Annex III in relation to and in	Political At the trilogue meeting on 7 October, the three institutions maintained their

	relation to and in third countries, where appropriate, in accordance with Article 5 and 6.	<i>appropriate safeguards</i> , support the actions in line with the Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5 and 6. [Am. 75]	third countries, where appropriate, in accordance with Article 5 and 6.	position on the approach to funding actions in third countries. Also linked to lines 99a and 99b.
99a		<i>2a. Without prejudice to the provisions of Article 16, the total amount of funding for supporting actions in or in relation to third countries under the thematic facility in accordance with Article 9 shall not exceed 5 % of the total amount allocated to the thematic facility under point (b) of Article 8(2). [Am. 76]</i>		Political The EP also invited the Commission to provide an updated estimate on the relevant funding to re-evaluate the figure to propose as a maximum funding.
99b		<i>2b. Without prejudice to the provisions of Article 16, the total amount of funding for supporting actions in or in relation to third countries under the Member States' programmes in accordance with Article 13 shall not exceed, for each Member State, 5 % of the total amount allocated to that Member State in accordance with point (a) of Article 8(2), Article 11(1) and Annex I. [Am. 77]</i>		Political See line 99a

99c		<i>2c. Actions supported under this paragraph shall be fully coherent with measures supported through the external financing instruments of the Union and with the general principles and general objectives of the Union's external action. [Am. 78]</i>		Political
100.	3. The objectives of this Regulation shall support actions focusing on one or more target groups within the scope of Articles 78 and 79 of the Treaty on the Functioning of the European Union.	3. The objectives of this Regulation shall support actions focusing on one or more target groups within the scope of Articles 78 and 79 of the Treaty on the Functioning of the European Union.	3. The objectives of this Regulation shall support actions focusing on one or more target groups within the scope of Articles 78 and 79 of the Treaty on the Functioning of the European Union.	Agreed
100a		<i>Article 4a Gender equality and non-discrimination</i>		Technical -> political
100b		<i>The Commission and the Member States shall ensure that gender equality and the integration of the gender perspective are an integral part of, and are promoted during, the various stages of the implementation of the Fund. The Commission and the Member States shall take all appropriate steps to prevent any discrimination based on sex,</i>		Technical -> political A possible compromise to consider: <i>1. The Member States and the Commission shall ensure that equality between men and women, gender mainstreaming and the integration of gender perspective are taken into account and promoted</i>

		<i>race, colour, ethnic or social origin, genetic features, language, religion or belief, political or other opinion, membership of a national minority, property, birth, disability, age or sexual orientation in access to the Fund and during the various stages of the implementation of the Fund. [Am. 79]</i>		<i>throughout the preparation, implementation, monitoring, reporting and evaluation of programmes and projects.</i> 2 <i>The Member States and the Commission shall take appropriate steps to exclude any form of discrimination prohibited by Article 21 of the Charter of Fundamental Rights of the European Union during the preparation, implementation, monitoring, reporting and evaluation of programmes and projects."</i>
101.	<i>Article 5</i> Third countries associated to the Fund	Article 5 Third countries associated to the Fund	<i>Article 5</i> Third countries associated to the Fund	
102.	The Fund shall be open to third countries in accordance with the conditions laid down in a specific agreement covering the participation of the third country to the Asylum and Migration Fund, provided that the agreement:	The Fund shall be open to Schengen Associated third countries in accordance with the conditions laid down in a specific agreement to be adopted in accordance with Article 218 TFEU covering the participation of the third country to the Asylum and Migration Fund, provided that the agreement: [Am. 80]	The Fund shall be open to third countries in accordance with the conditions laid down in a specific agreement covering the participation of the third country to the Asylum and Migration Fund, provided that the agreement:	Political COM to provide a compromise proposal.

103.	– ensures a fair balance as regards the contributions and benefits of the third country participating in the Fund;	– ensures a fair balance as regards the contributions and benefits of the third country participating in the Fund;	– ensures a fair balance as regards the contributions and benefits of the third country participating in the Fund;	
104.	– lays down the conditions of participation in the Fund, including the calculation of financial contributions to the Fund and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;	– lays down the conditions of participation in the Fund, including the calculation of financial contributions to the Fund and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;	– lays down the conditions of participation in the Fund, including the calculation of financial contributions to the Fund and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article {21(5)} of Regulation (EU, Euratom) 2018/1046 the Financial Regulation ;	EP agrees to updated reference to Financial Regulation
105.	– does not confer to the third country a decisional power on the Fund;	– does not confer to the third country a decisional power on the Fund;	– does not confer to the third country a decisional power on the Fund;	
106.	– guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	– guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	– guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.	
106a		<i>When drawing up the specific agreement referred to in this Article, the Commission shall consult the European Union Agency for Fundamental Rights, in particular with regard to the fundamental rights</i>		Political

		<i>aspects of the agreement.</i> [Am. 81]		
106b			<i>Article 5a</i> <i>Protection of the financial interests of the Union</i>	Political
106c			<i>Where a third country participates in the Fund by a decision under an international agreement or by virtue of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, OLAF and the European Court of Auditors to comprehensively exert their respective competences. In the case of the OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013⁷⁸.</i>	Political <u>EP to reflect on proposed addition.</u>
107.	<i>Article 6</i> <i>Eligible entities</i>	Article 6 Eligible entities	Article 6 Eligible entities	Horizontal
108.	1. The following entities may be eligible:	1. The following entities may be eligible:	1. The following entities may be eligible:	Council moved to Article 18a

⁷⁸ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)

				Agreed except for location
109.	(a) legal entities established in any of the following countries:	(a) legal entities established in any of the following countries:	(a) — legal entities established in any of the following countries:	Council moved to Article 18a Agreed except for location
110.	(1) a Member State or an overseas country or territory linked to it;	(1) a Member State or an overseas country or territory linked to it;	(1) — a Member State or an overseas country or territory linked to it;	Council moved to Article 18a Agreed except for location
111.	(2) third country associated to the Fund;	(2) third country associated to the Fund;	(2) — third country associated to the Fund;	Council moved to Article 18a Agreed except for location
112.	(3) third country listed in the work programme under the conditions specified therein;	(3) a third country listed in the work programme under the conditions specified therein, and subject to the condition that all actions by, in, or in relation to that third country fully respect the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, and the international obligations of the Union and the Member States; [Am. 82]	(3) — third country listed in the work programme under the conditions specified therein;	Council moved to Article 18a Political Waiting for compromise proposal by the Commission
113.	(b) any legal entity created under Union law or any international organisation.	(b) any legal entity created under Union law or any relevant international organisation. [Am. 83]	(b) — any legal entity created under Union law or any international organisation.	Council moved to Article 18a Technical.

114.	2. Natural persons are not eligible.	2. Natural persons are not eligible	2. Natural persons are not eligible.	Council moved to Article 18a Agreed except for location
115.	3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.	3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action. [Am. 84]	3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.	Council moved to Article 18a Political
116.	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries are eligible.	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries are eligible <i>when this contributes to the achievement of the objectives of the Fund as laid down in Article 3 of this Regulation.</i> [Am. 85]	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries are eligible.	Horizontal Council moved to Article 18a Technical -> political See line 204j Commission: according to current practice third country entities are beneficiaries only in consortia with entities from MS. <i>EP: as mentioned in line 204j, the EP could accept the Council text. However, there remains a need to clarify if this applies to any third country not mentioned in the WP; it should be added that legal entities of</i>

				<i>third countries are beneficiaries only in consortia with entities from MS</i> As regards AMF, Council is open to clarify that this only applies to third countries identified in the work programme and that only entities in consortium with entities from Member States are to be eligible. EP was positive but clarified that this issue is horizontal and need to be looked at horizontally. COM to explain link to CPR To be examined at a horizontal meeting.
117.	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	
118.	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	
119.	<i>Article 7</i> General principles	Article 7 General principles	<i>Article 7</i> General principles	Horizontal
120.	1. Support provided under this Regulation shall complement national, regional and local intervention, and	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on	Technical Horizontal

	shall focus on adding value to the objectives of this Regulation.	focus on adding bringing Union added value to the objectives of this Regulation. [Am. 86]	adding value to the objectives of this Regulation.	Following the technical meeting on 22 January, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 as follows: The term 'Union added value' to be used across the legislation.
121.	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union instruments.	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to <i>and coordinated with national instruments and measures funded under other Union funds, in particular the structural funds and external financing instruments of the Union.</i> [Am. 87]	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union instruments.	Technical Horizontal Co-legislators agreed to continue discussions on the issue on the coordination with other funds in the horizontal format. See also line 270. Commission clarified that Article 8(b)(iii) of CPR still applies to the Fund. The EP nevertheless reiterates that CPR applies only to shared management. Commission proposal: The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant actions, policies and priorities of the Union, and is complementary to other Union

				instruments. Member States shall furthermore ensure that the support provided under this Regulation is coordinated with national instruments. <i>EP proposes to add, in AMF only "...Union instruments, <u>in particular the structural funds and external financing instruments of the Union.</u> Member States...". The EP believes that the addition would not be contrary to the horizontal character of this provision but rather reflect that the AMF has different relationships with other programmes than the other two DG HOME funds.</i> At the technical meeting on horizontal matters on 14 July 2020, the Council agreed to propose a possible compromise proposal in AMF and ISF.
122.	3. The Fund shall be implemented in shared, direct or indirect management in accordance with Articles [62(1) (a), (b) and (c)] of the Financial Regulation.	3. The Fund shall be implemented in shared, direct or indirect management in accordance with Articles [62(1) (a), (b) and (c)] of the Financial Regulation.	3. The Fund shall be implemented in shared, direct or indirect management in accordance with Articles 62(1) (a), (b) and (c) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	Following the technical discussion, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020: "3. The Fund shall be implemented in shared, direct or indirect management in accordance with Articles {62(1) (a), (b) and (c)} of Regulation (EU, Euratom)

				<i>2018/1046 the Financial Regulation</i> ."
123.	<i>Article 8 Budget</i>	Article 8 Budget	<i>Article 8 Budget</i>	
124.	1. The financial envelope for the implementation of the Fund for the 2021-2027 period shall be EUR 10 415 000 000 in current prices.	1. The financial envelope for the implementation of the Fund for the 2021-2027 period shall be EUR 9 204 957 000 in 2018 prices (EUR 10 415 000 000 in current prices). [Am. 88]	1. The financial envelope for the implementation of the Fund for the 2021-2027 period shall be EUR 9 882 000 000 10 415 000 000 in current prices.	Political
125.	2. The financial resources shall be used as follows:	2. The financial resources shall be used as follows:	2. The financial resources shall be used as follows:	
126.	(a) EUR 6 249 000 000 shall be allocated to the programmes implemented under shared management;	(a) EUR 5 522 974 200 in 2018 prices (EUR 6 249 000 000 in current prices) shall be allocated to the programmes implemented under shared management; [Am. 89]	(a) EUR 6 270 000 000 6 249 000 000 shall be allocated to the programmes implemented under shared management;	Political
127.	(b) EUR 4 166 000 000 shall be allocated to the thematic facility.	(b) EUR 3 681 982 800 in 2018 prices (EUR 4 166 000 000 in current prices) shall be allocated to the thematic facility. [Am. 90]	(b) EUR 3 612 000 000 4 166 000 000 shall be allocated to the thematic facility.	Political

128.	3. Up to 0.42 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission as referred to in Article 29 of the Regulation EU ../.. [Common Provisions Regulation].	3. Up to 0.42 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission as referred to in Article 29 of the Regulation EU ../.. [Common Provisions Regulation]. [Am. 91]	3. Up to 0.42 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission as referred to in Article 29 of the Regulation EU ../.. [Common Provisions Regulation].	Technical Horizontal Possible compromise to be considered: "3. Up to 0.42 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission as referred to in Article 29 of the Regulation EU ../.. [Common Provisions Regulation]. "
128a			<i>4. Without prejudice to the resources allocated to Member States under shared management and transferrable in accordance with Article 21 of Regulation (EU) XX [CPR], up to 5% in total of the initial national allocation from any of the funds of the Common Provisions Regulation under shared management may, at the request of Member States, be transferred to the instrument under direct or indirect management. The Commission shall implement those resources directly in accordance with Article 62(1)(a) of the Financial Regulation or indirectly in accordance with Article 62(1)(c).</i>	Horizontal Linked to CPR Council to discuss internally.

			<i>Those resources shall be used for the benefit of the Member State concerned.</i>	
129	<i>Article 9</i> General provisions on the implementation of the thematic facilit	Article 9 General provisions on the implementation of the thematic facility	<i>Article 9</i> General provisions on the implementation of the thematic facility	
130	1. The financial envelope referred to in Article 8(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	1. The financial envelope referred to in Article 8(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	1. The financial envelope referred to in Article 8(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	Agreed
131	a) specific actions;	a) specific actions;	(a) specific actions;	Agreed
132	b) Union actions;	b) Union actions;	(b) Union actions;	Agreed
133.	c) emergency assistance;	c) emergency assistance;	(c) emergency assistance;	Agreed
134.	d) resettlement;	d) resettlement;	(d) resettlement <i>and humanitarian admission</i> ;	Political EP to discuss Council's proposal internally in light of the discussions held at the technical meeting on 30 October 2020.

135.	e) support to Member States contributing to solidarity and responsibility efforts;and	e) support to Member States, contributing including to local and regional authorities, and to international and non-governmental organisations, which contribute to solidarity and responsibility efforts; and [Am. 92]	(e) support to Member States in transfer of applicants for international protection or beneficiaries of international protection contributing to solidarity and responsibility efforts;	Political -> Technical The Council noted the importance which the EP attaches to this issue. <u>The Council does not support the EP amendment.</u>
136.	f) European Migration Network.	f) European Migration Network.	(f) and European Migration Network.	Technical Following the technical discussions, a provisional agreement to move 'and' back at the end of point (e) above was confirmed at the trilogue meeting on 7 October 2020.
137.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Agreed
138.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or be used to respond to urgent needs in line with agreed Union priorities as outlined in Annex II.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or be used to respond to urgent needs in line with agreed Union priorities as outlined in Annex II and through the eligible actions in Annex III.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or be used to respond to urgent needs in line with agreed Union priorities as outlined in Annex II, including the overall migratory evolution. A	Technical -> political Provisional agreement reached at the technical meeting on 7 July for both co-legislators to drop reference to Annex III (EP) and migratory evolution (Council).

			<i>significant part of the funding from the thematic facility shall be used for supporting actions in or in relation to third countries in order to address external migration.</i>	
138a		<i>The Commission shall ensure regular engagement with civil society organisations in the preparation, implementation, monitoring and evaluation of work programmes</i>		Political COM to propose a possible compromise proposal in lines 63a and 138a.
138b		<i>A minimum of 20 % of the funding from the thematic facility shall be allocated to the specific objective referred to in point (a) of Article 3(2).</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
138c		<i>A minimum of 10 % of the funding from the thematic facility shall be allocated to the specific objective referred to in point (b) of the first subparagraph of Article 3(2).</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
138d		<i>A minimum of 10 % of the funding from the thematic facility shall be allocated to the specific objective referred in point (c) of the first subparagraph of Article 3(2).</i>		Political The issue of minimum percentages for specific objectives will be returned to later.

138e		<i>A minimum of 10 % of the funding from the thematic facility shall be allocated to the specific objective referred to in point (cb) of the first subparagraph of Article 3(2). [Am. 93]</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
139.	3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.	3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by <i>where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be put in doubt as a result of</i> a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects. [Am. 94]	3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.	Technical -> political Horizontal Following technical meeting on horizontal issues on 18 November, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020: “When funding from the thematic facility is granted in direct or indirect management to Member States, <u>projects</u> which are affected by a reasoned opinion by the Commission in respect of an infringement <u>proceedings</u> under Article 258 TFEU that put at risk the legality and regularity of expenditure or the performance of <u>those</u> projects <u>shall not be selected</u> .”
140.	4. When funding from the thematic facility is implemented in shared	4. When funding from the thematic facility is implemented in shared management, the	4. When funding from the thematic facility is implemented in shared management, the	Following the technical meeting on horizontal issues on 14 July 2020, a provisional agreement was

	management, the Commission shall, for the purposes of Articles 18 and 19(2) of Regulation EU ../.. [Common Provisions Regulation], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.	Commission shall, for the purposes of Articles 18 and 19(2) of Regulation EU ../.. [Common Provisions Regulation], assess whether the foreseen actions are not affected by ensure that no funding is available for projects where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects would be put in doubt as a result of a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects. [Am. 95]	Commission shall, for the purposes of Articles 18 and 19(2) of Regulation EU ../.. [Common Provisions Regulation], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.	confirmed at the trilogue meeting on 7 October 2020 as follows: "4. For the purposes of Article 18 and Article 19(2) of Regulation (EU) No ../... [CPR], when funding from the thematic facility is implemented in shared management, the Member State shall ensure that, and the Commission shall assess whether, the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 TFEU that puts at risk the legality and regularity of expenditure or the performance of the actions."
141.	5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget. The Commission shall adopt financing decisions as referred to in Article [110] of the Financial Regulation for the thematic facility identifying objectives and actions to be supported and specifying the	5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget. The Commission shall adopt financing decisions as referred to in delegated acts in accordance with Article [110] of the Financial Regulation 32 to lay down work programmes for the thematic facility identifying	5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget. The Commission shall by means of implementing acts adopt financing decisions as referred to in Article 110 of Regulation (EU, Euratom) 2018/1046 the Financial Regulation for the thematic	Political and horizontal At the trilogue meeting on 7 October 2020, the three institutions maintained their position with respect to the mechanism for adoption of the work programmes. Further discussions necessary.

	amounts for each of its components as referred to in paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations.	objectives and actions to be supported and specifying the amounts for each of its components as referred to in paragraph 1. Financing decisions <i>The work programmes shall set out, where applicable, the overall amount reserved for blending operations be made publicly available. [Am. 96]</i>	facility identifying objectives and actions to be supported and specifying the amounts for each of its components as referred to in paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(2).</i>	Provisional agreement on the reference to the Financial Regulation reached across the proposal: "...Regulation (EU, Euratom) 2018/1046 "
142.	6. The thematic facility shall in particular, support actions falling under the implementation measure 2(b) of Annex II that are implemented by the local and regional authorities or civil society organisations.	6. The thematic facility shall in particular, support actions falling under the implementation measure 2(b) 2a of Annex II that are implemented by the local and regional authorities or civil society organisations. <i>In that regard, a minimum of 5 % of the financial envelope of the thematic facility shall be granted under direct or indirect management to local and regional authorities implementing integration actions. [Am. 97]</i>	6. The thematic facility shall in particular, support actions falling under the implementation measure 2(b) of Annex II that are implemented by the national, regional and local and regional authorities or civil society organisations.	Political The issue will be returned to later in the context of an overall discussion on the role of regional and local authorities. The Council considers this issue to be also linked to minimum percentages. The Parliament maintains that whether this fund provides a dedicated component for funding local and regional authorities through the thematic facility is a separate issue from whether the fund sets minimum percentages in respect of the specific objectives of the fund.
143.	7. Following the adoption of a financing decision as	7. Following the adoption of a financing decision work	7. Following the adoption of a financing decision as referred to	Technical

	referred to in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly.	<i>programmes</i> as referred to in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly. [Am. 98]	in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly.	Linked to the outcome in line 141 and 130.
144.	8. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	8. These financing decisions <i>work programmes</i> may be annual or multiannual and may cover one or more components of the thematic facility. [Am. 99]	8. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	Technical Linked to the outcome in line 141 and 130.
145.	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	
146.	<i>Article 10 Scope</i>	Article 10 Scope	<i>Article 10 Scope</i>	
147.	1. This section applies to the part of the financial envelope referred to in Article 8(2)(a), and additional resources to be implemented under shared management according to the Commission decision for the thematic facility referred to in Article 9.	1. This section applies to the part of the financial envelope referred to in Article 8(2)(a), and additional resources to be implemented under shared management according to the Commission decision for the thematic facility referred to in Article 9.	1. This section applies to the part of the financial envelope referred to in Article 8(2)(a), and additional resources to be implemented under shared management according to the Commission decision for the thematic facility referred to in Article 9.	Horizontal The EP proposed aligning text with that in line 173 of BMVI.
148.	2. Support under this section shall be implemented	2. Support under this section shall be implemented under	2. Support under this section shall be implemented under	Following the technical meeting on horizontal issues on 14 July 2020, a

	under shared management in accordance with Article [63] of the Financial Regulation and the Regulation EU ... [Common Provisions Regulation].	shared management in accordance with Article [63] of the Financial Regulation and the Regulation EU ... framework setting up financial rules common Provisions Regulation to several Union funds, including the AMIF. [Am. 100]	shared management in accordance with Article 63 of Regulation (EU, Euratom) 2018/1046 the Financial Regulation and the Regulation EU ... [Common Provisions Regulation].	provisional agreement was confirmed at the trilogue meeting on 7 October 2020 as follows: "2. Support under this section shall be implemented under shared management in accordance with Article 63 of Regulation (EU, Euratom) 2018/1046 and Regulation (EU) No .../... [CPR]."
149.	Article 11 Budgetary resources	Article 11 Budgetary resources	Article 11 Budgetary resources	
150.	1. Resources referred to in Article 8(2)(a) shall be allocated to the national programmes (the 'programmes') implemented by Member States under shared management indicatively as follows:	1. Resources referred to in Article 8(2)(a) shall be allocated to the national programmes (the 'programmes') implemented by Member States under shared management indicatively as follows:	1. Resources referred to in Article 8(2)(a) shall be allocated to the national programmes (the 'programmes') implemented by Member States under shared management indicatively as follows:	Agreed
151.	(a) EUR 5 207 500 000 to the Member States in accordance with Annex I;	(a) EUR 5 207 500 000 to the Member States in accordance with Annex I;	(a) EUR 5 225 000 000 5 207 500 000 to the Member States in accordance with Annex I;	Political
152.	(b) EUR 1 041 500 000 to the Member States for the adjustment of the allocations for the programmes as referred to in Article 14(1).	(b) EUR 1 041 500 000 to the Member States for the adjustment of the allocations for the programmes as referred to in Article 14(1)	(b) EUR 1 045 000 000 1 041 500 000 to the Member States for the adjustment of the allocations for the programmes as referred to in Article 14(1).	Political
153.	2. Where the amount referred to in paragraph 1(b) is	2. Where the amount referred to in paragraph 1(b) is not	2. Where the amount referred to in paragraph 1(b) is not	Political and horizontal

	not allocated, the remaining amount may be added to the amount referred to in Article 8(2)(b).	allocated, the remaining amount may be added to the amount referred to in Article 8(2)(b).	allocated, the remaining amount may be added to the amount referred to in Article 8(2)(b).	
153a.			<i>Article 11a Pre-financing</i>	Horizontal
153b.			<i>In accordance with Article 84(3a) of Regulation EU.../...[CPR], the pre-financing for the Fund shall be paid in yearly instalments before 1 July of each year, subject to the availability of funds, as follows:</i>	EP to discuss internally.
153c.			<i>(a) 2021: 5%</i>	
153d.			<i>(b) 2022: 5%</i>	
153e.			<i>(c) 2023: 5%</i>	
153f.			<i>(d) 2024: 5%</i>	
153g.			<i>(e) 2025: 5%</i>	
153h.			<i>(f) 2026: 5%</i>	
153i.			<i>Where a programme is adopted after 1 July 2021, the earlier instalments shall be paid in the year of adoption.</i>	

154.	<i>Article 12</i> Co-financing rates	Article 12 Co-financing rates	<i>Article 12</i> Co-financing rates	
155.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project. <i>Member States are encouraged to provide matching funds for activities supported by the Fund. [Am. 101]</i>	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	Technical -> Political Horizontal Following the technical meeting on horizontal issues on 14 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 on this basis: "1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project." The provisional agreement also includes a new recital as follows: <i>"In addition to the co-financing rate provided by the Fund for projects, Member States are encouraged to provide funding from the budget of national public authorities where such funding is essential for a project to be carried out, particularly when the project is implemented by a civil society organisation."</i>
156.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects	Agreed and horizontal

	projects implemented under specific actions.	implemented under specific actions.	implemented under specific actions.	
157.	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	3. The contribution from the Union budget <i>shall be increased to a minimum of 80 % and</i> may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV. [Am. 102]	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	Technical -> political Horizontal EP insists that all actions listed in Annex IV must be co-financed at a higher rate and at a minimum of 80%. Council objects to a minimum % co-financing rate and reiterates the need to maintain the flexibility to allow Member States to request a lower co-financing rate for these actions, if they can. This would better address the different situation / needs across Member States. <u>The Commission to send explanation in writing to both co-legislators.</u>
158.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	Agreed and horizontal
159.	5. The contribution from the Union budget may be increased to 100 % of the total	5. The contribution from the Union budget may be increased to 100 % of the total eligible	5. The contribution from the Union budget may be increased to 100 % of the total eligible	Agreed and horizontal

	eligible expenditure for emergency assistance.	expenditure for emergency assistance.	expenditure for emergency assistance.	
159a			5a. Within the limits set out in Article 30(5)(b)(v) of the Regulation (EU) No [CPR], technical assistance of Member States may be financed up to 100 % of the Union budget contribution.	Following the technical level on 17 February 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 as follows: "5a. Within the limits set out in Article 30(5)(b)(v) of the Regulation (EU) No [CPR], technical assistance of Member States may be financed up to 100 % of the Union budget contribution." <i>Note: Correct reference to CPR to be included at the point of confirming the overall provisional agreement.</i>
160.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	Agreed and horizontal
161.	7. For each specific objective, the Commission decision shall set out whether the co-financing rate for the	7. For each specific objective, the Commission decision shall set out whether the co-financing rate for the specific objective is to be applied to:	7. For each type of action specific objective , the Commission decision approving a programme shall set out whether the co-financing rate for the type of action specific	Following the technical meeting on 17 February 2020, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows:

	specific objective is to be applied to:		objective is to be applied to <i>either of the following</i> :	"7. For each <i>type of action</i> specific objective, the Commission decision <i>approving a programme</i> shall set out whether the co-financing rate for the <i>type of action</i> specific objective is to be applied to <i>either of the following</i> :"
162.	(a) the total contribution, including the public and private contributions; or	(a) the total contribution, including the public and private contributions; or	(a) the total contribution, including the public and private contributions; or	Technical and horizontal Following the technical meeting on 17 February, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: “(a) the total contribution, including the public and private contributions; or” <u>Linked to line 161.</u>
163.	(b) the public contribution only.	(b) the public contribution only.	(b) the public contribution only.	Agreed and horizontal
164.	Article 13 Programmes	Article 13 Programmes	Article 13 Programmes	
165.	1. Each Member State shall ensure that the priorities addressed in its programme are consistent with, and respond to, the Union priorities and challenges in the area of migration management and are	1. Each Member State <i>and the Commission</i> shall ensure that the priorities addressed in its <i>the national</i> programme are consistent with, and respond to, the Union priorities and challenges in the area of <i>asylum</i>	1. Each Member State shall ensure that the priorities addressed in its programme are consistent with, and respond to, the Union priorities and challenges in the area of migration management and are	Technical -> political Reference to 'the Commission' in the first sentence is horizontal. The EP notes on-going discussions in BMVI in which Commission has

	fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed.	<i>and</i> migration management, and are fully in line with the relevant Union <i>acquis</i> and agreed the <i>international obligations of the Union priorities and Member States arising from international instruments to which they are signatories, in particular the UN Convention on the Rights of the Child.</i> In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed.	fully in line with the relevant Union <i>acquis</i> and agreed Union priorities, <i>while taking into account the specific context of each Member State.</i> In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed.	shown a willingness to be referenced here but not at the same level as the Member States. <u>The EP will propose a possible compromise at the horizontal level with regard to the addition of the Commission.</u> As regards the reference to the Charter of Fundamental Rights and international obligations in lines 91 and 165, a provisional agreement was reached on 7 July 2020, subject to an agreement on a new recital on the UN Convention on the Rights of the Child, as follows: "...while fully respecting the relevant Union <i>acquis</i> and the international obligations of the Union and the Member States arising from international instruments to which they are signatory." A possible compromise (excluding reference to the Commission) to be considered: 1. Each Member State <i>[and the Commission]</i> shall ensure that the priorities addressed in its programme are consistent with, and respond to, the Union priorities and challenges in
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				the area of <i>asylum and</i> migration management and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities, <i>while fully respecting the relevant Union acquis and the international obligations of the Union and the Member States arising from international instruments to which they are signatory.</i> In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed."
165a		<i>In that regard, Member States shall allocate a minimum of 20 % of their allocated funding to the specific objective referred to in point (a) of the first subparagraph of Article 3(2).</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
165b		<i>Member States shall allocate a minimum of 10 % of their allocated funding to the specific objectives referred to in point (b) of the first subparagraph of Article 3(2).</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
165c		<i>Member States shall allocate a minimum of 10 % of their allocated funding to the specific objectives referred to</i>		Political The issue of minimum percentages for specific objectives will be returned to later.

		<i>in point (c) of the first subparagraph of Article 3(2).</i>		
165d		<i>Member States shall allocated a minimum of 10 % of their allocated funding to the specific objective referred to in point (cb) of the first subparagraph of Article 3(2). [Am. 103]</i>		Political The issue of minimum percentages for specific objectives will be returned to later.
165e		<i>1a. Member States shall, in addition, ensure that their programmes include actions addressing all the specific objectives of the Fund referred to in Article 3(2) and that the allocation of resources among the objectives ensures that those objectives can be met. When evaluating Member State programmes, the Commission shall ensure that no funding is available for projects where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be put in doubt as a result of a reasoned opinion of the Commission in relation to infringement proceedings under Article 258 TFEU. [Am. 104]</i>		Political 2nd part of EP AM linked to wording used in Article 9(4).

166.	2. The Commission shall ensure that the European Union Agency for Asylum and the European Border and Coast Guard Agency are associated to the process of developing the programmes at an early stage, as regards the areas of their competence. The Commission shall consult the European Border and Coast Guard Agency and the European Union Agency for Asylum on the draft programmes to ensure consistency and complementarity of the actions of the agencies and those of the Member States.	2. The Commission shall ensure that the European <i>Asylum Support Office, the European Union Agency for Asylum Fundamental Rights</i> and the European Border and Coast Guard Agency are associated to the process of developing the programmes at an early stage, as regards the areas of their competence. The Commission shall consult the European Border and Coast Guard Agency, <i>the European Union Agency for Fundamental Rights</i> and the European Asylum <i>Support Office</i> on the draft programmes to ensure consistency and complementarity of the actions of the agencies and those of the Member States. [Am. 105]	2. The Commission shall ensure that the European Union Agency for Asylum and the European Border and Coast Guard Agency are associated to the process of developing the programmes at an early stage, as regards the areas of their competence. The Commission shall consult the European Border and Coast Guard Agency and the European <i>Asylum Support Office</i> Union Agency for Asylum as regards the areas of their competence on the draft programmes to ensure consistency and complementarity of the actions of the agencies and those of the Member States. <i>The consultation shall be conducted in a timely manner without delaying the approval and implementation of the programmes.</i>	Technical -> Political The extent of involvement of Agencies (associated vs consulted) is horizontal. However, the possible role of the FRA is fund specific. As a possible compromise, and still subject to the final mandate on the link to EASO, the Council proposed the following compromise: "2. <i>The Commission shall consult the European Border and Coast Guard Agency and the [European Union Agency for Asylum] as regards the areas of their competence on the draft programmes to ensure consistency and complementarity of the actions of the agencies and those of the Member States. The consultation shall be conducted in a timely manner without delaying the approval and implementation of the programmes.</i> <i>The Commission shall in this framework, where relevant, also draw on the expertise of other Union agencies on specific issues falling within those agencies' competencies."</i> <u>Further discussions necessary.</u>
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167.	3. The Commission may associate the European Union Agency for Asylum and European Border and Coast Guard Agency in monitoring and evaluation tasks as referred to in Section 5 where appropriate in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.	3. The Commission may associate the European <i>Asylum Support Office, the European Union Agency for Asylum and Fundamental Rights, the European Border and Coast Guard Agency and the UNHCR</i> in monitoring and evaluation tasks as referred to in Section 5 where appropriate in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities. [Am. 106]	3. The Commission may associate the European Union Agency for Asylum and European Border and Coast Guard Agency in monitoring and evaluation tasks as referred to in Section 5 where appropriate in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.	Technical -> Political The extent of involvement of Agencies (associated vs consulted) is horizontal. However, the possible role of the FRA is Fund specific. As a possible compromise, and still subject to the final mandate on the link to EASO, the Council proposed the following compromise: " 3. <i>The Commission may associate the [European Union Agency for Asylum] and European Border and Coast Guard Agency in monitoring and evaluation tasks as referred to in Section 5 where appropriate in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.</i> <i>In carrying out monitoring and evaluation tasks, the Commission may draw on the expertise of other Union agencies on specific issues falling within those agencies' competencies."</i> <u>Further discussions necessary.</u>
168.	4. Further to a monitoring exercise as carried out in accordance with Regulation	4. Further to a <i>any</i> monitoring exercise as carried out, in accordance with	4. Further to a monitoring exercise as carried out in accordance with Regulation (EU)	Technical -> political

	(EU) [../..] [EUAA Regulation] or the adoption of recommendations in accordance with Regulation (EU) No 1053/2013 which are within the scope of this Regulation, the Member State concerned shall examine, together with the Commission, and where relevant with the European Union Agency for Asylum and the European Border and Coast Guard Agency, how to address the findings, including any shortcomings or issues of capacity and preparedness, and shall implement the recommendations through its programme.	Regulation (EU) [../..] [EUAA Regulation] or the adoption of recommendations in accordance with Regulation (EU) No 1053/2013 which are within the scope of this Regulation, the Member State concerned shall examine, together with the Commission, and where relevant with the European Asylum Support Office, the European Union Agency for Asylum Fundamental Rights and the European Border and Coast Guard Agency, how to address the findings, including any shortcomings or issues of capacity and preparedness, and shall implement the recommendations through its programme. [Am. 107]	[../..] [EUAA Regulation] or the adoption of recommendations in accordance with Regulation (EU) No 1053/2013 which are within the scope of this Regulation, the Member State concerned shall examine, together with the Commission, and where relevant with the European Union Agency for Asylum and the European Border and Coast Guard Agency, how to address the findings and, including any shortcomings or issues of capacity and preparedness, and shall implement the recommendations through its programme with the support of this Fund, where appropriate.	The extent of involvement of Agencies (associated vs consulted) is horizontal. However, the possible role of the FRA is Fund specific. As a possible compromise, and still subject to the final mandate on the link to EASO, the Council proposed the following compromise: <i>"4. Further to a monitoring exercise as carried out in accordance with Regulation (EU) [../..] [EUAA Regulation] or the adoption of recommendations in accordance with Regulation (EU) No 1053/2013 which are within the scope of this Regulation, the Member State concerned shall examine, together with the Commission, how to address the findings and recommendations through its programme with the support of this Fund, where appropriate.</i> <i>The Commission may, where relevant, also draw on the expertise of other Union agencies on specific issues falling within those agencies' competencies."</i> <u>Further discussions necessary.</u>
169.	5. Where necessary, the programme in question shall be	5. Where necessary, the programme in question shall be	5. Where necessary, the programme in question shall be	Horizontal

	amended to take into account the recommendations referred to in paragraph 4. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.	amended to take into account the recommendations referred to in paragraph 4 <i>and the progress in achieving the milestones and targets as assessed in the annual performance reports referred to in point (a) of Article 30(2)</i> . Depending on the impact of the adjustment, the revised programme may be approved by the Commission. [Am. 108]	amended to take into account the recommendations referred to in paragraph 4. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.	COM suggested including reference to CPR: "...in line with the procedure set out in Article 19 of the CPR regulation". At the technical meeting on horizontal matters on 14 July 2020, COM was invited to propose a possible compromise proposal for the three Home Affairs funds.
170.	6. In cooperation and consultation with the Commission and the relevant agencies in accordance with their competence, as applicable, resources under the programme may be reallocated with the aim of addressing recommendations, as referred to in paragraph 4 that have financial implications.	6. In cooperation and consultation with the Commission and the relevant agencies in accordance with their competence, as applicable, resources under the programme may be reallocated with the aim of addressing recommendations, as referred to in paragraph 4 that have financial implications.	6. In cooperation and consultation with the Commission and the relevant agencies in accordance with their competence, as applicable, resources under the programme may be reallocated with the aim of addressing recommendations, as referred to in paragraph 4 that have financial implications.	Agreed
171.	7. Member States shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV. In the event of unforeseen or new circumstances or in order to ensure the effective implementation of funding, the	7. Member States shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV. In the event of unforeseen or new circumstances or in order to ensure the effective implementation of funding, the	7. Member States may shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV. In the event of unforeseen or new circumstances or in order to ensure the effective implementation of funding, the	Technical <u>The Council to discuss internally</u>

	Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for higher co-financing as listed in Annex IV.	Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for higher co-financing as listed in Annex IV.	Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for higher co-financing as listed in Annex IV.	
171a		<i>7a. National programmes may allow for the inclusion in the actions referred to in point 3a of Annex III of immediate relatives of persons covered by the target group referred to in that point, to the extent that it is necessary for the effective implementation of such actions.</i> [Am. 109]		Technical -> political Linked to recital 16 line and line 100. <u>The Council may re-consider depending on outcome of the negotiations on Annex III.</u>
172.	8. Whenever a Member State decides to implement projects with or in a third country with the support of the Fund, the Member State concerned shall consult the Commission prior to the start of the project.	8. <i>Without prejudice to the second subparagraph of Article 4(2)</i> , whenever a Member State decides to implement projects with or in a third country with the support of the Fund, the Member State concerned shall consult request the approval of the Commission prior to the start of the project. The Commission shall ensure the complementarity and coherence of the planned projects with other Union and Member State actions taken in or in relation to the third country concerned and	8. Whenever a Member State decides to implement new projects with or in a third country with the support of the Fund, the Member State concerned shall approve the project after informing consult the Commission prior to the approval start of the project.	Political As a possible compromise proposal, the Council suggests the following: "Whenever a Member State decides to implement new projects with or in a third country, with the support of the Fund, the Member State concerned shall consult the Commission prior to the approval start of the project."

		<i>shall verify that the conditions set out in point (3) of point (a) of Article 6(1) are met.</i> [Am. 110]		
173.	9. Programming as referred to in Article 17(5) of Regulation (EU) .../2021 [Common Provisions Regulation], shall be based on the types of intervention set out in Table 1 of Annex VI.	9. Programming as referred to in Article 17(5) of Regulation (EU) .../2021 [Common Provisions Regulation], shall be based on the types of intervention set out in accordance with Table 1 of Annex VI and provide an indicative breakdown of the programmed resources by type of intervention or area of support. <i>Each national programme shall be based on set out for each specific objective the types of intervention set out in accordance with Table 1 of Annex VI and provide an indicative breakdown of the programmed resources by type of intervention or area of support.</i> [Am. 111]	9. Programming as referred to in Article 17(5) of Regulation (EU) .../2021 [Common Provisions Regulation], shall be based on the types of intervention set out in Table 1 of Annex VI.	Horizontal Following the technical meeting on horizontal issues on 14 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020 on this basis: "Programming as referred to in Article 17(5) of Regulation (EU) No [CPR] shall be based on the types of intervention set out in Table 1 of Annex VI and shall include an indicative breakdown of the programmed resources by type of intervention within each specific objective."
173a		<i>9a. Each Member State shall publish its programme on a dedicated website and forward it to the European Parliament and to the Council. That website shall specify the actions supported in the implementation of the programme and list the beneficiaries. It shall be updated regularly, at least at the same time as the publication of the Annual Performance Report</i>		Political

		<i>referred to in Article 30.</i> [Am. 112]		
174.	Article 14 <i>Mid-term review</i>	Article 14 Mid-term review	<i>Article 14</i> Mid-term review	
174a		-1. The programmes shall be subject to a mid-term review and evaluation in accordance with Article 29 of this Regulation. [Am. 113]		Technical
175	1. In 2024, the Commission shall allocate to the programmes of Member States concerned the additional amount referred to in Article 11(1)(b) in accordance with the criteria referred to in paragraphs 1(b) to 5 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	1. In 2024 By the end of 2024, and after informing the European Parliament, the Commission shall allocate to the programmes of Member States concerned the additional amount referred to in Article 11(1)(b) in accordance with the criteria referred to in paragraphs 1(b) to 5 of Annex I. Funding shall be effective for the period as of the calendar year 2025. [Am. 114]	1. In 2024, the Commission shall allocate to the programmes of Member States concerned the additional amount referred to in Article 11(1)(b) in accordance with the criteria referred to in paragraphs 1(b) to 5 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	Technical
176.	2. If at least 10 % of the initial allocation of a programme referred to in Article 11(1)(a) has not been covered by payment applications submitted in accordance with Article [85] of Regulation (EU) .../2021 [Common Provisions Regulation], the Member State	2. If at least 10 30 % of the initial allocation of a programme referred to in Article 11(1)(a) has not been covered by payment applications submitted in accordance with Article [85] of Regulation (EU) .../2021 [Common Provisions Regulation] , the Member State concerned shall not be eligible to	2. If at least 10 % of the initial allocation of a programme referred to in Article 11(1)(a) has not been covered by payment applications submitted in accordance with Article [85] of Regulation (EU) .../2021 [Common Provisions Regulation], the Member State concerned shall not be eligible to	Political and horizontal

	concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.	receive the additional allocation for the programme referred to in paragraph 1. [Am. 115]	receive the additional allocation for the programme referred to in paragraph 1.	
177.	3. The allocation of the funds from the thematic facility as of 2025 shall, where appropriate, take into account the progress made in achieving milestones of the performance framework as referred to in Article [12] of Regulation (EU) .../2021 [Common Provisions Regulation] and identified implementation shortcomings.	3. The allocation of the funds from the thematic facility as of 2025 shall, where appropriate, take into account the progress made in achieving milestones of the performance framework as referred to in Article [12] of Regulation (EU) .../2021 [Common Provisions Regulation] and identified implementation shortcomings. [Am. 116]	3. The allocation of the funds from the thematic facility as of 2025 shall, where appropriate, take into account the progress made in achieving milestones of the performance framework as referred to in Article [12] of Regulation (EU) .../2021 [Common Provisions Regulation] and identified implementation shortcomings.	Provisional agreement reached at the technical horizontal meeting on 19 October 2020 as follows: "3. The allocation of the funds from the thematic facility as of 2025 shall, where appropriate, take into account the progress made in achieving milestones of the performance framework as referred to in Article [12] of Regulation (EU) .../2021 [Common Provisions Regulation] and identified implementation shortcomings."
178.	<i>Article 15 Specific actions</i>	Article 15 Specific actions	<i>Article 15 Specific actions</i>	Horizontal
179.	1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States may receive an additional allocation to their programmes.	1. Specific actions are transnational or national projects bringing Union added value in line with the objectives of this Regulation for which one, several or all Member States may receive an additional allocation to their programmes. [Am. 117]	1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States may receive an additional allocation to their programmes.	Horizontal and Technical EP wants to keep reference to 'Union added value' in AMF and BMVI. <u>Council to discuss internally.</u>
180.	2. Member States may in addition to their allocation	2. Member States may in addition to their allocation	2. Member States may in addition to their allocation	Agreed

	calculated in accordance with Article 11(1), receive an additional amount, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation.	calculated in accordance with Article 11(1), receive an additional amount, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation.	calculated in accordance with Article 11(1), receive an additional amount, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation.	
181.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	Agreed
182.	<i>Article 16</i> Resources for the Union Resettlement [and Humanitarian Admission] Framework	Article 16 Resources for the Union Resettlement [and Humanitarian Admission] Framework	Article 16 Resources for the Union Resettlement [and Humanitarian Admission] Framework	The Article will be returned to later in the context of the broader discussion on solidarity. See Council position on Article 16 below.
183.	1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR 10 000 for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs	1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR 10 000 for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs	1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [10 000] for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs in	Political

	in accordance with Article [125] of the Financial Regulation.	in accordance with Article [125] of the Financial Regulation.	accordance with Article [125] of the Financial Regulation.	
184.	2. The amount referred to in paragraph 1 shall be allocated to the Member States through the amendment of their programme provided that the person in respect of whom the contribution is allocated was effectively resettled in accordance with the Union Resettlement [and Humanitarian Admission] Framework.	2.—The amount referred to in paragraph 1 shall be allocated to the Member States through the amendment of their programme provided that the person in respect of whom the contribution is allocated was effectively resettled in accordance with the Union Resettlement [and Humanitarian Admission] Framework.	2.—The amount referred to in paragraph 1 shall be allocated to the Member States through the amendment of their programme provided that the person in respect of whom the contribution is allocated was effectively resettled in accordance with the Union Resettlement [and Humanitarian Admission] Framework.	Political
185.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3.—The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3.—The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	Political
186.	4. Member States shall keep the information necessary to allow the proper identification of the resettled persons and of the date of their resettlement.	4.—Member States shall keep the information necessary to allow the proper identification of the resettled persons and of the date of their resettlement. [Am. 118]	4.—Member States shall keep the information necessary to allow the proper identification of the resettled persons and of the date of their resettlement./	Political

186a		Article 16a Resources for resettlement and humanitarian admission	Article 16 Resources for Resettlement and humanitarian admission	Provisional agreement reached at the technical meeting on 30 October 2020 as follows: " <i>Article 16</i> Resources for the Union Resettlement and humanitarian admission Framework. "
186b		<i>1. Member States shall, in addition to their allocation calculated in accordance with point (a) of Article 11(1), receive every two years an additional amount based on a lump sum of EUR 10 000 for each person admitted through resettlement.</i>	1. Member States shall receive, in addition to their allocation calculated in accordance with <i>point (a) of Article 11(1)(a), an additional amount of EUR 7 000 for each person admitted through resettlement.</i> a contribution of EUR 10 000 for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs in accordance with Article [125] of the Financial Regulation.	Political Following technical discussions, the EP to consider the term 'amount' instead of 'lump sum' in Articles 16 and 17.
186c		<i>2. Member States shall, in addition to their allocation calculated in accordance with point (a) of Article 11(1), receive every two years an additional amount based on a lump sum of EUR 6 000 for</i>	<i>2. Member States shall, in addition to their allocation calculated in accordance with point (a) of Article 11(1), receive an additional amount of EUR 6 000 for each person admitted through humanitarian admission.</i>	Political In view of the CPR regime, the EP to consider deletion of 'every two years' in Article 16.

		<i>each person admitted through humanitarian schemes.</i>		
186d			3. The amounts referred to in paragraphs 1 and 2 shall be increased to EUR 10 000 for each vulnerable person, from the following vulnerable groups, who has been admitted through resettlement or humanitarian admission: (a) women and children at risk; (b) unaccompanied minors; (c) persons having medical needs that can be addressed only through resettlement or humanitarian admission; (d) persons in need of emergency resettlement or urgent resettlement for legal or physical protection needs, including victims of violence or torture.	Political
186e			4. Where a Member State admits a person belonging to more than one of the categories referred to in paragraphs 1, 2 and 3, it shall receive the	Political

			<i>amount for that person for one category only.</i>	
186f		<i>3. Where appropriate, Member States may also be eligible for lump sums for family members of persons referred to in paragraph 1 to ensure family unity.</i>	<i>5. Where appropriate, Member States may also be eligible for the respective amounts for family members of persons referred to in paragraphs 1, 2 and 3 if the persons are admitted to ensure family unity.</i>	Political
186g			<i>5a. The amounts referred to in this Article shall take the form of financing not linked to costs in accordance with Article [125] of Regulation (EU, Euratom) 2018/1046.</i>	Political As per last part of paragraph 1 of the Commission proposal. Reference to Financial Regulation aligned as per provisional agreement.
186h		<i>4. The additional amount referred to in paragraphs 1 and 2 shall be allocated to the Member States every two years, for the first time in the individual financing decisions approving their national programme and later in a financing decision to be annexed to the decisions approving their national programme.</i>	<i>6. The additional amounts referred to in paragraphs 1, 2 and 3 of this Article shall be allocated to the Member States, for the first time in the individual financing decisions approving their national programme.</i> The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme. <i>The amounts referred to in paragraphs 1, 2</i>	Political Council mandate also incorporates part of paragraph 2 and paragraph 3 of the Commission proposal.

			<i>and 3 may be included in the payment applications to the Commission provided that the person in respect of whom the amount is allocated was effectively resettled or admitted.</i>	
186i			6a. Member States shall keep the information necessary to allow the proper identification of the resettled persons <i>resettled or admitted</i> and of the date of their resettlement <i>or admission, while applicable provisions concerning data retention periods shall prevail.</i>	Political Council position incorporates paragraph 4 of the Commission proposal. COM to provide a compromise that links paragraph 4 and 6a.
186j		5. <i>Taking into account the current rates of inflation, relevant developments in the field of resettlement, as well as factors which can optimise the use of the financial incentive brought by the lump sum, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to adjust, if deemed appropriate, the lump sum referred to in paragraphs 1 and 2 of this Article. [Am. 119</i>	7. <i>To take account of current inflation rates and relevant developments in the field of resettlement, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to adjust, if deemed appropriate, the amounts referred to in paragraphs 1, 2 and 3 of this Article, to take into account the current rates of inflation, relevant developments in the field of resettlement, as well as factors which can optimise the</i>	Technical

			<i>use of the financial incentive brought by those amounts.</i>	
187.	<i>Article 17</i> Resources to support the implementation of Regulation ../.. [Dublin Regulation]	<i>Article 17</i> Resources to support the implementation of Regulation ../.. [Dublin Regulation]	<i>Article 17</i> Resources for the transfer of applicants for international protection or of beneficiaries of international protection	Political
188.	1. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [10 000] for each applicant for international protection for whom that Member State becomes responsible as from when that Member State is in challenging circumstances as defined in Regulation (EU) ../.. [Dublin Regulation].	1. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [10 000] for each applicant for international protection for whom that Member State becomes responsible as from when that Member State is in challenging circumstances as defined in Regulation (EU) ../.. [Dublin Regulation].	1. A Member State shall receive, in addition to their allocation calculated in accordance with <i>point (a) of Article 11(1)(a), an additional amount of EUR 3 500</i> a contribution of EUR [[10 000]] for each applicant for international protection <i>transferred from another Member State in accordance with Article 17 of Regulation (EU) 604/2013/ [Dublin Regulation] or as a result of similar forms of relocation.</i> for whom that Member State becomes responsible as from when that Member State is in challenging circumstances as defined in Regulation (EU) ../.. [Dublin Regulation].	Political
189.	2. A Member State shall receive, in addition to their allocation calculated in accordance with	2. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a),	2. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a),	Political

	Article 11(1)(a), a contribution of EUR [10 000] for each applicant for international protection allocated to that Member State who is above the benefitting Member State's fair share.	a contribution of EUR [10 000] for each applicant for international protection allocated to that Member State who is above the benefitting Member State's fair share.	a contribution of EUR [[10 000]] for each applicant for international protection allocated to that Member State who is above the benefitting Member State's fair share. <i>Member States may also be eligible for amounts for family members of persons referred to in paragraph 1, where appropriate, provided that those family members have been transferred to ensure family unity in accordance with Article 17 of Regulation (EU) 604/2013/ [Dublin Regulation].</i>	
189a.			<i>2a. Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 11(1), an additional amount of EUR 3 500 for each beneficiary of international protection⁷⁹ transferred from another Member State.</i>	
189b.			<i>2b Where appropriate, Member States may also be eligible for the respective amounts for family members of persons referred to in paragraph</i>	Political

⁷⁹ The Council would envisage using the definitions in Article 2 of Regulation 516/2014.

			<i>2a if the persons are transferred to ensure family unity.</i>	
190.	3. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR [10 000] per applicant who has been granted international protection for the implementation of integration measures.	3. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR [10 000] per applicant who has been granted international protection for the implementation of integration measures.	3. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution amount of EUR 3 500 [10 000] per applicant who has been transferred from another Member State and granted international protection for the implementation of integration measures, including, where appropriate, per family member who has been transferred to ensure family unity in accordance with paragraph 2. Member States referred to in paragraphs 2a and 2b shall also receive the additional amount referred to in this paragraph for integration measures.	Political
191.	4. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR [10 000] per person for whom the Member State can establish on the basis of the updating of the data set referred to in Article 11(d) of Regulation (EU) ../.. [Eurodac Regulation] that the person has left the territory of the Member State, on either a	4. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR [10 000] per person for whom the Member State can establish on the basis of the updating of the data set referred to in Article 11(d) of Regulation (EU) ../.. [Eurodac Regulation] that the person has left the territory of the Member State, on either a	4. A Member State taking over responsibility for an applicant for international protection as referred to in paragraphs 1, or a Member State as referred to in paragraph and 2 shall receive an additional contribution of EUR 3 500 per person for whom the Member State can establish, on the basis of the updating of the data set referred to in Article 10(d) of	Political

	compulsory or voluntarily basis in compliance with a return decision or a removal order.	compulsory or voluntarily basis in compliance with a return decision or a removal order.	Regulation (EU) 603/2013 [Eurodac Regulation] 11(d) of Regulation (EU) ... that the person has left effectively returned from the territory of the Member States, on either a compulsory or voluntarily basis, in compliance with a return decision or a removal order.	
192.	5. A Member State shall receive, in addition to its allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [500] for each applicant of international protection transferred from one Member State to another, for each applicant transferred pursuant to point (c) of the first paragraph of Article 34(i) of Regulation (EU) ... [Dublin Regulation] and, where applicable, for each applicant transferred pursuant to point (g) of Article 34 (j) of Regulation (EU) ... [Dublin Regulation].	5. A Member State shall receive, in addition to its allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [500] for each applicant of international protection transferred from one Member State to another, for each applicant transferred pursuant to point (c) of the first paragraph of Article 34(i) of Regulation (EU) ... [Dublin Regulation] and, where applicable, for each applicant transferred pursuant to point (g) of Article 34 (j) of Regulation (EU) ... [Dublin Regulation].	5. A The Member State covering the cost of transfers referred to in paragraphs 1, 2, 2a and 2b shall receive, in addition to its allocation calculated in accordance with Article 11(1)(a), a contribution of EUR 500 for each applicant of international protection or beneficiary of international protection transferred from one to another Member State. to another, for each applicant transferred pursuant to point (c) of the first paragraph of Article 34(i) of Regulation (EU) ... [Dublin Regulation] and, where applicable, for each applicant transferred pursuant to point (g) of Article 34 (j) of Regulation (EU) ... [Dublin Regulation].	Political
193.	6. The amounts referred to in this Article shall take the form of financing not linked to	6. The amounts referred to in this Article shall take the form of financing not linked to costs in	6. The amounts referred to in this Article shall take the form of financing not linked to costs in	Political

	costs in accordance with Article [125] of the Financial Regulation.	accordance with Article [125] of the Financial Regulation.	accordance with Article [125] of the Financial Regulation Regulation (EU, Euratom) 2018/1046.	Reference to Financial Regulation aligned as per provisional agreement.
194.	7. The additional amounts referred to in paragraphs 1 to 5 shall be allocated to the Member States in their programmes provided that the person in respect of whom the contribution is allocated was, as applicable, effectively transferred to a Member State, effectively returned or registered as an applicant in the Member State responsible in accordance with Regulation (EU) ... [Dublin Regulation].	7.—The additional amounts referred to in paragraphs 1 to 5 shall be allocated to the Member States in their programmes provided that the person in respect of whom the contribution is allocated was, as applicable, effectively transferred to a Member State, effectively returned or registered as an applicant in the Member State responsible in accordance with Regulation (EU) ... [Dublin Regulation].	7. The additional amounts referred to in paragraphs 1 to 5 of this Article shall be allocated to the Member States in their programmes provided that the person in respect of whom the contribution amount is allocated was, as applicable, effectively transferred to a Member State, effectively returned or registered as an applicant in the Member State responsible in accordance with Regulation (EU) ... [Dublin Regulation] (EU) 604/2013 [Dublin Regulation]. The This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	Political
195.	8. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	8.—This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme. [Am. 120]	8. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	Political

195a.			<i>8a. Member States shall keep the information necessary to allow the proper identification of the persons transferred and of the date of their transfer, while applicable provisions concerning data retention periods shall prevail.</i>	Political In line with Council position on paragraph 6a of Article 16. COM to verify the related provisions in CPR.
195b.			<i>8b. Within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to adjust, if deemed appropriate, the amounts referred to in paragraphs 1, 2a, 3, 4 and 5 of this Article to take into account the current rates of inflation, relevant developments in the field of transfer of applicants for international protection and of beneficiaries of international protection from one Member State to another, as well as factors which can optimise the use of the financial incentive brought by those amounts.</i>	Political In line with Council position on paragraph 7 of Article 16.

196.		Article 17a Resources to support the implementation of Regulation (EU) No 604/2013		Political The Article will be returned to later in the context of the broader discussion on solidarity. See Council position on Article 17 above.
196a		<i>1. The determining Member State shall receive, in addition to its allocation calculated in accordance with point (a) of Article 11(1) of this Regulation, refunding of the costs of reception of an applicant for international protection from the time when the application is made until the transfer of the applicant to the Member State responsible, or until the determining Member State assumes responsibility for the applicant in accordance with Regulation (EU) No 604/2013.</i>		Political
196b		<i>2. The transferring Member State shall receive, in addition to its allocation calculated in accordance with point (a) of Article 11(1) of this Regulation, refunding of the costs necessary to transfer an applicant or another person referred to in</i>		Political

		<i>points (c) and (d) of Article 18(1) of Regulation (EU) No 604/2013</i>		
196c		<i>3. Each Member State shall, in addition to their allocation calculated in accordance with point (a) of Article 11(1) of this Regulation, receive a lump sum of EUR 10 000 for each unaccompanied minor who is granted international protection in that Member State, provided that the Member State is not eligible for a lump sum payment for that unaccompanied minor under Article 16(1).</i>		Political
196d		<i>4. The refunding referred to in this Article shall take a form of financing in accordance with Article 125 of the Financial Regulation.</i>		Political EP: agrees with the approach of the Council to change "the Financial Regulation" to "Regulation (EU, Euratom) 2018/1046". The exact reference should be verified by lawyer linguists at a later stage.
196e		<i>5. The refunding referred to in paragraph 2 shall be allocated to the Member States in their programmes provided that the person in respect of whom the refunding is allocated was effectively transferred to a Member State in accordance</i>		Political

		<i>with Regulation (EU) No 604/2013. [Am. 121</i>		
196f		<i>Article 17b Resources for the transfer of applicants for international protection or beneficiaries of international protection</i>		Political The Article will be returned to later in the context of the broader discussion on solidarity. See Council position on Article 17 above.
196g		<i>1. With a view to implementing the principle of solidarity and fair sharing of responsibility, Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 11(1), an additional amount based on a lump sum of EUR 10 000 for each applicant for international protection or beneficiary of international protection transferred from another Member State.</i>		Political
196h		<i>2. Member States may also be eligible for lump sums for family members of persons referred to in paragraph 1, where appropriate, provided that those family members have</i>		Political

		<i>been transferred in accordance with this Regulation.</i>		
196i		<i>3. The additional amounts referred to in paragraph 1 shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme and later in a financing decision to be annexed to the decision approving their national programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.</i>		Political
196j		<i>4. To effectively pursue the objectives of solidarity and fair sharing of responsibility between the Member States referred to in Article 80 TFEU, and taking into account the current rates of inflation, relevant developments in the field of transfer of applicants for international protection and of beneficiaries of international protection from one Member State to another and in the field of resettlement and other ad hoc</i>		Political

		<i>humanitarian admission, as well as factors which can optimise the use of the financial incentive brought by the lump sum, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to adjust, if deemed appropriate, the lump sum referred to in paragraph 1 of this Article. [Am. 122]</i>		
197.	Article 18 Operating support	Article 18 Operating support	<i>Article 18</i> Operating support	
198.	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union;	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union;	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union;	Horizontal At the technical meeting on horizontal matters on 14 July 2020, the co-legislators invited the Commission to propose a possible compromise proposal in ISF which, subject to agreement by co-legislators, may be included in AMF and BMVI. Further discussions needed.
199.	2. A Member State may use up to 10 % of the amount allocated under the Fund to its programme to finance operating support under	2. A Member State may use up to 10 % of the amount allocated under the Fund to its programme to finance operating support under objectives in	2. A Member State may use up to 10 20% of the amount allocated under the Fund to its programme to finance operating	Political

	objectives in Article 3(2)(a) and (c).	Article 3(2)(a) and (e). [Am. 123]	support under objectives in Article 3(2)(a) and (e).	
200.	3. The Member States using operating support shall comply with the Union <i>acquis</i> on asylum and return.	3. The Member States using operating support shall comply with the Union <i>acquis</i> on asylum and return <i>immigration and fully respect the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.</i> [Am. 124]	3. The Member States using operating support shall comply with the Union <i>acquis</i> on asylum and return.	Technical -> political Linked to Annex VII and Council's proposal in line 462. EP points out that the immigration <i>acquis</i> would logically refer to all those measures adopted under Article 79 TFEU. The EP further notes the absence of a Treaty Article on Returns or even a mention of the word Return in the relevant Treaty Articles. COM explained that the term 'immigration' would be too broad and could cover areas which go beyond the scope of AMF. In addition, this part is about operating support and this is supported at 100% and explained that the areas of Asylum and returns are the most relevant to operating support. the term 'immigration' would also cover legal migration which is not meant to be covered by operating support. A possible compromise to be considered: "The Member States using operating support shall comply with the

				<i>relevant Union acquis and the Charter of Fundamental Rights of the European Union."</i>
201.	4. Member States shall justify in the programme and in the annual performance report as referred to in Article 30 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, with the European Union Agency for Asylum and the European Border and Coast Guard Agency in line with Article 13, assess the baseline situation in the Member States which have indicated their intention to use operating support. The Commission shall take into account the information provided by those Member States and, where relevant, the information available in the light of the monitoring exercises, as carried out in accordance with Regulation (EU) ... [EUAA Regulation] and Regulation (EU) No 1053/2013, which are within the scope of this Regulation.	4. Member States shall justify in the programme and in the annual performance report as referred to in Article 30 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, with the European Asylum Support Office, the European Union Agency for Asylum Fundamental Rights and the European Border and Coast Guard Agency in line with Article 13, assess the baseline situation in the Member States which have indicated their intention to use operating support. The Commission shall take into account the information provided by those Member States and, where relevant, the information available in the light of the monitoring exercises, as carried out in accordance with Regulation (EU) ... [EUAA Regulation] by the European Asylum Support Office and Regulation (EU) No 1053/2013,	4. Member States shall justify in the programme and in the annual performance report as referred to in Article 30 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, with the European Union Agency for Asylum and the European Border and Coast Guard Agency in line with Article 13, assess the baseline situation in the Member States which have indicated their intention to use operating support. The Commission shall take into account the information provided by those Member States and, where relevant, the information available in the light of the monitoring exercises, as carried out in accordance with Regulation (EU) ... [EUAA Regulation] and Regulation (EU) No 1053/2013, which are within the scope of this Regulation.	Horizontal Political Linked to role of EU agencies as per lines 166, 167 and 168. <u>Further discussions necessary.</u>

		which are within the scope of this Regulation. [Am. 125]		
202.	5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.	5. Operating support shall be concentrated on specific tasks and services <i>eligible actions</i> as laid down in Annex VII. [Am. 126]	5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.	Following the technical meeting on 14 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "5. Operating support shall be concentrated on specific tasks and services <i>eligible actions</i> as laid down in Annex VII." <u>Council accepts EP amendment.</u>
203.	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services in Annex VII.	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services <i>eligible actions</i> in Annex VII. [Am. 127]	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services in Annex VII.	Following the technical meeting on 14 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services <i>eligible actions</i> in Annex VII." <u>Council accepts EP amendment.</u>

204.	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	
204a.			<i>Article 18a</i> <i>Eligible entities</i>	<u>Horizontal</u> <u>The EP to discuss location internally following explanations by COM and Council.</u>
204b			<i>1. The following entities may be eligible:</i>	Agreed Location not agreed COM possible compromise proposal (29/10/2020): " 1. The following entities may be eligible:"
204c			<i>(a) legal entities established in any of the following countries:</i>	Agreed Location not agreed COM possible compromise proposal (29/10/2020): " (a) legal entities established in any of the following countries:"

204d			<i>(1) a Member State or an overseas country or territory linked to it;</i>	Agreed Location not agreed COM possible compromise proposal (29/10/2020): "(i) a Member State or an overseas country or territory linked to it;"
204e			<i>(2) a third country associated to the Fund;</i>	Agreed Location not agreed COM possible compromise proposal (29/10/2020): "(ii) a third country associated to the Fund;"
204f			<i>(3) a third country listed in the work programme under the conditions specified therein;</i>	Location not agreed Refer to EP amendment 82 in line 112 COM possible compromise proposal (29/10/2020): " (iii) a third country listed in the work programme, under the conditions specified therein <i>and in line with paragraphs (3) and (4).</i>"

204g			<i>(b) any legal entity created under Union law or any international organisation.</i>	Technical Location not agreed Refer to EP amendment 83 in line 113 COM possible compromise proposal (29/10/2020): " (b) any legal entity created under Union law or any international organisation."
204h			<i>2. Natural persons are not eligible.</i>	Agreed Location not agreed COM possible compromise proposal (29/10/2020): " 2. Natural persons are not eligible."
204i			<i>3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.</i>	Political Location not agreed COM possible compromise proposal (29/10/2020): " 3. Legal entities established in a third country are exceptionally eligible to participate where this is

				necessary for the achievement of the objectives of a given action."
204j			4. Legal entities participating in consortia of at least two independent entities, established in different Member States or in overseas countries or territories linked to those states or in third countries are eligible.	Technical -> political Location not agreed Refer to EP amendment 85 in line 116. The Commission and Presidency have pointed out that all actions funded under AMIF must contribute to the achievement of the objectives of the Fund. EP Rapporteur proposes to accept Council text without prejudice to the correct location of this provision and the EP comment in line 116. Refer to CPR. COM possible compromise proposal (29/10/2020): " 4. Legal entities participating in consortia of at least two independent entities, established in different Member States or <i>in</i> overseas countries or territories linked to those states or in third countries are eligible <i>where this contributes to the achievement of the objectives of the</i>

				<i>Fund as laid down in Article 3 of this Regulation."</i>
204k.				COM possible compromise proposal (29/10/2020): " 5. All actions implemented under the work programme, including the actions in or in relation to third countries, shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union."
205.	<i>Article 19 Scope</i>	Article 19 Scope	<i>Article 19 Scope</i>	
206.	Support under this section Union shall be implemented either directly by the Commission in accordance with point (a) of Article 62(1) of the Financial Regulation, or indirectly in accordance with point (c) of that Article.	Support under this section Union shall be implemented either directly by the Commission in accordance with point (a) of Article 62(1) of the Financial Regulation, or indirectly in accordance with point (c) of that Article	Support under this section Union shall be implemented either directly by the Commission in accordance with point (a) of Article 62(1) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation , or indirectly in accordance with point (c) of that Article.	Following the discussions at the technical level, a provisional agreement was confirmed at trilogue meeting on 7 October 2020, as follows: " Support under this section Union shall be implemented either directly by the Commission in accordance with point (a) of Article 62(1) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation,

				or indirectly in accordance with point (c) of that Article." <i>Note: The exact references should be verified by the lawyer linguists at a later stage.</i>
207.	Article 20 Union actions	Article 20 Union actions	<i>Article 20</i> Union actions	Horizontal
208.	1. Union actions are transnational projects or projects of particular interest to the Union implemented in line with the objectives of this Regulation.	1. Union actions are transnational projects or projects of particular interest to the Union implemented in line with the objectives of this Regulation.	1. Union actions are transnational projects or projects of particular interest to the Union implemented in line with the objectives of this Regulation.	Agreed
209.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	Agreed
210.	3. Union actions may provide funding in any of the forms laid down in the Financial Regulation in particular grants, prizes and procurement. They may also provide financing in the form of financial instruments within blending operations.	3. Union actions may provide funding in any of the forms laid down in the Financial Regulation in particular grants, prizes and procurement. They may also provide financing in the form of financial instruments within blending operations.	3. Union actions may provide funding in any of the forms laid down in Regulation (EU, Euratom) 2018/1046 the Financial Regulation in particular grants, prizes and procurement. They may also provide financing in the form of financial	Following the discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020: "3. Union actions may provide funding in any of the forms laid down in Regulation (EU, Euratom) 2018/1046 the Financial Regulation

			instruments within blending operations.	in particular grants, prizes and procurement. They may also provide financing in the form of financial instruments within blending operations." <i>Note: The exact references should be verified by the lawyer linguists at a later stage.</i>
211.	4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation.	4. Grants implemented under direct <i>and indirect</i> management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation. [Am. 128]	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation.	Following the technical meeting on 17 February 2020, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation. "
211a		<i>4a. The Commission shall ensure flexibility, fairness and transparency in the distribution of resources among the objectives referred to in Article 3(2). [Am. 129]</i>		Technical Council to consider EP amendment.
212	5. The evaluation committee assessing the proposals may be composed of external experts.	5. The evaluation committee assessing the proposals may be composed of external experts.	5. The evaluation committee assessing the proposals may be composed of external experts.	Agreed

213	6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of] Regulation (EU) ../.. [successor of the Regulation on the Guarantee Fund] shall apply.	6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of] Regulation (EU) ../.. [successor of the Regulation on the Guarantee Fund] shall apply. [Am. 130]	6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation . The provisions laid down in [Article X of] Regulation (EU) ../.. [<i>successor of the Regulation on the Guarantee Fund</i>] shall apply.	Technical Following the discussions at technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation . The provisions laid down in [Article X of] Regulation (EU) ../.. [<i>successor of the Regulation on the Guarantee Fund</i>] shall apply." <i>Note: The exact references should be verified by the lawyer linguists at a later stage.</i> In principle, reference to successor of Guarantee Fund agreed should be included.
214	Article 21 European Migration Network	Article 21 European Migration Network	Article 21 European Migration Network	
215	1. The Fund shall support the European Migration Network and provide the	1. The Fund shall support the European Migration Network and provide the financial	1. The Fund shall support the European Migration Network and provide the financial assistance	Agreed

	financial assistance necessary for its activities and its future development.	assistance necessary for its activities and its future development.	necessary for its activities and its future development.	
216	2. The amount made available for the European Migration Network under the annual appropriations of the Fund and the work programme laying down the priorities for its activities shall be adopted by the Commission, after approval by the Steering Board in accordance with Article 4(5)(a) of Decision 2008/381/EC (as amended). The decision of the Commission shall constitute a financing decision pursuant to Article [110] of the Financial Regulation. To ensure the timely availability of resources, the Commission may adopt the work programme for the European Migration Network in a separate financing decision.	2. The amount made available for the European Migration Network under the annual appropriations of the Fund and the work programme laying down the priorities for its activities shall be adopted by the Commission, after approval by the Steering Board in accordance with Article 4(5)(a) of Decision 2008/381/EC (as amended). The decision of the Commission shall constitute a financing decision pursuant to Article [110] of the Financial Regulation. To ensure the timely availability of resources, the Commission may adopt the work programme for the European Migration Network in a separate financing decision. [Am. 131]	2. The amount made available for the European Migration Network under the annual appropriations of the Fund and the work programme laying down the priorities for its activities shall be adopted by the Commission, after approval by the Steering Board in accordance with Article 4(5)(a) of Decision 2008/381/EC (as amended). The decision of the Commission shall constitute a financing decision pursuant to Article 110 of Regulation (EU, Euratom) 2018/1046 the Financial Regulation. To ensure the timely availability of resources, the Commission may adopt the work programme for the European Migration Network in a separate financing decision.	Following the discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "2. The amount made available for the European Migration Network under the annual appropriations of the Fund and the work programme laying down the priorities for its activities shall be adopted by the Commission, after approval by the Steering Board in accordance with Article 4(5)(a) of Decision 2008/381/EC (as amended). The decision of the Commission shall constitute a financing decision pursuant to Article [110] of Regulation (EU, Euratom) 2018/1046 the Financial Regulation. To ensure the timely availability of resources, the Commission may adopt the work programme for the European Migration Network in a separate financing decision." <i>Note: Reference to Article 110 of Financial Regulation agreed in principle. Correct reference to be</i>

				<i>included at the point of confirming the overall provisional agreement.</i> <i>Note: The exact references should be verified by the lawyer linguists at a later stage.</i>
217	3. Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the national contact points referred to in Article 3 of Decision 2008/381/EC and procurements as appropriate, in accordance with the Financial Regulation.	3. Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the national contact points referred to in Article 3 of Decision 2008/381/EC and procurements as appropriate, in accordance with the Financial Regulation.	3. Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the national contact points referred to in Article 3 of Decision 2008/381/EC and procurements as appropriate, in accordance with Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	Following discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "3. Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the national contact points referred to in Article 3 of Decision 2008/381/EC and procurements as appropriate, in accordance with Regulation (EU, Euratom) 2018/1046 the Financial Regulation." <i>Note: The exact reference should be verified by lawyer linguists at a later stage.</i>
217a		Article 21a Amendment of Decision 2008/381/EC		Technical -> political <u>The EP to propose an alternative compromise proposal.</u>

217b		<i>The following point is added in Article 5(5) of Decision 2008/381/EC:</i>		Technical -> political See line 217a.
217c		<i>“(da) act as a contact point for potential beneficiaries of funding under the Asylum, Migration and Integration Fund Regulation and provide impartial guidance, practical information and assistance regarding all aspects of the Fund, including in relation to applications for funding under the relevant national programme or the thematic facility.”. [Am. 132]</i>		Technical -> political See line 217a.
218.	<i>Article 22</i> Blending operations	Article 22 Blending operations	<i>Article 22</i> Blending operations	
219.	Blending operations decided under this Fund shall be implemented in accordance with the [InvestEu regulation] and Title X of the Financial Regulation.	Blending operations decided under this Fund, <i>as referred to in point (c) of Article 2(1)</i> shall be implemented in accordance with the [InvestEu regulation] and Title X of the Financial Regulation. [Am. 133]	Blending operations decided under this Fund shall be implemented in accordance with the [InvestEu regulation] and Title X of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation .	Following the discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October, as follows: "Blending operations decided under this Fund, <i>as referred to in point (c) of Article 2(1)</i> shall be implemented in accordance with the [InvestEu regulation] and Title X of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation ."

				<i>Note: The exact reference to InvestEu and Financial regulations to be verified by lawyer linguists at the latest stage of confirming the provisional agreement.</i>
220.	Article 23 Technical assistance at the initiative of the Commission	Article 23 Technical assistance at the initiative of the Commission	Article 23 Technical assistance at the initiative of the Commission	
221.	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100%.	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100%.	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100%.	Horizontal Following the technical meeting on horizontal issues on 14 July 2020, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "In accordance with Article 29 of Regulation (EU) No [CPR], the instrument may support technical assistance implemented at the initiative of, or on behalf of, the Commission at a financing rate of 100 %. "
222.	Article 24 Audits	Article 24 Audits	Article 24 Audits	
223.	Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of	Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall	Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall	Following discussions at the technical level, a provisional agreement was confirmed at the

	the overall assurance pursuant to Article 127 of Regulation (EU) [Regulation on the financial rules applicable to the general budget of the Union].	assurance pursuant to Article 127 of Regulation (EU) [Regulation on the financial rules applicable to the general budget of the Union].	assurance pursuant to Article 127 of Regulation (EU, <i>Euratom</i>) 2018/1046 [Regulation on the financial rules applicable to the general budget of the Union].	trilogue meeting on 7 October 2020, as follows: "Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of Regulation (EU, <i>Euratom</i>) 2018/1046." <i>Note: The exact reference should be verified by lawyer linguists at a later stage.</i>
234.	Article 25 Information, communication and publicity	Article 25 Information, communication and publicity	Article 25 Information, communication and publicity	Horizontal
235.	1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.	1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting promote the actions and their results, by providing coherent, effective and proportionate targeted meaningful information to multiple relevant audiences, including the media and the public in the relevant languages. To ensure the visibility of Union funding, recipients of Union funding	1. The recipients of Union funding shall acknowledge the origin of those funds and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public, except where it is restricted due to its classified or confidential nature, particularly concerning security, public order and the protection of	Political Result of meetings on horizontal issues at technical level: COM revised compromise proposal (15 / 10 / 2020) : 1. "The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results by providing coherent, effective, meaningful and proportionate information to multiple audiences,

		<i>shall refer to its origin when communicating on the action. To this end, recipients shall ensure that all communications to the media and the public, display the Union emblem, and explicitly mention the Union's financial support. [Am. 134]</i>	<i>personal data, according the applicable law.</i>	including the media and the public. Visibility shall be ensured and information shall be provided except in duly justified cases where public display is not possible or appropriate or information is restricted by law in particular due to having due regard for the requirements of confidentiality, and reasons of security, public order, criminal investigations or—in particular—the protection of personal data. To ensure the visibility of Union funding, recipients of Union funding should refer to its origin when communicating on the action and display the Union emblem. <u>Accompanying recital:</u> <i>"When promoting the actions supported by this [Fund/Instrument], the recipients of Union funding should provide information in the languages relevant to the target audience. To ensure the visibility of Union funding, recipients of Union funding should refer to its origin when communicating on the action. To this end, recipients should ensure that all communications to the media and the public, display the Union</i>
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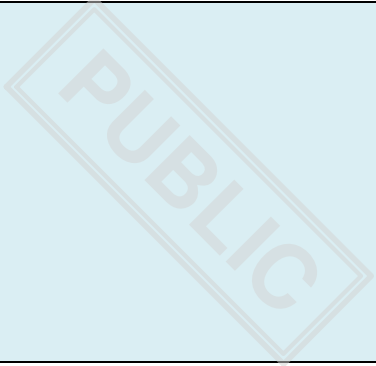
				<i>emblem, and explicitly mention the Union's financial support."</i> <u>At the technical meeting on horizontal issues on 29 October 2020, a provisional agreement was reached on the basis of the above COM proposal, subject to confirmation.</u> <u>EP and Council to consult internally with a view to confirm provisional agreement.</u>
236.	2. The Commission shall implement information and communication actions relating to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation.	2. <i>To reach the widest possible audience</i>, the Commission shall implement information and communication actions relating to the Fund and its actions and results. <i>In particular, the Commission shall publish information concerning the development of the annual and multiannual programmes of the thematic facility. The Commission shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list at least every three months.</i> Financial resources allocated to the Fund shall also contribute to the corporate communication on the	2. The Commission shall implement information and communication actions relating to the Fund, to and its actions <i>taken pursuant to the Fund and to the results obtained.</i> Financial resources allocated to the Fund shall also contribute to the corporate communication of on the political priorities of the Union, <i>insofar as those priorities far as they are related to the objectives referred to in Article 3. of this Regulation.</i>	Political At the technical meeting on horizontal issue held on 29 October 2020, a provisional agreement was reached on the following basis: <i>"2. To reach the widest possible audience,</i> Commission shall implement information and communication actions relating to this Fund <i>instrument</i>, and its actions and results. Financial resources allocated to this Fund <i>instrument</i> shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation."

		<i>implementation of political priorities of the Union, as far as they are related to the objectives of this Regulation. In particular, the Commission may promote best practices and exchange information as regards to the implementation of the instrument. [Am. 135]</i>		<u>Accompanying recital</u> (to be added to the recital on Union Actions): <i>The Commission may use financial resources under this instrument to promote best practices and exchange information as regards to the implementation of the instrument.</i> "
236a		<i>2a. The Commission shall publish the information referred to in paragraph 2 in open, machine readable formats, as set out in Article 5(1) of Directive 2003/98/EC of the European Parliament and of the Council⁸⁰, which allows data to be sorted, searched, extracted, compared and reused. It shall be possible to sort the data by priority, specific objective, total eligible cost of operations, total cost of projects, total cost of procurement procedures, name of beneficiary, and name of contractor. [Am. 136]</i>		Technical -> Political Result of meetings on horizontal issues at technical level: At the technical meeting on horizontal issues, a possible provisional agreement was reached on the basis of a COM compromise proposal, as follows: "The Commission shall publish the programmes of the thematic facility. For support provided under direct and indirect management, the Commission shall publish the information referred to in Article 38(2) of Regulation (EU, Euratom) 1046/2018 on a publicly available website and shall update that information regularly. This information shall be published in

⁸⁰ *Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (OJ L 345, 31.12.2003, p. 90).*

			PUBLIC	open, machine-readable format which allows data to be sorted, searched, extracted and compared. <u>Accompanying recital:</u> The Commission should publish information on the support provided from the thematic facility under direct or indirect management in a timely manner and update this information where appropriate. It should be possible to sort the information by specific objective, maximum funding from the EU budget and name of beneficiary." EP and Council to consult internally with a view to confirm provisional agreement.
237.	SECTION 4 SUPPORT AND IMPLEMENTATION UNDER SHARED, DIRECT AND INDIRECT MANAGEMENT	SECTION 4 SUPPORT AND IMPLEMENTATION UNDER SHARED, DIRECT AND INDIRECT MANAGEMENT	SECTION 4 SUPPORT AND IMPLEMENTATION UNDER SHARED, DIRECT AND INDIRECT MANAGEMENT	
238.	<i>Article 26</i> Emergency assistance	<i>Article 26</i> Emergency assistance	<i>Article 26</i> Emergency assistance	Horizontal Agreed to examine this Article at technical level before going back to the political level.

				18/11 technical meeting on horizontal issues: <u>Agreement in principle reached to include a definition for “emergency situation” in all DG HOME Fund regulations in the respective article on definitions.</u> COM to propose a possible wording for further discussions.
239.	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from one or more of the following:	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from one or more of the following: [Am. 137]	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from one or more of the following:	Technical COM suggestion: "The Fund shall provide financial assistance to address urgent and specific needs in the event of a duly justified emergency situation, as defined in point [...] of Article 2. In response to an emergency situation, the Commission may decide to provide emergency assistance within the limits of available resources." <i>EP could accept compromise proposal of COM subject to the following amendment:</i> <i>"In response to <u>such a duly</u> justified emergency situation,..."</i>

				COM and Council to consult legal service regarding reference to 'Fund'. Further discussion on the level of discretion (may/shall) the Fund / Commission should have in providing assistance in the event of an emergency situation.
240.	(a) heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country nationals, which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures;	(a) heavy migratory pressure in one or more Member States characterised by a <i>an unforeseen</i> large or disproportionate inflow of third-country nationals <i>in one or more Member States</i> , which places significant and urgent demands on their reception and detention facilities, <i>child protection systems, and</i> asylum and migration management systems and procedures; [Am. 138]	(a) heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country nationals, which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures;	Political Following the technical meeting on 30 October 2020, the Commission will prepare a possible compromise text for further discussion.
240a		<i>(aa) voluntary relocation;</i> [Am. 139]		Political Following the technical meeting on 30 October 2020, the EP will prepare a revised draft for further discussion.
241.	(b) the implementation of temporary protection mechanisms within the	(b) the implementation of temporary protection	(b) <i>an event of mass influx of displaced persons</i> the implementation of temporary	Political

	meaning of Directive 2001/55/EC ⁸¹ ;	mechanisms within the meaning of Directive 2001/55/EC ⁸² ;	protection mechanisms within the meaning of Directive 2001/55/EC ⁸³ ;	<u>Council to check proposed wording.</u> The EP to discuss the Council's proposal internally in light of the discussions held at the technical meeting on 30 October 2020.
242.	(c) heavy migratory pressure in third countries, including where persons in need of protection may be stranded due to political developments or conflicts, notably where it might have an impact on migration flows towards the EU.	(c) heavy migratory pressure <i>an unforeseen large or disproportionate inflow of persons</i> in third countries, including where persons in need of protection may be stranded due to political developments, or conflicts <i>or natural disasters</i> , notably where it might have an impact on migration flows towards the EU. [Am. 140]	(c) heavy migratory pressure in third countries, including where persons in need of protection may be stranded due to political developments or conflicts, notably where it might have an impact on migration flows towards the EU.	Political COM: what else is foreseen to be covered by 'natural disasters' in the context of AMF which is not covered by funds under DG ECHO? EP and Council to discuss internally.
242a		<i>1a. Measures implemented in third countries in accordance with this Article shall be consistent with, and, where</i>		Political

⁸¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

⁸² Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

⁸³ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).

		<i>relevant, complementary to the Union humanitarian policy and respect humanitarian principles as set out in the Consensus on Humanitarian Aid. [Am. 141]</i>		
242b		<i>1b. In cases as described under points (a), (aa), (b) and (c) of paragraph 1 of this Article, the Commission shall inform the European Parliament and the Council without delay. [Am. 142]</i>		Technical
243.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies European Asylum Support Office, UNHCR, and local and regional authorities subject to unforeseen large or disproportionate inflows of third country nationals, and in particular those responsible for the reception and integration of unaccompanied child migrants. [Am. 143]	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	Technical -> political
244.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 11(1) and Annex I, provided that it is earmarked as such in the	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 11(1) and Annex I, provided that it is earmarked as such in the	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 11(1) and Annex I, provided that it is earmarked as such in the	Horizontal

	programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme. <i>Pre-financing for emergency assistance may amount to 95% of the Union contribution, subject to the availability of funds.</i>	
245.	4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation.	4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation. [Am. 144]	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation.	Following discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation." <i>Note: The exact reference should be verified by lawyer linguists at a later stage.</i>
245a		<i>4a. Where necessary for the implementation of the action, emergency assistance may cover expenditure which was incurred prior to the date of submission of the grant application or the</i>		Technical COM confirmed that Article 67(3)(f) of CPR and Article 193(2) of the Financial Regulation apply

		<i>request for assistance, but not prior to 1 January 2021.</i> [Am. 145]		and these should provide the necessary guarantees. EP to discuss internally and get back.
245b			<i>5. The Commission shall regularly inform Member States about the available financial means for emergency assistance and the types of action which may be eligible.</i>	Technical
246.	<i>Article 27</i> Cumulative, complementary and combined funding	Article 27 Cumulative, complementary and combined funding	<i>Article 27</i> Cumulative, complementary and alternative combined funding	Horizontal Horizontal amendment proposed by COM: “Cumulative and alternative funding” EP to discuss internally
247.	1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs	1. An action operation that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The <i>programmes presented by the Commission shall interact and complement each other and be drawn up with the necessary degree of transparency to avoid any</i>	1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the	Technical Provisional agreement reached at the technical level to use “action” instead of 'operation'. <u>EP to reflect on the rest of its AM.</u> Content of paragraph depends on outcome of negotiations on relevant parts in CPR. COM to draft possible

	of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	<i>duplication. The</i> rules of each contributing Union programme shall apply to its respective contribution to the action <i>operation</i> . The cumulative funding shall not exceed the total eligible costs of the action <i>operation</i> and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support. [Am. 146]	support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	compromise on this basis for further discussions. At the technical meeting on horizontal issues on 14 July 2020, the Commission was invited to propose a recital as a possible compromise.
248.	2. Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparative conditions:	2. Actions <i>Operations</i> awarded a seal of Excellence certification, or which comply with the following cumulative comparative conditions: [Am. 147]	2. Actions awarded a seal of Excellence certification <i>awarded under this Fund by complying,</i> or which comply with the following cumulative comparative conditions:	Technical
249.	(a) they have been assessed in a call for proposals under the instrument;	(a) they have been assessed in a call for proposals under the instrument;	(a) they have been assessed in a call for proposals under the instrument;	Agreed For lawyer linguists: instrument should be “Fund”
250.	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	Agreed
251.	(c) they may not be financed under that call for proposals due to budgetary constraints.	(c) they may not be financed under that call for proposals due to budgetary constraints.	(c) they may not be financed under that call for proposals due to budgetary constraints.	Agreed

252.	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation] and Article [8] or Regulation (EU) ../.. [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation] and Article [8] or Regulation (EU) ../.. [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	may receive support from the European Regional Development Fund or the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation] and Article [8] or Regulation (EU) ../.. [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.	Horizontal amendment proposed by COM: to delete “the Cohesion Fund” and “or the European Agricultural Fund for Rural Development” COM proposal: may receive support from the European Regional Development Fund or the European Social Fund+, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation] Plus new Recital (horizontal to all directly managed programmes): In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the [insert name of the programme covered by the given basic act] and other Union programmes, including those under shared-management. To maximise those synergies, key enabling mechanisms should be ensured, including cumulative funding in an action from [the Fund/Instrument] and another Union programme, as long as such cumulative funding does not exceed the total eligible costs of the action. For that purpose, this
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				Regulation should set out appropriate rules, in particular on the possibility to declare the same cost or expenditure on a pro-rata basis to [the Fund/Instrument] and another Union programme. <i>EP could accept the compromise proposal for the article if the text on CPR has been agreed upon in trilogues.</i> <i>EP is not convinced about the need for this new recital, in particular as EP is not sure that rules on the possibility to declare the same cost or expenditure on a pro-rata basis are actually laid down in the operative part of the JHA Fund regulations.</i>
253.	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	
254.	SUB SECTION 1 COMMON PROVISIONS	SUB SECTION 1 COMMON PROVISIONS	SUB SECTION 1 COMMON PROVISIONS	
255.	Article 28 Monitoring and reporting	Article 28 Monitoring and reporting	<i>Article 28 Monitoring and reporting</i>	EP observes that this title appears twice as others. Can this be changed? Council can support changing title

256.	1. In compliance with its reporting requirements pursuant to Article [43(3)(h)(i)(iii)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.	1. In compliance with its reporting requirements pursuant to Article [43(3)(h)(i)(iii)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council, at least annually , information on performance in accordance with Annex V. [Am. 148]	1. In compliance with its reporting requirements pursuant to Article 41(3)(h)(iii) [43(3)(h)(i)(iii)] of Regulation (EU, Euratom) 2018/1046 the Financial Regulation , the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.	Following the technical meeting on horizontal issues on 9 September 2020, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "1. In compliance with its reporting requirements pursuant to Article 41(3)(h)(i)(iii) of Regulation (EU, Euratom) 2018/1046 of the Financial Regulation , the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V."
257.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	Agreed
258.	3. The indicators to report on progress of the Fund towards the achievement of the objectives of this Regulation are set in Annex VIII. For output indicators, baselines shall be set at zero. The	3. The indicators to report on progress of the Fund towards the achievement of the objectives of this Regulation are set in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and	3. The indicators to report on progress of the Fund towards the achievement of the objectives of this Regulation are set in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and	Technical -> political <i>EP: Horizontal discussion on Annexes linked to indicators is needed to clarify the links between Annexes V and VIII and between output and result indicators;</i>

	milestones set for 2024 and targets set for 2029 shall be cumulative.	targets set for 2029 shall be cumulative. <i>Upon request, the data received by the Commission on output and result indicators shall be made available to the European Parliament and to the Council.</i> [Am. 149]	targets set for 2029 shall be cumulative.	<i>Council: this line is to be taken together with the Annexes</i> <i>COM: HOME indicators will be available on the open data platform.</i> <u>COM to check if the requested information will be published anyway though another legal obligation.</u>
258a.			<i>3a. The Commission shall also report on the share of the thematic facility used for supporting actions in or in relation to third countries.</i>	Horizontal
259.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and where relevant Member States.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and where relevant Member States.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and where relevant Member States.	Agreed
260.	5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its	5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission	5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission	Technical Following the technical meeting on horizontal issues on 14 July 2020, the provisional agreement was

	objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States.	shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States.	shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. <i>Any amendment to Annex VIII shall only start to apply in the first accounting year following the year of adoption of the delegated act.</i>	confirmed at the trilogue meeting on 7 October 2020, as follows: "5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. <i>Any amendment to Annex VIII shall apply only to projects selected after its entry into force.</i> "
261.	Article 29 Evaluation	Article 29 Evaluation	Article 29 Evaluation	Horizontal
262.	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under the Fund.	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under the Fund.	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under the Fund.	Political
263.	2. The mid-term and the retrospective evaluation shall be carried out in a timely	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making	Political

	manner to feed into the decision-making process.	feed into the decision-making process. [Am. 150]	process <i>in accordance with the timeline set out in Article 40 of Regulation (EU) No .../... [CPR]</i> .	
263a		Article 29a Evaluation		Horizontal In general, COM suggested aligning with the evaluation framework established in CPR. EP can agree to a certain degree of alignment with CPR but clearly there is the need to address certain specific needs in the Home Affairs Funds.
263b		1. By 31 December 2024, the Commission shall present a mid-term evaluation of the implementation of this Regulation. The mid-term evaluation shall examine the effectiveness, efficiency, simplification and flexibility of the Fund. More specifically, it shall include an assessment of:		Political <u>At the technical meeting on horizontal issues on 9 September 2020, the EP proposed the following compromise on Article 29:</u> <u>" 1. By 31 December 2024, the Commission shall present a mid-term evaluation of this Regulation, the mid-term evaluation shall assess the following:"</u> COM possible compromise proposal (28/10/2020): " 1. By 31 December 2024, the Commission shall carry out a mid-

				term evaluation of this Regulation. Without prejudice to Article 40(1) of the Regulation [CPR], the mid-term evaluation shall assess the following:"
263c		<i>(a) progress towards the achievement of the objectives of this Regulation, taking into account all relevant information available, in particular the annual performance reports submitted by the Member States under Article 30 and the output and result indicators set out in Annex VIII;</i>		Political EP compromise proposal: <i>" (a) the effectiveness of the Fund, including the progress made towards the achievement of the objectives of this Regulation, taking into account all relevant information already available, in particular [the annual performance reports referred to in Article 26 and] the output and result indicators set out in Annex VIII;"</i> COM possible compromise proposal (28/10/2020): " (a) the effectiveness of the Fund/Instrument, including the progress made towards the achievement of the objectives of this Regulation, taking into account all relevant information already available, in particular the annual performance reports referred to in Article 30 and the output and result indicators set out in Annex VIII;"

263d		<i>(b) the Union added value of the actions and operations implemented under the Fund;</i>		Political EP compromise proposal (09/09/2020): <i>" (b) the efficiency of the use of resources allocated to the Fund and of the management and control measures put in place to implement it; "</i> COM possible compromise proposal (28/10/2020): "(b) the efficiency of the use of resources allocated to the Fund and of the management and control measures put in place to implement it; "
263e		<i>(c) the contribution to Union solidarity in the field of asylum and migration;</i>		Political AMF specific and still applies
263f		<i>(d) the continued relevance of the implementation measures set out in Annex II and the actions set out in Annex III;</i>		Political EP compromise proposal (09/09/2020): <i>" (c) the continued relevance and appropriateness of the implementation measures set out in Annex II;"</i> COM possible compromise

				proposal (28/10/2020): "(c) the relevance and appropriateness of the implementation measures set out in Annex II;"
263g		<i>(e) the complementarity, coordination and coherence between the actions supported under this Fund and the support provided by other Union funds, such as the structural funds, and external financing instruments of the Union;</i>		Political EP compromise proposal (09/09/2020): <i>" (d) the coordination, coherence and complementarity between the actions supported under the Fund and support provided by other Union funds;"</i> COM possible compromise proposal (28/10/2020): " (d) the coordination, coherence and complementarity between the actions supported under the Fund/Instrument and support provided by other Union funds;"

263h		<i>(f) the longer term impacts and the sustainability effects of the Fund.</i>		Political EP compromise proposal (09/09/2020): " (e) the European added value of actions implemented under the Fund." COM possible compromise proposal (28/10/2020): " (e) the EU added value of actions implemented under the Fund/Instrument;"
263i.				COM possible compromise proposal (28/10/2020): " f) the contribution to Union solidarity in the field of asylum and migration."
263i		<i>The midterm evaluation shall take into account retrospective evaluation results on the long-term impact of the predecessor fund - the Asylum, Migration and Integration Fund 2014-2020 - and shall, where appropriate, be accompanied by a legislative proposal for the revision of this Regulation.</i>		Political EP compromise proposal (09/09/2020): " That compulsory midterm evaluation shall take into account retrospective evaluation results on the long-term impact of the previous instrument for financial support for internal security (ISF)/asylum, migration and integration (AMIF)/border management and visa

			 <i>(BMVI) for the period 2014-2020. The evaluation shall, as appropriate, be accompanied by a legislative proposal for the revision of this Regulation."</i> COM indicated that the scope of the evaluation is not to come up with a new legislative proposal. COM possible compromise proposal (28/10/2020): " That midterm evaluation shall take into account retrospective evaluation results on the effects of the Asylum, Migration and Integration Fund for the period 2014-2020. 1 a. Without prejudice to Article 40(2) of the Regulation [CPR], the retrospective evaluation shall include the elements listed in paragraph 1. In addition, the impacts of the Fund shall be evaluated."
263j		2. By 31 January 2030, the Commission shall carry out a retrospective evaluation. By the same date, the Commission shall submit an evaluation report to the European Parliament and to the Council. The retrospective evaluation shall include an assessment of	Political Horizontal issues meeting 04/12: The date of the CPR is end of 2031. This would not allow to have the

		<i>all of the elements set out in paragraph 1. In that regard, the longer-term impacts and the sustainability of effects of the Fund shall be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund.</i>		evaluation ready for the planning of the new funding period. <u>EP compromise proposal (09/09/2020):</u> <i>" 1 a. By 31 December 2030, the Commission shall present a retrospective evaluation of this Regulation. By the same date, the Commission shall submit an evaluation report to the European Parliament and to the Council, which shall include the elements listed in paragraph 1. In addition, the longer-term impacts of the Fund shall be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund."</i>
263k		<i>The mid-term and retrospective evaluation reports referred to in the first paragraph and the first subparagraph of this paragraph shall be conducted with meaningful participation of social partners, civil society organisations, including migrants and refugees' organisations, equality bodies, national human rights institutions and other relevant organisations in accordance</i>		Political EP compromise proposal (09/092020): <i>EP: covered by compromise proposal</i>

		<i>with the partnership principle as laid down in Article 3a.</i>		
263l		3. In its mid-term and retrospective evaluation, the Commission shall pay particular attention to the evaluation of actions by, in or in relation to third countries in accordance with in Article 5, Article 6 and Article 13(8). [Am. 151]		Political EP compromise proposal (09/09/2020): <i>" 3. In its mid-term review and retrospective evaluation, the Commission shall pay particular attention to the evaluation of actions by, in or in relation to third countries in accordance with Article 5, Article 6 and Article 13(8) (AMIF)."</i> COM possible compromise proposal (28/10/2020): " 3. In its mid-term and retrospective evaluations, the Commission shall pay particular attention to the evaluation of actions by, in or in relation to third countries in accordance with Article 5, Article 6 and Article 13(8)."
264.	SUB SECTION 2 RULES FOR SHARED MANAGEMENT	SUB SECTION 2 RULES FOR SHARED MANAGEMENT	SUB SECTION 2 RULES FOR SHARED MANAGEMENT	
265.	<i>Article 30</i> Annual performance reports	<i>Article 30</i> Annual performance reports	<i>Article 30</i> Annual performance review reports	

266.	1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. The report submitted in 2023 shall cover the implementation of the programme in the period to 30 June 2022.	1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. The report submitted in 2023 shall cover the implementation of the programme in the period to 30 June 2022. Member States shall publish these reports on a dedicated website and forward them to the European Parliament and the Council. [Am. 152]	1. <i>For the purpose of the annual performance review as referred to in article 36 of Regulation (EU).../... [CPR],</i> By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. <i>The reporting period shall cover the last accounting year as defined in Article 2(28) of Regulation (EU).../... [CPR], preceding the year of submission of the report.</i> The report submitted in-on 15 February 2023 shall cover the implementation of the programme in the period from 1 January 2021 to 30 June 2022.	Technical -> political COM possible compromise proposal (28/10/2020): "1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. <i>The reporting period shall cover the last accounting year as defined in Article 2(28) of Regulation (EU).../... [CPR], preceding the year of submission of the report.</i> The report submitted in-on 15 February 2023 shall cover the implementation of the programme in the period from 1 January 2021 to 30 June 2022. "
267.	2. The annual performance report shall in particular set out information on:	2. The annual performance report shall in particular set out information on:	2. The annual performance report shall in particular set out information on:	Technical Depends on solution for paragraph 1
268.	(a) progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest	(a) progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest	(a) progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as	Technical <i>EP agrees to revert to COM text.</i>

	data as required by Article [37] of Regulation (EU) .../2021 [Common Provisions Regulation];	cumulative data as required by Article [37] of Regulation (EU) .../2021 [Common Provisions Regulation] transmitted to the Commission; [Am. 153]	required by Article [37] of Regulation (EU) .../2021 [Common Provisions Regulation];	Provisional agreement reached at the technical level to go back to COM original proposal: "(a) progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article [37] of Regulation (EU) .../2021 [Common Provisions Regulation];"
268a		<i>(aa) a breakdown of the annual accounts of the national programme into recoveries, pre-financing to final beneficiaries and expenditure actually incurred; [Am. 154]</i>		Technical COM and Council observe that break down of annual accounts is not part of the annual performance report. <i>EP insists to keep AM as based on ECA recommendation (e.g. report Audit in brief 2017, p.37)</i>
269.	(b) any issues affecting the performance of the programme and the action taken to address them;	(b) any issues affecting the performance of the programme and the action taken to address them, including reasoned opinions issued by the Commission in respect of an infringement procedure under Article 258 TFEU; [Am. 155]	(b) any issues affecting the performance of the programme and the action taken to address them;	Technical - political EP: this applies to the following scenario: no reasoned opinion when the decision is made, but need to report it. Should be exceptional. COM can be flexible <u>COM possible compromise proposal (28/02/2020):</u>

				"(b) any issues affecting the performance of the programme and the action taken to address them, <i>including information on any reasoned opinion issued by the Commission in respect of an infringement under Article 258 TFEU linked to the implementation of the Fund/Instrument;</i>" <u>Council to discuss internally.</u>
270.	(c) the complementarity between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;	(c) the complementarity, <i>coordination and coherence</i> between the actions supported by the <i>under this</i> Fund and the support provided by other Union funds, in particular those in or in relation to third countries <i>such as the structural funds, and external financing instruments of the Union;</i> [Am. 156]	(c) the complementarity between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;	Technical and horizontal Linked to CPR and the partnership agreement. See also line 121. Commission to propose a compromise text <i>EP asks CSL to accept EP addition “coordination and coherence” in the first part of the paragraph.</i> <i>Regarding the second part: after the words “in particular”, EP believes that the wording used in each Regulation can reflect the different relationships that each of the Funds has with other programmes.</i>

				COM possible compromise proposal (28/10/2020): "(c) the complementarity between the actions supported <i>under this</i> by the Fund/<i>Instrument</i> and <i>the</i> support provided by other Union funds, in particular those in or in relation to third countries;"
271.	(d) contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	(d) contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans <i>and to cooperation and solidarity between Member States in the field of asylum</i> ; [Am. 157]	(d) contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	Political COM possible compromise proposal (28/10/2020): "(d) contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans <i>and to cooperation and solidarity between Member States</i>"
271a		(da) <i>compliance with fundamental rights requirements</i> ; [Am. 158]		Political EP: give meaning to the Charter on Fundamental Rights Part of the broader discussion on the provisions related to fundamental rights. Linked to line 273. One of the enabling conditions in CPR is compliance with fundamental rights.

272.	(e) the implementation of communication and visibility actions;	(e) the implementation of communication and visibility actions;	(e) — the implementation of communication and visibility actions;	Political Council to explain the deletion of paragraph (e)
273.	(f) the fulfilment of the applicable enabling conditions and their application throughout the programming period;	(f) the fulfilment of the applicable enabling conditions and their application throughout the programming period;	(e) (f) the fulfilment of the applicable enabling conditions and their application throughout the programming period;	EP proposes this addition from paragraph (da), so that AM 158 will be withdrawn: (f) “the fulfilment of the applicable enabling conditions, <u>in particular compliance with fundamental rights</u> , and their application throughout the programming period
274.	(g) the number of persons resettled with the help of the Fund in line with the amounts referred to in Article 16(1);	(g) the number of persons resettled <i>or admitted</i> with the help of the Fund in line with the amounts referred to in Article 16(1) <i>and (2)</i> ; [Am. 159]	(f) (g) the number of persons resettled with the help of the Fund in line with the amounts referred to in Article 16(1);	Technical (linked to Art 16 and 17) Possible compromise to be considered: “(g) the number of persons resettled <i>or admitted</i> with the help of the Fund in line with the amounts referred to in Article 16(1).”
275.	(h) the number of applicants for or beneficiaries of international protection transferred from one Member State to another in line with Article 17.	(h) the number of applicants for or beneficiaries of international protection transferred from one Member State to another in line with Article 17 <i>17b</i> . [Am. 160]	(g) (h) the number of applicants for or beneficiaries of international protection transferred from one Member State to another in line with Article 17.	Technical (linked to Art 16 and 17) Possible compromise to be considered: “(g) the number of applicants for or beneficiaries of international protection transferred from one

				Member State to another in line with Article [17]." <i>Note: Reference to article to be aligned following provisional agreement.</i>
275a		<i>(ha) the number of vulnerable persons assisted through the programme, including children and those granted international protection; [Am. 161]</i>		Technical Possible solution in Annex VIII.
				COM possible compromise proposal (28/10/2020): "(i) the implementation of projects in, or in relation to a third country."
276.	3. The Commission may make observations on the annual performance report within two months of the date of its receipt. Where the Commission does not provide observations by that deadline, the report shall be deemed to have been accepted.	3. The Commission may make observations on the annual performance report within two months of the date of its receipt. Where the Commission does not provide observations by that deadline, the report shall be deemed to have been accepted. <i>Once accepted, the Commission shall make summaries of annual performance reports available to the European Parliament and to the Council, and shall publish them on a dedicated website. If not forwarded by the Member States</i>	3. The Commission may make observations on the annual performance report within two months of the date of its receipt. Where the Commission does not provide observations by that deadline, the report shall be deemed to have been accepted.	Political

		<i>in accordance with paragraph 1, the full text of the annual performance report shall be made available to the European Parliament and the Council on request. [Am. 162]</i>		
277.	4. In order to ensure uniform conditions for the implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 33(2).	4. In order to ensure uniform conditions for the implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 33(2).	4. In order to ensure uniform conditions for the implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the examination advisory procedure referred to in Article 33(2).	Political (linked to Art 32 - delegated / implementing acts)
278.	<i>Article 31</i> Monitoring and reporting	<i>Article 31</i> Monitoring and reporting	<i>Article 31</i> Monitoring and reporting	<i>EP proposal for a new title for the article to avoid having the same title in the Regulation twice:</i> 'Specific monitoring and reporting requirements under shared management'
279.	1. Monitoring and reporting in accordance with Title IV of Regulation (EU) .../... [Common Provisions Regulation] shall be based on the types of intervention set out in Tables 1, 2 and 3 in Annex VI. To address unforeseen or	1. Monitoring and reporting in accordance with Title IV of Regulation (EU) .../... [Common Provisions Regulation] shall be based on the types of intervention set out in Tables 1, 2 and 3 in Annex VI. To address unforeseen or new	1. Monitoring and reporting in accordance with Title IV of Regulation (EU) .../... [Common Provisions Regulation] shall be based on the types of intervention set out in Tables 1, 2, and 3 and 4 in Annex VI. To address unforeseen or new circumstances	Technical <i>EP could agree to the wording of CSL.</i> <i>tbc together with table 4 of Annex VI</i>

	new circumstances or to ensure the effective implementation of the funding, the Commission shall be empowered to adopt delegated acts to amend the types of intervention in accordance with Article 32.	circumstances or to ensure the effective implementation of the funding, the Commission shall be empowered to adopt delegated acts to amend the types of intervention in accordance with Article 32.	or to ensure the effective implementation of the funding, the Commission shall be empowered to adopt delegated acts to amend the types of intervention in accordance with Article 32.	
280.	2. These indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) .../2021 [Common Provisions Regulation].	2. These indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) .../2021 [Common Provisions Regulation].	2. These indicators <i>set in Annex VIII</i> shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) .../2021 [Common Provisions Regulation].	Agreed (<u>pending agreement on the link between Annex V and Annex VIII</u>) Technical
280a			<i>Article 31a Processing of personal data</i>	Horizontal
280b			<i>1. For the purposes of the implementation of the AMIF with a view to achieving the objectives set out in Article 3, the Managing Authority, the Audit Authority and the beneficiaries, as data controllers, shall process, in accordance with Regulation (EU) 2016/679, the personal data necessary for the common indicators in Annex VIII, for monitoring, evaluation, control and audit and, where applicable, for determining the eligibility of participants.</i>	Technical EP does not see the need for this provision as the rules apply anyway. Suggested a recital. Council will check internally.

280c			<i>2. The personal data referred to in paragraph 1 shall be retained in accordance with Article 76 of Regulation (EU) No .../... [CPR].</i>	Technical
281.	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	
282.	<i>Article 32</i> Exercise of the delegation	<i>Article 32</i> Exercise of the delegation	<i>Article 32</i> Exercise of the delegation	Horizontal
283.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	Agreed
284.	2. The power to adopt delegated acts referred to in Articles 13, 18, 28 and 31 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Articles 4, 9 , 13, 16, 17b , 18, 28 and 31 shall be conferred on the Commission until 31 December 2028. [Am. 163]	2. The power to adopt delegated acts referred to in Articles 13, 18, 28 and 31 shall be conferred on the Commission until 31 December 2028.	Political -> technical List of articles to reflect overall provisional agreement.
285.	3. The delegation of powers referred to in Articles 13, 18, 28 and 31 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall	3. The delegation of powers referred to in Articles 4, 9 , 13, 16, 17b , 28 and 31 may be revoked at any time by the European Parliament or by the Council. A decision of	3. The delegation of powers referred to in Articles 13, 18, 28 and 31 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the	Political -> Technical List of articles to reflect provisional agreement.

	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.	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. [Am. 164]	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.	
286.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	Agreed
287.	5. As soon as it adopts a delegated act, the Commission shall simultaneously notify the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall simultaneously notify the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall simultaneously notify the European Parliament and to the Council thereof.	Agreed
288.	6. A delegated act adopted pursuant to Articles 13, 18, 28 and 31 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of	6. A delegated act adopted pursuant to Articles 4, 9, 13, 16, 17b , 18, 28 and 31 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before	6. A delegated act adopted pursuant to Articles 13, 18, 28 and 31 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that	Political -> technical List of articles to reflect overall provisional agreement.

	that period, they 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 the Council.	the expiry of that period, they 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 the Council. [Am. 165]	period, they 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 the Council.	
289.	Article 33 Committee procedure	Article 33 Committee procedure	Article 33 Committee procedure	Horizontal
290.	1. The Commission shall be assisted by the Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Coordination Committee for the Asylum, and and Integration Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	Following the discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "1. The Commission shall be assisted by the Coordination Committee for the Asylum, and and Integration Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011."
291.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5-4 of Regulation (EU) No 182/2011 shall apply. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and	Political Council stated that the correct procedure for these cases is the examination procedure, not the

			<i>the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>	advisory procedure as proposed by the commission. Council also stated that the no opinion clause should apply to all acts adopted through the examination procedure. It was agreed for the Legal services of the three institutions to meet with a view to clarify the legal aspects of this matter.
292.	3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 30(4).	3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 30(4).	3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 30(4).	Political
293.	Article 34 Transitional provisions	Article 34 Transitional provisions	Article 34 Transitional provisions	
294.	1. This Regulation shall not affect the continuation or modification of the actions concerned under the Asylum, Migration and Integration Fund for the period 2014-2020 established by Regulation (EU) No 516/2014, which shall continue to apply to the actions concerned until their closure.	1. This Regulation shall not affect the continuation or modification of the actions concerned under the Asylum, Migration and Integration Fund for the period 2014-2020 established by Regulation (EU) No 516/2014, which shall continue to apply to the actions concerned until their closure.	1. This Regulation shall not affect the continuation or modification of the actions concerned under the Asylum, Migration and Integration Fund for the period 2014-2020 established by Regulation (EU) No 516/2014, which shall continue to apply to the actions concerned until their closure.	Agreed

295.	2. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Asylum, Migration and Integration Fund established by Regulation (EU) No 516/2014.	2. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Asylum, Migration and Integration Fund established by Regulation (EU) No 516/2014.	2. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Asylum, Migration and Integration Fund established by Regulation (EU) No 516/2014.	Agreed
295a.			<i>3. Where Member States continue after [insert the date of application of CPR] to support a project selected and started under Regulation (EC) No 516/2014, in accordance with Regulation 514/2014, they shall ensure that the following cumulative conditions are met:</i>	Horizontal EP to discuss internally.
295b.			<i>(a) the project so selected has two phases identifiable from a financial point of view with separate audit trails;</i>	Horizontal
295c.			<i>(b) the total cost of the project exceeds EUR 500 000;</i>	
295d.			<i>(c) payments for the first phase of the project shall be included in payment requests under Regulation (EU) 514/2014. Expenditure for the second phase</i>	Horizontal

			<i>of the project shall be included in payment applications under Regulation (EU) No .../... [CPR];</i>	
295e.			<i>(d) the second phase of the project complies with the applicable law and is eligible for support from the Fund under this Regulation and Regulation (EU) No .../... [CPR];</i>	Horizontal
295f.			<i>(e) the Member State commits to complete the project, render it operational and report it in the annual performance report submitted by 15 February 2024.</i>	Horizontal
295g.			<i>The provisions of this Regulation and of Regulation (EU) No .../... [CPR] shall apply to the second phase of the project.</i>	Horizontal
295h.			<i>Article 34a Review</i>	Political
295i.			<i>In the event of legislative amendments to the Union legal framework on the Common European Asylum System, the Commission shall, where appropriate, make a proposal to amend this Regulation to ensure consistency with those legislative amendments, whilst respecting</i>	Linked to recital 58a (new)

			<i>the legitimate expectations of recipients.</i>	
296.	Article 35 Entry into force and application	Article 35 Entry into force and application	Article 35 Entry into force and application	
297.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	Agreed
298.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	Agreed
299.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	Agreed
300.	Done at Strasbourg,	Done at Strasbourg,	Done at Strasbourg,	Agreed
301.	<i>For the European Parliament</i> <i>For the Council</i>	<i>For the European Parliament</i> <i>For the Council</i>	<i>For the European Parliament</i> <i>For the Council</i>	
302.	<u>ANNEX I</u> <u>Criteria for the allocation of funding to the programmes under shared management</u>	<u>ANNEX I</u> <u>Criteria for the allocation of funding to the programmes under shared management</u>	ANNEX I Criteria for the allocation of funding to the programmes under shared management	Political

303.	1. The available resources referred to in Article 11 shall be broken down between the Member States as follows:	1. The available resources referred to in Article 11 shall be broken down between the Member States as follows:	1. The available resources referred to in Article 11 shall be broken down between the Member States as follows:	Political
304.	(a) Each Member State shall receive a fixed amount of EUR 5 000 000 from the Fund at the start of the programming period only;	(a) Each Member State shall receive a fixed amount of EUR 5 000 000 10 000 000 from the Fund at the start of the programming period only; [Am. 166]	(a) Each Member State shall receive a fixed amount of EUR 8 000 000 5 000 000 from the Fund at the start of the programming period only, <i>with the exception of Cyprus, Malta and Greece who shall receive a fixed amount of EUR 28 000 000;</i>	Political
305.	(b) The remaining resources referred to in Article 11 shall be distributed based on the following criteria:	(b) The remaining resources referred to in Article 11 shall be distributed based on the following criteria:	(b) The remaining resources referred to in Article 11 shall be distributed based on the following criteria:	Political
306.	– 30 % for asylum;	– 30 % for asylum;	– 35 30 % for asylum;	Political
307.	– 30 % for legal migration and integration;	– 30 % for legal migration and integration;	– 30 % for legal migration and integration;	Political
308.	– 40% for countering irregular migration including returns.	– 40% for countering irregular migration including returns.	– 35 40 % for countering irregular migration including returns.	Political
309.	2. The following criteria in the area of asylum will be taken into account and shall be weighted as follows:	2. The following criteria in the area of asylum will be taken into account and shall be weighted as follows:	2. The following criteria in the area of asylum will be taken into account and shall be weighted as follows:	Political

310.	(a) 30 % in proportion to the number of persons who fall into one of the following categories:	(a) 30 % in proportion to the number of persons who fall into one of the following categories:	(a) 30 % in proportion to the number of persons who fall into one of the following categories:	Political
311.	– Any third-country national or stateless person having been granted the status defined by the Geneva Convention;	– Any third-country national or stateless person having been granted the status defined by the Geneva Convention;	– Any third-country national or stateless person having been granted the status defined by the Geneva Convention;	Political
312.	– Any third-country national or stateless person enjoying a form of subsidiary protection with the meaning of recast Directive 2011/95/EU ⁸⁴ ;	– Any third-country national or stateless person enjoying a form of subsidiary protection with the meaning of recast Directive 2011/95/EU ⁸⁵ ;	– Any third-country national or stateless person enjoying a form of subsidiary protection with the meaning of recast Directive 2011/95/EU ⁸⁶ ;	Political
313.	– Any third-country national or stateless person enjoying temporary protection	– Any third-country national or stateless person enjoying temporary protection within the	– Any third-country national or stateless person enjoying temporary protection within the	Political

⁸⁴ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9–26).

⁸⁵ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9–26).

⁸⁶ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9–26).

	within the meaning of Directive 2001/55/EC ⁸⁷	meaning of Directive 2001/55/EC ⁸⁸	meaning of Directive 2001/55/EC ⁸⁹	
314.	(b) 60 % in proportion to the number of third-country nationals or stateless persons who have applied for international protection.	(b) 60 % in proportion to the number of third-country nationals or stateless persons who have applied for international protection.	(b) 60 % in proportion to the number of third-country nationals or stateless persons who have applied for international protection.	Political
315.	(c) 10 % in proportion to the number of third-country nationals or stateless persons who are being or have been resettled in a Member State.	(c) 10 % in proportion to the number of third-country nationals or stateless persons who are being or have been resettled in a Member State.	(c) 10 % in proportion to the number of third-country nationals or stateless persons who are being or have been resettled in a Member State.	Political
316.	3. The following criteria in the area of legal migration and integration will be taken into account and shall be weighted as follows:	3. The following criteria in the area of legal migration and integration will be taken into account and shall be weighted as follows:	3. The following criteria in the area of legal migration and integration will be taken into account and shall be weighted as follows:	Political
317.	(a) 40% in proportion to the total number of legally residing	(a) 40% in proportion to the total number of legally residing	(a) 50 40 % in proportion to the total number of legally	Political

⁸⁷ Data to be taken into account only in case of the activation of the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12–23).

⁸⁸ Data to be taken into account only in case of the activation of the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12–23).

⁸⁹ Data to be taken into account only in case of the activation of the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12–23).

	third-country nationals in a Member State.	third-country nationals in a Member State.	residing third-country nationals in a Member State.	
318.	(b) 60% in proportion to the number of third-country nationals who have obtained a first residence permit.	(b) 60% in proportion to the number of third-country nationals who have obtained a first residence permit.	(b) 50 60% in proportion to the number of third-country nationals who have obtained a first residence permit.	Political
319.	(c) However, for the purpose of the calculation referred to in paragraph 3(b), the following categories of persons shall not be included:	(c) However, for the purpose of the calculation referred to in paragraph 3(b), the following categories of persons shall not be included:	(c) However, for the purpose of the calculation referred to in paragraph 3(b), the following categories of persons shall not be included:	Political
320.	– Third country nationals being issued a work-related first residence permits valid for less than 12 months;	– Third country nationals being issued a work-related first residence permits valid for less than 12 months;	– Third country nationals being issued a work-related first residence permits valid for less than 12 months;	Political
321.	– Third-country nationals admitted for the purposes of studies, pupil exchange, unremunerated training or voluntary service in accordance with Council Directive 2004/114/EC ⁹⁰ or	– Third-country nationals admitted for the purposes of studies, pupil exchange, unremunerated training or voluntary service in accordance with Council Directive 2004/114/EC ⁹² or when	– Third-country nationals admitted for the purposes of studies, pupil exchange, unremunerated training or voluntary service in accordance with Council Directive 2004/114/EC ⁹⁴ or when	Political

⁹⁰ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (OJ L 375, 23.12.2004, p. 12–18).

⁹² Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (OJ L 375, 23.12.2004, p. 12–18).

⁹⁴ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (OJ L 375, 23.12.2004, p. 12–18).

	when applicable the Directive (EU) 2016/801 ⁹¹ ;	applicable the Directive (EU) 2016/801 ⁹³ ;	applicable the Directive (EU) 2016/801 ⁹⁵ ;	
322.	– Third-country nationals admitted for purposes of scientific research in accordance with Council Directive 2005/71/EC ⁹⁶ or when applicable the Directive (EU) 2016/801.	– Third-country nationals admitted for purposes of scientific research in accordance with Council Directive 2005/71/EC ⁹⁷ or when applicable the Directive (EU) 2016/801.	– Third-country nationals admitted for purposes of scientific research in accordance with Council Directive 2005/71/EC ⁹⁸ or when applicable the Directive (EU) 2016/801.	Political
323.	4. The following criteria in the area of countering irregular migration including returns will be taken into account and shall be weighted as follows:	4. The following criteria In the area of countering irregular migration including returns, <i>the following criterion</i> will be taken into account and shall be weighted as follows: [Am. 167]	4. The following criteria in the area of countering irregular migration including returns will be taken into account and shall be weighted as follows:	Political

⁹¹ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57).

⁹³ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57).

⁹⁵ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57).

⁹⁶ Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research (OJ L 289, 3.11.2005, p. 15–22).

⁹⁷ Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research (OJ L 289, 3.11.2005, p. 15–22).

⁹⁸ Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research (OJ L 289, 3.11.2005, p. 15–22).

324.	(a) 50% in proportion to the number of third-country nationals who do not or no longer fulfil the conditions for entry and stay in the territory of the Member State and who are subject to a return decision under national and / or Community law, i.e. an administrative or judicial decision or act, stating or declaring the illegality of stay and imposing an obligation to return;	(a) 50% in proportion to The number of third-country nationals who do not or no longer fulfil the conditions for entry and stay in the territory of the Member State and who are subject to a <i>final</i> return decision under national and / or Community Union law, i.e. an administrative or judicial decision or act, stating or declaring the illegality of stay and imposing an obligation to return; [Am. 168]	(a) 60 50% in proportion to the number of third-country nationals who do not or no longer fulfil the conditions for entry and stay in the territory of the Member State and who are subject to a return decision under national and / or Community law, i.e. an administrative or judicial decision or act, stating or declaring the illegality of stay and imposing an obligation to return;	Political
325.	(b) 50% in proportion to the number of third-country nationals who have actually left the territory of the Member State following an administrative or judicial order to leave, whether undertaken voluntarily or under coercion.	(b) 50% in proportion to the number of third-country nationals who have actually left the territory of the Member State following an administrative or judicial order to leave, whether undertaken voluntarily or under coercion. [Am. 169]	(b) 40 50% in proportion to the number of third-country nationals who have actually left the territory of the Member State following an administrative or judicial order to leave, whether undertaken voluntarily or under coercion.	Political
326.	5. For initial allocation the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years on the basis of data provided by Member States on the date of the applicability of this Regulation in accordance with	5. For initial allocation the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years on the basis of data provided by Member States on the date of the applicability of this Regulation in accordance with Union law.	5. For initial allocation the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years on the basis of data provided by Member States on the date of the applicability of this Regulation in accordance with Union law. For	Political

	Union law. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years available at the time of the mid-term review in 2024 on the basis of data provided by Member States in accordance with Union law. Where Member States have not supplied the Commission (Eurostat) with the statistics concerned, they shall provide provisional data as soon as possible.	<i>Data should be disaggregated by age and sex, by specific vulnerabilities and by asylum status, including those on children.</i> For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years available at the time of the mid-term review in 2024 on the basis of data provided by Member States in accordance with Union law. Where Member States have not supplied the Commission (Eurostat) with the statistics concerned, they shall provide provisional data as soon as possible. [Am. 170]	the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years available at the time of the mid-term review in 2024 on the basis of data provided by Member States in accordance with Union law. Where Member States have not supplied the Commission (Eurostat) with the statistics concerned, they shall provide provisional data as soon as possible.	
327.	6. Before accepting these data as reference figures, the Commission (Eurostat) shall evaluate the quality, comparability and completeness of the statistical information in accordance with normal operational procedures. At the request of the Commission (Eurostat), Member States shall provide it	6. Before accepting these data as reference figures, the Commission (Eurostat) shall evaluate the quality, comparability and completeness of the statistical information in accordance with normal operational procedures. At the request of the Commission (Eurostat), Member States shall	6. Before accepting these data as reference figures, the Commission (Eurostat) shall evaluate the quality, comparability and completeness of the statistical information in accordance with normal operational procedures. At the request of the Commission (Eurostat), Member States shall	Political

	with all the necessary information to do so.	provide it with all the necessary information to do so.	provide it with all the necessary information to do so.	
328.	<u>ANNEX II</u> <u>Implementation measures</u>	<u>ANNEX II</u> <u>Implementation measures</u>	<u>ANNEX II</u> <u>Implementation measures</u>	
329.	1. The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	1. The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	1. The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	Agreed Linked to Articles 3 and 4
330.	(a) ensuring a uniform application of the Union <i>acquis</i> and of the priorities related to the Common European Asylum System;	(a) ensuring a uniform application of the Union <i>acquis</i> and of the priorities related to the Common European Asylum System;	(a) ensuring a uniform application of the Union <i>acquis</i> and of the priorities related to the Common European Asylum System;	Agreed Linked to Articles 3 and 4
331.	(b) supporting the capacity of Member States' asylum systems as regards infrastructures and services where necessary;	(b) supporting the capacity of Member States' asylum systems, <i>including at local and regional level, as regards infrastructures infrastructure, such as adequate reception conditions, in particular for minors, and services, such as legal assistance and representation and interpretation</i> where necessary; [Am. 171]	(b) supporting the capacity of Member States' asylum systems as regards infrastructures and services where necessary;	Political Linked to Articles 3 and 4 Council to discuss the second part of the amendment internally.
332.	(c) enhancing solidarity and responsibility-sharing between the Member States, in particular towards those most affected by migratory flows, as	(e) enhancing solidarity and responsibility-sharing between the Member States, in particular towards those most affected by migratory flows, as well as	(c) enhancing solidarity and responsibility-sharing between the Member States, in particular towards those most affected by migratory flows, as well as	Political Linked to Articles 3 and 4

	well as providing support to Member States contributing to solidarity efforts;	providing support to Member States contributing to solidarity efforts; [Am. 172]	providing support to Member States contributing to solidarity efforts;	Linked to specific objective on solidarity
333.	(d) enhancing solidarity and cooperation with third countries affected by migratory flows, including through resettlement and other legal avenues to protection in the Union as well as partnership and cooperation with third countries for the purpose of managing migration.	(d) enhancing solidarity and cooperation with third countries affected by migratory flows to which a large number of persons in need of international protection has been displaced, including by fostering those countries' capacity to improve reception and international protection conditions and through resettlement and other legal avenues to protection in the Union in particular for vulnerable groups such as children and adolescents facing protection risks as well as partnership and cooperation with third countries for the purpose of managing migration in the context of global cooperation efforts in the area of international protection. [Am. 173]	(d) enhancing solidarity and cooperation with third countries affected by migratory flows, including through resettlement and other legal avenues to protection in the Union as well as partnership and cooperation with third countries for the purpose of managing migration.	Political Linked to Articles 3 and 4
333a		(da) implementing technical and operational assistance to one or several other Member States in cooperation with the European Asylum Support Office. [Am. 174]		Political Linked to Articles 3 and 4 Council to discuss internally.

334.	2. The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	2. The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	2. The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	Agreed Linked to Articles 3 and 4
335.	(a) supporting the development and implementation of policies promoting legal migration and the implementation of the Union legal migration <i>acquis</i> ;	(a) supporting the development and implementation of policies promoting legal migration, <i>including family reunification</i> , and the implementation of the Union legal migration <i>acquis</i> , <i>in particular the legal labour migration instruments in line with applicable international standards on migration and the protection of migrant workers</i> ; [Am. 175]	(a) supporting the development and implementation of policies promoting legal migration and the implementation of the Union legal migration <i>acquis</i> ;	Political Linked to Articles 3 and 4 EP to propose a possible compromise in light of the discussions.
335a		<i>(aa) promoting and developing structural and supporting measures facilitating regular entry to and residence in the Union</i> ; [Am. 176]		Political Linked to Articles 3 and 4 EP and Council to discuss internally.
335b		<i>(ab) enhancing partnership and cooperation with third countries affected by migratory flows including through legal avenues of entry to the Union for the purpose of global</i>		Political Linked to Articles 3 and 4 EP and Council to reflect further.

		<i>cooperation efforts in the area of migration; [Am. 177]</i>		
336.	(b) promoting early integration measures for the social and economic inclusion of third-country nationals, preparing their active participation in and their acceptance by the receiving society, in particular with the involvement of local or regional authorities and civil society organisations.	(b) promoting early integration measures for the social and economic inclusion of third-country nationals, preparing their active participation in and their acceptance by the receiving society, in particular with the involvement of local or regional authorities and civil society organisations. [Am. 178]	(b) promoting early integration measures for the social and economic inclusion of third-country nationals, preparing their active participation in and their acceptance by the receiving society, in particular with the involvement of <i>national and, in particular, regional or</i> local or regional authorities and civil society organisations.	Technical -> political Linked to Articles 3 and 4 EP: moved to 336b
336a		<i>2a. The Fund shall contribute to the specific objective set out in point (c) of Article 3(2), by focusing on the following implementation measures:</i>		Political Linked to Articles 3 and 4
336b		<i>(a) promoting integration measures for the social and economic inclusion of third country nationals, facilitating family reunification, preparing their active participation in and their acceptance by the receiving society, in particular with the involvement of local or regional authorities, non-governmental organisations, including refugees and</i>		Political Linked to Articles 3 and 4 Council to discuss internally

		<i>migrants organisations and social partners; and</i>		
337c		<i>(b) promoting and implementing protection measures for vulnerable persons in the context of integration measures. [Am. 179]</i>		Political Linked to Articles 3 and 4 Council to discuss internally
338.	3. The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	3. The Fund shall contribute to the specific objective set out in <i>point (ca) of</i> Article 3(2)(e) <i>3(2)</i> , by focusing on the following implementation measures: [Am. 180]	3. The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	Technical Linked to Articles 3 and 4
339.	(a) ensuring a uniform application of the Union <i>acquis</i> and policy priorities regarding infrastructure, procedures and services;	(a) ensuring a uniform application of the Union <i>acquis</i> and policy priorities regarding infrastructure, procedures and services;	(a) ensuring a uniform application of the Union <i>acquis</i> and policy priorities regarding infrastructure, procedures and services;	Agreed Linked to Articles 3 and 4
340.	(b) supporting an integrated and coordinated approach to return management at the Union and Member States' level, to the development of capacities for effective and sustainable return and reducing incentives for irregular migration;	(b) supporting an integrated and coordinated approach to return management at the Union and Member States' level, to the development of capacities for effective, <i>dignified</i> and sustainable return and reducing incentives for irregular migration; [Am. 181]	(b) supporting an integrated and coordinated approach to return management at the Union and Member States' level, to the development of capacities for effective and sustainable return and reducing incentives for irregular migration;	Technical Linked to Articles 3 and 4 Council to discuss internally

341.	(c) supporting assisted voluntary return and reintegration;	(c) supporting assisted voluntary return, <i>family tracing</i> and reintegration, <i>while respecting the best interests of minors</i> ; [Am. 182]	(c) supporting assisted voluntary return and reintegration;	Technical and political Linked to Articles 3 and 4 Council to discuss internally
341a	(d) strengthening cooperation with third countries and their capacities to implement readmission agreements and other arrangements, and enable sustainable return.	(d) strengthening cooperation with third countries and their capacities to implement readmission agreements and other arrangements, and <i>including reintegration to</i> enable sustainable return. [Am. 183]	(d) strengthening cooperation with third countries and their capacities to implement readmission agreements and other arrangements, and enable sustainable return.	Technical and political Linked to Articles 3 and 4 EP to reflect on the reference to reintegration, in the light of possible overlap with NDICI.
341b		<i>3a. The Fund shall contribute to the specific objective set out in point (cb) of Article 3(2) by focusing on the following implementation measures:</i>		Political Linked to Articles 3 and 4
341c		<i>(a) promoting and implementing the respect of international law and the Charter of Fundamental Rights of the European Union in asylum and migration policies and measures;</i>		Political Linked to Articles 3 and 4
341d		<i>(b) enhancing solidarity and responsibility-sharing between the Member States, in particular solidarity towards those most affected by migratory flows, as</i>		Political Linked to Articles 3 and 4

		<i>well as providing support to Member States at central, regional or local level, to international organisations, to non-governmental organisations and to social partners in their solidarity efforts;</i>		
341e		<i>(c) supporting transfers of applicants for international protection or beneficiaries of international protection from one Member State to another. [Am. 184]</i>		Political Linked to Articles 3 and 4
342.				
343.	<u>ANNEX III</u> <u>Scope of support</u>	ANNEX III Scope of support <i>Eligible actions to be supported by the instrument in accordance with Article 3 [Am. 185]</i>	ANNEX III Scope of support	Horizontal EP clarified that reference should be made to Article 4
344.	1. Within the policy objective referred to in Article 3(1), the Fund shall in particular support the following:	1. Within the policy objective referred to in Article 3(1), the Fund shall in particular support the following: [Am. 186]	1. Within the policy objective referred to in Article 3(1), the Fund shall in particular support actions such as the following:	Political Linked to Articles 3 and 4
345.	(a) the establishment and development of national strategies in asylum, legal	(a) the establishment and development of national, regional and local strategies in for the implementation of the	(a) the establishment and development of national strategies in asylum, legal	Political Linked to Articles 3 and 4

	migration, integration, return and irregular migration;	<i>Union acquis relating to asylum, legal migration, integration, in particular local integration strategies, return and irregular migration; [Am. 187]</i>	migration, integration, return and irregular migration;	To be discussed further
346.	(b) the setting up of administrative structures, systems and tools and training of staff, including local authorities and other relevant stakeholders;	(b) the setting up of administrative structures, systems and tools and training of staff, including local authorities and other relevant stakeholders in cooperation with relevant Union agencies, where appropriate; [Am. 188]	(b) the setting up of administrative structures, and systems, including the development of IT systems and the interoperability of databases and , tools and training of staff, including local authorities and other relevant stakeholders;	Political Linked to Articles 3 and 4 Linked to line 486c Council to discuss internally
347.	(c) the development, monitoring and evaluation of policies and procedures including on collection and exchange of information and data, development and application of common statistical tools, methods and indicators for measuring progress and assessing policy developments;	(c) the development, monitoring and evaluation of policies and procedures including on the development, collection and exchange of information and data, analysis, dissemination of qualitative and quantitative data and statistics on migration and international protection and the development and application of common statistical tools, methods and indicators for measuring progress and assessing policy developments; [Am. 189]	(c) the development, monitoring and evaluation of policies and procedures including on collection, and exchange and analysis of information and data, development and application of common statistical tools, methods and indicators for measuring progress and assessing policy developments;	Technical Linked to Articles 3 and 4 Council to discuss internally
348.	(d) the exchanges of information, best practices and strategies, mutual learning, studies and research, the	(d) the exchanges of information, best practices and strategies, mutual learning, studies and research, the	(d) the exchanges of information, best practices and strategies, mutual learning, studies and research, the	Agreed Linked to Articles 3 and 4

	development and implementation of joint actions and operations and the setting-up of transnational cooperation networks;	development and implementation of joint actions and operations and the setting-up of transnational cooperation networks;	development and implementation of joint actions and operations and the setting-up of transnational cooperation networks;	
349.	(e) assistance and support services consistent with the status and the needs of the person concerned, in particular the vulnerable groups;	(e) <i>gender-sensitive</i> assistance and support services consistent with the status and the needs of the person concerned, in particular the vulnerable groups persons ; [Am. 190]	(e) assistance and support services consistent with the status and the needs of the person concerned, in particular the vulnerable groups;	Technical Linked to Articles 3 and 4 Institutions agreed to check and align the references to 'vulnerable groups' and 'vulnerable persons' throughout the text. Also noted that the definition vulnerable person is defined in Article 2. Council to discuss internally
349a		<i>(ea) the effective protection of children in migration, including the implementation of best interests of the child assessments before decisions are taken, all measures listed in the Commission Communication of 12 April 2017 on the Protection of Children in Migration, such as providing appropriate housing for, and a timely appointment of guardians to, all unaccompanied minors,</i>		Technical -> political Linked to Articles 3 and 4 Text may need to be revisited with a view to shorten it. Council does not see the need to link actions to a Commission Communication. EP to draft a new proposal

		<i>contributions to the European Network of Guardianship Institutions, and the development, monitoring and evaluation of child safeguarding policies and procedures, including a child-rights based compliant mechanism; [Am. 191]</i>		
350.	(f) actions aimed at enhancing awareness of asylum, integration, legal migration and return policies among stakeholders and the general public;	(f) actions aimed at enhancing awareness of asylum, integration, legal migration and return policies <i>with specific attention to vulnerable groups, including minors</i> , among stakeholders and the general public; [Am. 192]	(f) actions aimed at enhancing awareness of asylum, integration, legal migration and return policies among stakeholders and the general public;	Technical Linked to Articles 3 and 4 EP: clarified that the intended term is 'vulnerable persons' in line with amendment 190. Council to discuss internally
351.	2. Within the specific objective referred to in Article 3(2)(a), the Fund shall in particular support the following actions:	2. Within the specific objective referred to in Article 3(2)(a), the Fund shall in particular support the following actions: [Am. 193]	2. Within the specific objective referred to in Article 3(2)(a), the Fund shall in particular support <i>actions such as</i> the following actions:	Political Linked to Articles 3 and 4
352.	(a) providing material aid, including assistance at the border;	(a) providing material aid, including assistance at the border, <i>child-friendly and gender-sensitive facilities, emergency services provided by local authorities, education, training, support services, legal assistance and representation,</i>	(a) providing material aid, including assistance at the border;	Technical -> political Linked to Articles 3 and 4 May be covered, in part, by point 1(e) above. EP to discuss internally

		<i>health and psychological care;</i> [Am. 194]		
353.	(b) conducting asylum procedures;	(b) conducting asylum procedures, <i>including family tracing and ensuring access to legal assistance and representation and interpretation for asylum applicants at all stages of the procedure;</i> [Am. 195]	(b) conducting asylum procedures (<i>i.e. staff, operational needs</i>) to ensure compliance with the asylum acquis;	Technical -> political Linked to Articles 3 and 4 Commission to propose a possible compromise text.
354.	(c) identifying applicants with special procedural or reception needs;	(c) identifying applicants with special procedural or reception needs, <i>including the early identification of victims of trafficking, minors and other vulnerable persons such as victims of torture and gender-based violence, and referral to specialised services;</i> [Am. 196]	(c) identifying applicants with special procedural or reception needs;	Technical -> political Linked to Articles 3 and 4
354a		<i>(ca) providing qualified psycho-social and rehabilitation services to victims of violence and torture, including gender-based violence;</i> [Am. 197]		Technical -> political Linked to Articles 3 and 4 Commission to propose a possible compromise text combining lines 354 and 354a
355.	(d) establishing or improving reception accommodation infrastructure, including the possible joint use of such	(d) establishing or improving reception accommodation infrastructure, <i>such as housing in small units and small-scale infrastructure addressing the</i>	(d) establishing or improving reception accommodation infrastructure, including the possible joint use of such	Technical Linked to Articles 3 and 4 Council to discuss internally.

	facilities by more than one Member State;	<i>needs of families with minors, including those provided by local and regional authorities and</i> including the possible joint use of such facilities by more than one Member State; [Am. 198]	facilities by more than one Member State;	
355a		<i>(da) providing alternative forms of care that are integrated into existing national child protection systems and address the needs of all children in accordance with international standards; [Am. 199]</i>		Technical -> political Linked to Articles 3 and 4 EP to discuss internally.
356.	(e) enhancing the capacity of Member States to collect, analyse and disseminate country of origin information;	(e) enhancing the capacity of Member States to collect, analyse and disseminate share among themselves country of origin information; [Am. 200]	(e) enhancing the capacity of Member States to collect, analyse and disseminate country of origin information;	Technical Linked to Articles 3 and 4 Possible compromise text, subject to confirmation: "(e) enhancing the capacity of Member States to collect, analyse and disseminate share amongst their competent authorities country of origin information;"
357.	(f) actions related to the conducting of procedures for the implementation of the Union Resettlement [and Humanitarian Admission] Framework or national	(f) actions related to the conducting of procedures for the implementation of the Union national resettlement [and or humanitarian admission] Framework or national	(f) actions related to the conducting of procedures for the implementation of the Union Resettlement and Humanitarian Admission Framework or national programmes and Humanitarian Admission Framework or national	Technical Linked to Articles 3 and 4

	resettlement schemes that are compatible with the Union Resettlement Framework;	resettlement schemes that are compatible with the Union Resettlement Framework as set out in this Regulation; [Am. 201]	resettlement and humanitarian schemes that are compatible with the Union Resettlement Framework;	
358.	(g) transfers of beneficiaries of international protection;	(g) transfers of applicants and beneficiaries of international protection; [Am. 202]	(g) transfers of applicants for or beneficiaries of international protection;	Following the discussions at the technical level, a provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: "(g) transfers of applicants for or beneficiaries of international protection;"
359.	(h) enhancing capacities of third countries to improve the protection of persons in need of protection;	(h) enhancing capacities of third countries to improve the protection of persons in need of protection, including through supporting the development of strong child protection mechanisms in third countries, ensuring that children are protected in all areas from violence, abuses and neglect and have access to education and health care; [Am. 203]	(h) enhancing capacities of third countries to improve the protection of persons in need of protection;	Technical -> political Linked to Articles 3 and 4 EP to propose a possible compromise text.
360.	(i) establishing, developing and improving effective alternatives to detention, in particular in relation to	(i) establishing, developing and improving effective alternatives to detention and institutional care , in particular in relation to unaccompanied minors and children with	(i) establishing, developing and improving effective alternatives to detention, in particular in relation to	Technical -> political Linked to Articles 3 and 4 EP to propose a possible compromise text.

	unaccompanied minors and families.	families <i>in compliance with the United Nations Convention on the Rights of the Child.</i> [Am. 204]	unaccompanied minors and families.	
361.	3. Within the specific objective referred to in Article 3(2)(b), the Fund shall in particular support the following:	3. Within the specific objective referred to in Article 3(2)(b), the Fund shall in particular support the following: [Am. 205]	3. Within the specific objective referred to in Article 3(2)(b), the Fund shall in particular support <i>actions such as the following:</i>	Political Linked to Articles 3 and 4
362.	(a) information packages and campaigns to raise awareness of legal migration channels to the Union, including on the Union legal migration <i>acquis</i> ;	(a) information packages and campaigns to raise awareness of legal migration channels to the Union, including on the Union legal migration <i>acquis</i> ;	(a) information packages and campaigns to raise awareness of legal migration channels to the Union, including on the Union legal migration <i>acquis</i> ;	Agreed Linked to Articles 3 and 4
363.	(b) development of mobility schemes to the Union, such as circular or temporary migration schemes, including training to enhance employability;	(b) development of mobility schemes to the Union, such as <i>including but not limited to</i> circular or temporary migration schemes, including <i>vocational and other</i> training to enhance employability; [Am. 206]	(b) development of mobility schemes to the Union, such as circular or temporary migration schemes, including training to enhance employability;	Technical -> political Linked to Articles 3 and 4 EP to discuss the first part; Council to discuss reference to 'vocational and other training'.
364.	(c) cooperation between third countries and the recruitment agencies, the employment services and the immigration services of Member States;	(c) cooperation between third countries and the recruitment agencies, the employment services and the immigration services of Member States;	(c) cooperation between third countries and the recruitment agencies, the employment services and the immigration services of Member States;	Agreed Linked to Articles 3 and 4

365.	(d) the assessment of skills and qualifications acquired in a third country, as well as their transparency and compatibility with those of a Member State;	(d) the assessment <i>and recognition</i> of skills and qualifications, <i>including professional experience</i> , acquired in a third country, as well as their transparency and compatibility with those of a Member State <i>and the development of common evaluation standards</i> ; [Am. 207]	(d) the assessment of skills and qualifications acquired in a third country, as well as their transparency and compatibility with those of a Member State;	Technical Linked to Articles 3 and 4 COM will consult internally regarding possible link to ESF +. Council flexible on the first part only.
366.	(e) assistance in the context of applications for family reunification within the meaning of Council Directive 2003/86/EC ⁹⁹ ;	(e) assistance in the context of applications for family reunification within the meaning <i>to ensure a harmonised implementation</i> of Council Directive 2003/86/EC ¹⁰⁰ ; [Am. 208]	(e) assistance in the context of applications for family reunification within the meaning of Council Directive 2003/86/EC ¹⁰¹ ;	Following the technical meeting held on 29 September 2020, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows: (e) assistance in the context of applications for family reunification within the meaning <i>to ensure a harmonised implementation</i> of Council Directive 2003/86/EC ¹⁰² ;"
367.	(f) assistance in relation to a change of status for third-country nationals already legally residing in a Member State, in particular in relation to the acquisition of a legal	(f) assistance, <i>including legal assistance and representation</i> , in relation to a change of status for third-country nationals already legally residing in a Member State, in particular in	(f) assistance in relation to a change of status for third-country nationals already legally residing in a Member State, in particular in relation to the acquisition of a	Following the technical meeting held on 29 September 2020, the provisional agreement was confirmed at the trilogue meeting on 7 October 2020, as follows:

⁹⁹ Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, (OJ L 251, 03/10/2003 p. 12 – 18.).

¹⁰⁰ Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, (OJ L 251, 03/10/2003 p. 12 – 18.).

¹⁰¹ Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, (OJ L 251, 03/10/2003 p. 12 – 18.).

¹⁰² Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, (OJ L 251, 03/10/2003 p. 12 – 18.).

	residence status defined at Union level;	relation to the acquisition of a legal residence status defined at Union level; [Am. 209]	legal residence status defined at Union level;	"(f) assistance, <i>including legal assistance and representation</i> , in relation to a change of status for third-country nationals already legally residing in a Member State, in particular in relation to the acquisition of a legal residence status defined at Union level;"
367a		<i>(fa) assistance in relation to the exercise of the rights of third country nationals legally staying in the Union, notably relating to mobility within the Union and to access to employment; [Am. 210]</i>		Technical -> political Linked to Articles 3 and 4 <u>Further discussions needed.</u> <u>EP to clarify target group.</u>
368.	(g) early integration measures such as tailored support in accordance with the needs of third-country nationals and integration programmes focusing on education, language and other training such as civic orientation courses and professional guidance;	(g) early integration measures such as tailored support in accordance with the needs of third-country nationals and integration programmes focusing on education, language and other training such as civic orientation courses and professional guidance; [Am. 211]	(g) early integration measures such as tailored support in accordance with the needs of third-country nationals and integration programmes focusing on education, language and other training such as civic orientation courses and professional guidance, <i>administrative and legal guidance, one-stop shops for integration providing general advice and assistance to third country nationals in areas such as housing, means of subsistence, psychological care, health care, etc;</i>	Technical Linked to Articles 3 and 4 Council to suggest a possible compromise text on lines 368, 372b and 372d.

369.	(h) actions promoting equality in the access and provision of public and private services to third-country nationals, including adapting them to the needs of the target group;	(h) actions promoting equality in the access and provision of public and private services to third-country nationals, including adapting them to the needs of the target group; [Am. 212]	(h) actions promoting equality in the access and provision of public and private services to third-country nationals, including adapting them to the needs of the target group;	Technical Linked to Articles 3 and 4
370.	(i) cooperation between governmental and non-governmental bodies in an integrated manner, including through coordinated integration-support centres, such as one-stop shops;	(i) cooperation between governmental and non-governmental bodies in an integrated manner, including through coordinated integration-support centres, such as one-stop shops; [Am. 213]	(i) cooperation between governmental and non-governmental bodies in an integrated manner, including through coordinated integration-support centres, such as one-stop shops;	Technical Linked to Articles 3 and 4
371.	(j) actions enabling and supporting third-country nationals' introduction to and active participation in the receiving society and actions promoting acceptance by the receiving society;	(j) actions enabling and supporting third-country nationals' introduction to and active participation in the receiving society and actions promoting acceptance by the receiving society; [Am. 214]	(j) actions enabling and supporting third-country nationals' introduction to and active participation in the receiving society and actions promoting acceptance by the receiving society;	Technical Linked to Articles 3 and 4
372.	(k) promoting exchanges and dialogue between third-country nationals, the receiving society and public authorities, including through the consultation of third-country nationals, and intercultural and inter-religious dialogue.	(k) promoting exchanges and dialogue between third-country nationals, the receiving society and public authorities, including through the consultation of third-country nationals, and intercultural and inter-religious dialogue. [Am. 215]	(k) promoting exchanges and dialogue between third-country nationals, the receiving society and public authorities, including through the consultation of third-country nationals, and intercultural and inter-religious dialogue.	Technical Linked to Articles 3 and 4

372a		<i>3a. Within the specific objective referred to in point (c) of Article 3(2), the Fund shall in particular support the following:</i>		Political Linked to Articles 3 and 4
372b		<i>(a) integration measures such as tailored support in accordance with the needs of third-country nationals and integration programmes focusing on inclusive education and care, language, counselling, vocational training and other training such as civic orientation courses and professional guidance;</i>		Technical Linked to Articles 3 and 4
372c		<i>(b) building capacity of integration services provided by local authorities;</i>		Technical -> political Linked to Articles 3 and 4 EP to consult internally.
372d		<i>(c) actions promoting equality in the access and provision of public and private services to third-country nationals, including access to education, healthcare and psycho-social support and adapting them to the needs of the target group;</i>		Technical Linked to Articles 3 and 4

372e		<i>(d) cooperation between governmental and non-governmental bodies in an integrated manner, including through coordinated integration-support centres, such as one-stop shops;</i>		Technical Linked to Articles 3 and 4
372f		<i>(e) actions enabling and supporting third-country nationals' introduction to and active participation in the receiving society and actions promoting acceptance by the receiving society;</i>		Technical Linked to Articles 3 and 4
372g		<i>(f) promoting exchanges and dialogue between third-country nationals, the receiving society and public authorities, including through the consultation of third-country nationals, and intercultural and inter-religious dialogue.</i> [Am. 216]		Technical Linked to Articles 3 and 4
373.	4. Within the specific objective referred to in Article 3(2)(c), the Fund shall in particular support the following:	4. Within the specific objective referred to in <i>point (ca) of</i> Article 3(2)(c), the Fund shall in particular support the following: [Am. 217]	4. Within the specific objective referred to in Article 3(2)(c), the Fund shall in particular support <i>actions such as</i> the following:	Political Linked to Articles 3 and 4
374.	(a) infrastructure for reception or detention,	(a) <i>improvement of</i> infrastructure for <i>open</i> reception	(a) infrastructure for <i>establishing or improving</i>	Political

	including the possible joint use of such facilities by more than one Member State;	or and improvement of existing infrastructure for detention, including the possible joint use of such facilities by more than one Member State; [Am. 218]	reception or detention infrastructure , including the possible joint use of such facilities by more than one Member State;	Linked to Articles 3 and 4 EP and Council to discuss internally.
375.	(b) introduction, development and improvement of effective alternative measures to detention, in particular in relation to unaccompanied minors and families;	(b) introduction, development, implementation and improvement of effective alternative measures to detention, based on case management in the community , in particular in relation to unaccompanied minors and families; [Am. 219]	(b) introduction, development and improvement of effective alternative measures to detention, in particular in relation to unaccompanied minors and families;	Technical Linked to Articles 3 and 4 EP to consult internally on adding the word “including” Council to check. <u>Further discussions needed.</u>
375a		(ba) identification and reception of victims of trafficking in accordance with Directive 2011/36/EU and Council Directive 2004/81/EC¹⁰³; [Am. 220]		Technical -> political Linked to Articles 3 and 4 <u>Further discussions needed.</u>
376.	(c) introduction and reinforcement of independent and effective systems for monitoring forced return, as	(c) introduction and reinforcement of independent and effective systems for monitoring forced return, as laid	(c) introduction and reinforcement of independent and effective systems for monitoring forced return, as laid down in	Agreed Linked to Articles 3 and 4

¹⁰³ *Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (OJ L 261, 6.8.2004, p. 19).*

	laid down in Article 8(6) of Directive 2008/115/EC ¹⁰⁴ ;	down in Article 8(6) of Directive 2008/115/EC ¹⁰⁵ ;	Article 8(6) of Directive 2008/115/EC ¹⁰⁶ ;	
377.	(d) countering incentives for irregular migration, including the employment of irregular migrants, through effective and adequate inspections based on risk assessment, the training of staff, the setting-up and implementation of mechanisms through which irregular migrants can claim back payments and lodge complaints against their employers, or information and awareness-raising campaigns to inform employers and irregular migrants about their rights and obligations pursuant to Directive 2009/52/EC ¹⁰⁷ ;	(d) countering reducing incentives for irregular migration, including the employment of irregular migrants, through effective and adequate inspections based on risk assessment, the training of staff, the setting-up and implementation of mechanisms through which irregular migrants can claim back payments and lodge complaints against their employers, or information and awareness-raising campaigns to inform employers and irregular migrants about their rights and	(d) countering incentives for irregular migration, including the employment of irregular migrants, through effective and adequate inspections based on risk assessment, the training of staff, the setting-up and implementation of mechanisms through which irregular migrants can claim back payments and lodge complaints against their employers, or information and awareness-raising campaigns to inform employers and irregular migrants about their rights and obligations pursuant to Directive 2009/52/EC ¹⁰⁹ ;	Technical Linked to Articles 3 and 4

¹⁰⁴ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

¹⁰⁵ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

¹⁰⁶ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

¹⁰⁷ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009., p. 24–32).

¹⁰⁹ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009., p.24–32).

		obligations pursuant to Directive 2009/52/EC ¹⁰⁸ ; [Am. 221]		
378.	(e) preparation of return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;	(e) preparation of return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;	(e) preparation of return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;	Agreed Linked to Articles 3 and 4
379.	(f) cooperation with the consular authorities and immigration services or other relevant authorities and services of third countries with a view to obtaining travel documents, facilitating return and ensuring readmission including through the deployment of third-country liaison officers;	(f) cooperation with the consular authorities and immigration services or other relevant authorities and services of third countries with a view to obtaining travel documents, facilitating return and ensuring readmission including through the deployment of third-country liaison officers	(f) cooperation with the consular authorities and immigration services or other relevant authorities and services of third countries with a view to obtaining travel documents, facilitating return and ensuring readmission including through the deployment of third-country liaison officers;	Agreed Linked to Articles 3 and 4
380.	(g) return assistance, in particular assisted voluntary return and information about assisted voluntary return programmes;	(g) return assistance, in particular assisted voluntary return and information about assisted voluntary return programmes, <i>including by providing specific guidance for children in return procedures</i>	(g) return assistance, in particular assisted voluntary return and information about assisted voluntary return programmes;	Technical -> political Linked to Articles 3 and 4 Council to discuss internally.

¹⁰⁸ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009., p. 24–32).

		<i>and ensuring child-rights based return procedures; [Am. 222]</i>		
381.	(h) removal operations, including related measures, in accordance with the standards laid down in Union law, with the exception of coercive equipment;	(h) removal operations, including related measures, in accordance with the standards laid down in Union law, with the exception of coercive equipment;	(h) removal operations, including related measures, in accordance with the standards laid down in Union law, with the exception of coercive equipment;	Agreed Linked to Articles 3 and 4
382.	(i) measures to support the returnee's durable return and reintegration;	(i) measures to support the returnee's durable return and reintegration;	(i) measures to support the returnee's durable return and reintegration, <i>including cash-incentives, training, placement and employment assistance and start-up support for economic activities;</i>	Technical Linked to Articles 3 and 4 EP to discuss internally.
383.	(j) facilities and services in third countries ensuring appropriate temporary accommodation and reception upon arrival, including for unaccompanied minors and other vulnerable groups in line with international standards;	(j) facilities and <i>support</i> services in third countries ensuring appropriate temporary accommodation and reception upon arrival, including for unaccompanied minors and other vulnerable groups in line with international standards <i>and a fast transition to community based accommodation; [Am. 223]</i>	(j) facilities and services in third countries ensuring appropriate temporary accommodation and reception upon arrival, including for unaccompanied minors and other vulnerable groups in line with international standards;	Technical -> political Linked to Articles 3 and 4 <u>Following consultation of experts by the Commission, the Council and EP will discuss internally.</u> <u>EP to check on 'support'.</u>
384.	(k) cooperation with third countries on countering irregular migration and on effective return and readmission, including in the	(k) cooperation with third countries on countering irregular migration and on effective return and readmission, including in the framework of the	(k) cooperation with third countries on countering irregular migration and on effective return and readmission, including in the framework of the implementation	Political Linked to Articles 3 and 4

	framework of the implementation of readmission agreements and other arrangements;	implementation of readmission agreements and other arrangements; [Am. 224]	of readmission agreements and other arrangements;	
385.	(l) measures aimed at raising awareness of the appropriate legal channels for immigration and the risks of illegal immigration;	(l) measures aimed at raising awareness of the appropriate legal channels for immigration migration and the risks of illegal irregular immigration; [Am. 225]	(l) measures aimed at raising awareness of the appropriate legal channels for immigration and the risks of illegal immigration;	Technical Linked to Articles 3 and 4 Commission to check on correct terminology.
386.	(m) support for and actions in third countries, including on infrastructure, equipment and other measures, provided these contribute to enhancing effective cooperation between third countries and the Union and its Member States on return and readmission.	(m) support for and actions in third countries, including on infrastructure, equipment and other measures, provided these contribute to enhancing effective cooperation between third countries and the Union and its Member States on return and readmission. [Am. 226]	(m) support for and actions in third countries, including on infrastructure, equipment and other measures, provided these contribute are conducive to enhancing effective cooperation between third countries and the Union and its Member States on return and readmission.	Political Linked to Articles 3 and 4 <u>Further discussions necessary.</u>
386a		4a. Within the specific objective referred to in point (cb) of Article 3(2), the Fund shall support the following:		Political Linked to Articles 3 and 4 Linked to specific objective on solidarity.
386b		(a) the implementation of transfers of either applicants for international protection or beneficiaries of international protection from one Member State to another, including		Political Linked to Articles 3 and 4

		<i>those measures referred to in Article 17b of this Regulation;</i>		
386c		<i>(b) operational support in terms of seconded staff or financial assistance provided by a Member State to another Member State affected by migration challenges</i>		Political Linked to Articles 3 and 4
386d		<i>(c) actions related to the conducting of procedures for the implementation of national resettlement or humanitarian admission schemes. [Am. 227]</i>		Political Linked to Articles 3 and 4
387.	<u>ANNEX IV</u> <u>Actions eligible for higher co-financing in line with Articles 12(2) and 13(7)</u>	ANNEX IV Actions eligible for higher co-financing in line with Articles 12(2) and 13(7)	<u>ANNEX IV</u> <u>Actions eligible for higher co-financing in line with Articles 12(2 3) and 13(7)</u>	After consultations to be discussed again at technical level.
388.	– Integration measures implemented by local and regional authorities and civil-society organisations;	– Integration measures implemented by local and regional authorities and civil-society organisations, <i>including refugee and migrant organisations</i> ; [Am. 228]	– Integration measures implemented by local and regional authorities and civil-society organisations;	Technical After consultations to be discussed again at technical level. EP: correct term should be 'refugee- and migrant-led organisations'. Council is open to EP amendment but the wording should be aligned.
389.	– Actions to develop and implement effective alternatives to detention;	– Actions to develop and implement effective alternatives	– Actions to develop and implement effective alternatives to detention;	Technical

		to detention <i>and institutional care</i> ; [Am. 229]		After consultations to be discussed again at technical level. Following the request by both co-legislators, the Commission proposed a possible compromise text to AM 229 in line 391 below. In the spirit of compromise, the Council can support the Commission compromise text to AM 229 in line 391 below. <u>EP to consider the COM compromise on lines 389 and 391 and get back</u>
390.	– Assisted Voluntary Return and Reintegration programmes and related-activities;	– Assisted Voluntary Return and Reintegration programmes and related-activities;	– Assisted Voluntary Return and Reintegration programmes and related-activities;	Agreed
391.	– Measures targeting vulnerable persons and applicants for international protection with special reception and/or procedural needs, including measures to ensure effective protection of children in migration, in particular those unaccompanied	– Measures targeting vulnerable persons and applicants for international protection with special reception and/or procedural needs, including measures to ensure effective protection of children in migration, in particular those unaccompanied <i>minors</i> . [Am. 230]	– Measures targeting vulnerable persons and applicants for international protection with special reception and/or procedural needs, including measures to ensure effective protection of children in migration, in particular those unaccompanied;	Technical After consultations to be discussed again at technical level. To look at use of terminology, mainly between 'children' and 'minors'. In this regard, the Council suggested: "...to ensure effective protection of minors, in particular unaccompanied minors."

			PUBLIC EP can support the proposed terminology by Council, subject to a slight amendment: "...to ensure effective protection of minors, in particular those unaccompanied". Following the request by both co-legislators, the Commission proposed the following addition at the end of the point as possible compromise text to AM 229: "...those unaccompanied, <i>including through alternative, non-institutionalised care systems</i>;" <i>Note: This is without prejudice to the amendments proposed by both co-legislators.</i> In the spirit of compromise, the Council can support the Commission compromise additional text to AM 229. <u>EP to consider the COM compromise on lines 389 and 391 and get back.</u>	
391a			– <i>Projects in third countries that aim at tackling high</i>	Political

			<i>migration pressure on Member States.</i>	Council to come back with examples of what would be financed.
392.	ANNEX V Core performance indicators referred to in Article 28(1)	ANNEX V Core performance indicators referred to in Article 28(1)	ANNEX V Core performance indicators referred to in Article 28(1)	EP is in favour of having only Annex VIII. COM pointed to difference between performance and output indicators (Annex VIII).
393.	Specific objective 1: To strengthen and develop all aspects of the Common European Asylum System, including its external dimension:	Specific objective 1: To strengthen and develop all aspects of the Common European Asylum System, including its external dimension:	Specific objective 1: To strengthen and develop all aspects of the Common European Asylum System, including its external dimension:	Agreed Linked to Articles 3 and 4
393a		<i>-1. All the core performance indicators listed below shall be disaggregated by sex and age.</i> [Am. 231]		Technical -> political Linked to Articles 3 and 4 EP clarifies that it is about age brackets. To be discussed again at technical level.
394.	1. Number of persons resettled with the support of the Fund.	1. Number of persons resettled with the support of the Fund.	1. Number of persons resettled with the support of the Fund.	Technical -> political Linked to Articles 3 and 4 and EP amendment 119 (Article 16a) To be discussed again at technical level.

				<u>The Council to discuss internally</u>
394a		<i>1a. Number of persons admitted through humanitarian admission schemes; [Am. 232]</i>		Technical -> political Linked to Articles 3 and 4 and Article 16 To be further discussed at technical level
395.	2. Number of persons in the reception system as compared to the number of asylum applicants.	2. Number of persons in the reception system as compared to the number of asylum applicants.	2. <i>Additional capacity of infrastructures supporting migrants and refugees</i> Number of persons in the reception system as compared to the number of asylum applicants.	Technical -> political Linked to Articles 3 and 4 Should be further discussed on the political level
395a.			Data source: Eurostat	Following discussions at the technical level, the provisional agreement to delete this text was confirmed at the trilogue meeting on 7 October 2020.
396.	3. Convergence of protection recognition rates for asylum seekers from the same country.	3. Convergence of protection recognition rates for asylum seekers from the same country.	3. Convergence of protection recognition rates for asylum seekers from the same country.	Agreed
396a		<i>3a. Number of applicants for international protection transferred from one Member State to another with support of the Fund; [Am. 233]</i>		Technical -> political Linked to Articles 3 and 4 No Council mandate

396b		<i>3b. Number of beneficiaries for international protection transferred from one Member State to another with support of the Fund; [Am. 234]</i>		Technical -> political Linked to Articles 3 and 4 No Council mandate
396c		<i>Specific objective 1a: To support legal migration to the Member States:</i>		Technical -> political Linked to Articles 3 and 4 To be further discussed at a later stage
396d		<i>1. Number of Blue Cards issued with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
396e		<i>2. Number of intra-corporate transferees granted that status with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
396f		<i>3. Number of applicants for family reunification effectively reunited with their family with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
396g		<i>4. Number of third-country nationals granted long-term residence permits with the support of the Fund. [Am. 235]</i>		Technical -> political Linked to Articles 3 and 4
396h.			Data source: Eurostat	Technical -> political Linked to Articles 3 and 4

397.	Specific objective 2: To support legal migration to the Member States including to contribute to the integration of third-country nationals:	Specific objective 2: To support legal migration to the Member States including to contribute to the integration of third-country nationals: [Am. 236]	Specific objective 2: To support legal migration to the Member States <i>and</i> including to contribute to the integration of third-country nationals:	Technical -> political Linked to Articles 3 and 4
398.	1. Number of persons who participated in pre-departure measures supported by the Fund.	1. Number of persons who participated in pre-departure measures supported by the Fund.	1. Number of <i>participants</i> persons who <i>reported, after the end of the support, that the activity was perceived helpful for their integration</i> participated in pre-departure measures supported by the Fund.	Technical -> political Linked to Articles 3 and 4 EP insists that indicators for the support of legal migration need to be included. To be further discussed at technical level.
398a.			Data source: Member States	Following discussions at the technical level, the provisional agreement to delete this text was confirmed at the trilogue meeting on 7 October 2020.
399.	2. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund.	2. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund. [Am. 237]	2. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund.	Technical -> political Linked to Articles 3 and 4 After consultation to be further discussed at technical level

399a.		<i>2a. Number of persons who participated in integration measures supported by the Fund who have subsequently obtained a job. [Am. 238]</i>		Technical -> political Linked to Articles 3 and 4 <u>COM will propose new wording</u>
399b		<i>2b. Number of persons who participated in integration measures supported by the Fund and who have had their qualification recognised or have obtained a diploma in one of the Member States. [Am. 239]</i>		Technical -> political Linked to Articles 3 and 4 <u>COM will propose new possible wording</u>
400.	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Agreed Linked to Articles 3 and 4
401.	1. Number of returns following an order to leave compared to the number of third-country nationals ordered to leave.	1. Number of returns <i>supported by the Fund</i> following an order to leave compared to the number of third-country nationals ordered to leave. [Am. 240]	1. Number of returns following an order to leave compared to the number of third-country nationals ordered to leave.	Technical -> political Linked to Articles 3 and 4 COM clarifies that this refers to Eurostat data. To be further discussed under Annex VIII
402	2. Number of returnees who have received pre or post-return reintegration assistance co-financed by the Fund, as	2. Number of returnees who have received pre or post-return reintegration assistance co-financed by the Fund, as	12. Number of returnees who have received pre or post-return reintegration assistance co-financed by the Fund, as	Technical -> political Linked to Articles 3 and 4

	compared to the total number of returns supported by the Fund.	compared to the total number of returns supported by the Fund.	compared to the total number of returns supported by the Fund.	EP: a definition of returnees and numbers is needed for further discussions
402a			Data source: Member States	Following discussions at the technical level, the provisional agreement to delete this text was confirmed at the trilogue meeting on 7 October 2020.
402b		<i>Specific objective 3a: To ensure solidarity and fair sharing of responsibility:</i>		Technical -> political Linked to Articles 3 and 4 This part depends on the outcome of the broader discussion on solidarity
402c		<i>1. Number of transfers of applicants for international protection carried out under Article 17b of this Regulation.</i>		Technical -> political Linked to Articles 3 and 4
402d		<i>1a. Number of transfers of beneficiaries of international protection carried out under Article 17b of this Regulation.</i>		Technical -> political Linked to Articles 3 and 4
402e		<i>2. Number of staff seconded or financial support provided to Member States subject to migration challenges</i>		Technical -> political Linked to Articles 3 and 4
402f		<i>3. Number of persons resettled or admitted under</i>		Technical -> political

		<i>humanitarian schemes with the support of the Fund. [Am. 241]</i>		Linked to Articles 3 and 4.
403.	<u>ANNEX VI</u> <u>Types of intervention</u>	<u>ANNEX VI</u> <u>Types of intervention</u>	ANNEX VI Types of intervention	Postponed until specific objectives are agreed.
404.	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	
405.	I. CEAS	I. CEAS	I. CEAS	
406.	001 Reception conditions	001 Reception conditions	001 Reception conditions	
407.	002 Asylum procedures	002 Asylum procedures	002 Asylum procedures	
408.	003 Implementation of the Union acquis	003 Implementation of the Union acquis	003 Implementation of the Union acquis	
409.	004 Children in migration	004 Children in migration	004 Children in migration	
410.	005 Persons with special reception and procedural needs	005 Persons with special reception and procedural needs	005 Persons with special reception and procedural needs	
411.	006 Resettlement	006 Resettlement	006 Resettlement <i>or humanitarian admissions</i>	
412.	007 Solidarity efforts between Member States	007 Solidarity efforts between Member States	007 Solidarity efforts between Member States	
413.	008 Operating support	008 Operating support	008 Operating support	

413a.			009 <i>Vulnerable persons</i>	COM: redundant with 004 and 005
414.	II. Legal migration and integration		II. Legal migration and integration	
415.	001 Development of integration strategies	001 Development of integration strategies	001 Development of integration strategies	
416.	002 Victims of trafficking in human beings	002 Victims of trafficking in human beings	002 <i>Vulnerable persons/ UAMs especially</i> victims of trafficking in human beings	EP/COM: may require code to be split into more codes.
417.	003 Integration measures – information and orientation, one stop shops	003 Integration measures – information and orientation, one stop shops	003 Integration measures – information and orientation, one stop shops	
418.	004 Integration measures – language training	004 Integration measures – language training	004 Integration measures – language training	
419.	005 Integration measures – civics and other training	005 Integration measures – civics and other training	005 Integration measures – civics and other training	
420.	006 Integration measures – Introduction, participation, exchanges host society	006 Integration measures – Introduction, participation, exchanges host society	006 Integration measures – Introduction, participation, exchanges host society	
421.	007 Integration measures – basic needs	007 Integration measures – basic needs	007 Integration measures – basic needs	
422.	008 Pre-departure measures	008 Pre-departure measures	008 Pre-departure measures	
423.	009 Mobility schemes	009 Mobility schemes	009 Mobility schemes	

424.	010 Acquisition of legal residence	010 Acquisition of legal residence	010 Acquisition of legal residence	
424a			011 Operating support	Provisional agreement reached in principle, subject to the outcome of negotiations on specific objectives.
425.	III. Return	III. Return	III. Return	
426.	001 Alternatives to detention	001 Alternatives to detention	001 Alternatives to detention	
427.	002 Reception/detention conditions	002 Reception/detention conditions	002 Reception/detention conditions	
428.	003 Return procedures	003 Return procedures	003 Return procedures	
429.	004 Assisted voluntary return	004 Assisted voluntary return	004 Assisted voluntary return	
430.	005 Reintegration assistance	005 Reintegration assistance	005 Reintegration assistance	
431.	006 Removal/Return operations	006 Removal/Return operations	006 Removal/Return operations	
432.	007 Forced-return monitoring system	007 Forced-return monitoring system	007 Forced-return monitoring system	
433.	008 Vulnerable persons/UAMs	008 Vulnerable persons/UAMs	008 Vulnerable persons/UAMs	

434.	009 Measures addressing incentives for irregular migration	009 Measures addressing incentives for irregular migration	009 Measures addressing incentives for irregular migration	
435.	010 Operating support	010 Operating support	010 Operating support	
436.	Technical assistance	Technical assistance	IV. Technical assistance	<u>Council will come up with proposals</u>
437.	001 Information and communication	001 Information and communication	001 <i>Technical assistance</i> Information and communication	
438.	002 Preparation, implementation, monitoring and control	002 Preparation, implementation, monitoring and control	002 Preparation, implementation, monitoring and control	
439.	003 Evaluation and studies, data collection	003 Evaluation and studies, data collection	003 Evaluation and studies, data collection	
440.	004 Capacity building	004 Capacity building	004 Capacity building	
441.	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	
442.	001 Development of national strategies	001 Development of national strategies	001 Development of national strategies	
443.	002 Capacity building	002 Capacity building	002 Capacity building	
444.	003 Education and training for third-country nationals	003 Education and training for third-country nationals	003 Education and training for third-country nationals	

445.	004 Development of statistical tools, methods and indicators	004 Development of statistical tools, methods and indicators	004 Development of statistical tools, methods and indicators	
446.	005 Exchange of information and best practices	005 Exchange of information and best practices	005 Exchange of information and best practices	
447.	006 Joint actions/operations (between MS)	006 Joint actions/operations (between MS)	006 Joint actions/operations (between MS)	
448.	007 Campaigns and information	007 Campaigns and information	007 Campaigns and information	
449.	008 Exchange and secondment of experts	008 Exchange and secondment of experts	008 Exchange and secondment of experts	
450.	009 Studies, pilot projects, risk assessments	009 Studies, pilot projects, risk assessments	009 Studies, pilot projects, risk assessments	
451.	010 Preparatory, monitoring, administrative and technical activities	010 Preparatory, monitoring, administrative and technical activities	010 Preparatory, monitoring, administrative and technical activities	
452.	011 Provision of assistance and support services to TCN	011 Provision of assistance and support services to TCN	011 Provision of assistance and support services to TCN	
453.	012 Infrastructure	012 Infrastructure	012 Infrastructure	
454.	013 Equipment	013 Equipment	013 Equipment	
455.	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	

456.	001 Specific action	001 Specific action	001 Specific action <i>001 Actions as per Art. 12(1)</i>	
457.	002 Emergency assistance	002 Emergency assistance	002 Emergency assistance <i>002 Specific actions</i>	
458.	003 Cooperation with third countries	003 Cooperation with third countries	003 Cooperation with third countries <i>003 Actions listed in Annex IV</i>	
459.	004 Actions in third countries	004 Actions in third countries	004 Actions in third countries <i>004 Operating support</i>	
460.	005 Strategic Union priorities	005 Strategic Union priorities	005 Strategic Union priorities <i>005 Emergency assistance</i>	
460a			TABLE 4. CODES FOR SECONDARY IMPLEMENTATION DIMENSION	<u>EP to discuss internally. Further discussion at technical level needed thereafter.</u>
460b			<i>001 Cooperation with third countries</i>	
460c			<i>002 Actions in third countries</i>	
461.	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	
462.	Within the specific objective to strengthen and develop all aspects of the Common European Asylum System,	Within the specific objective to strengthen and develop all aspects of the Common European Asylum System,	Within the specific objective to strengthen and develop all aspects of the Common European Asylum System, including its	Technical Linked to Articles 3 and 4

	including its external dimension, and the specific objective to contribute to countering irregular migration, ensuring effectiveness of return and readmission in third countries, operating support shall cover:	including its external dimension, and the specific objective to contribute to countering irregular migration, ensuring effectiveness of return and readmission in third countries, operating support shall cover:	external dimension, and the specific objective to contribute to countering irregular migration, ensuring effectiveness of return and readmission in third countries <i>and the specific objective to support legal migration to the Member States and to contribute to the integration of third-country nationals</i> , operating support shall cover:	After consultations to be further discussed at technical level.
463.	– staff costs;		– staff costs;	Agreed Linked to Articles 3 and 4
464.	– service costs, such as maintenance or replacement of equipment;	– service costs, such as maintenance or replacement of equipment;	– service costs, such as maintenance or replacement of equipment <i>or IT systems</i> ;	Technical Linked to Articles 3 and 4 After consultations to be discussed further at technical level. See ISF text <u>Council will come up with more precise wording.</u>
465.	– service costs, such as maintenance and repair of infrastructure.	– service costs, such as maintenance and repair of infrastructure.	– service costs, such as maintenance and repair of infrastructure.	Agreed Linked to Articles 3 and 4
466.	ANNEX VIII Output and result indicators referred to in Article 28(3)	ANNEX VIII Output and result indicators referred to in Article 28(3)	ANNEX VIII Output and result indicators referred to in Article 28(3)	

466a		<i>-1 All the core performance indicators listed below shall be disaggregated by sex and age. [Am. 242]</i>		Technical -> political Linked to Articles 3 and 4 <u>Council to discuss internally.</u>
467.	Specific objective 1: To strengthen and develop all aspect of the Common European Asylum System, including its external dimension:	Specific objective 1: To strengthen and develop all aspect of the Common European Asylum System, including its external dimension:	Specific objective 1: To strengthen and develop all aspect of the Common European Asylum System, including its external dimension:	Technical -> political Linked to Articles 3 and 4
467a			<i>Output indicators</i>	Technical -> political Linked to Articles 3 and 4
467b			<i>1. Number of participants supported;</i>	Technical -> political Linked to Articles 3 and 4 COM: definition of participants is in CPR EP: needs clarification
467c			<i>– of which number of participants who received legal assistance;</i>	Technical -> political Linked to Articles 3 and 4
467d			<i>– of which number of vulnerable participants assisted;</i>	Technical -> political Linked to Articles 3 and 4

467e			2. Number of participants in training activities;	Technical -> political Linked to Articles 3 and 4
467f			3. Number of reception infrastructure built/renovated;	Technical -> political Linked to Articles 3 and 4
467g			4. Number of reception equipment purchased.	Technical -> political Linked to Articles 3 and 4
467h			Result indicators	Technical -> political Linked to Articles 3 and 4
467i			1. Number of newly created places in reception infrastructure;	Technical -> political Linked to Articles 3 and 4
467j			– of which number of newly created places for unaccompanied minors;	Technical -> political Linked to Articles 3 and 4
467k			2. Number of renovated/ refurbished places in reception infrastructure;	Technical -> political Linked to Articles 3 and 4
467l			– of which number of renovated/ refurbished places for unaccompanied minors;	Technical -> political Linked to Articles 3 and 4
467m			3. Number of applicants for and beneficiaries of international protection	Technical -> political Linked to Articles 3 and 4

			<i>transferred from one Member State to another;</i>	
467n			4. Number of persons resettled.	Technical -> political Linked to Articles 3 and 4
468.	1. Number of target group persons provided with assistance with the support of the Fund:	1. Number of target group persons provided with assistance with the support of the Fund:	1. — Number of target group persons provided with assistance with the support of the Fund:	Technical -> political Linked to Articles 3 and 4
469.	(a) Number of target group persons benefiting from information and assistance throughout the asylum procedures;	(a) Number of target group persons benefiting from information and assistance throughout the asylum procedures;	(a) — Number of target group persons benefiting from information and assistance throughout the asylum procedures;	Technical -> political Linked to Articles 3 and 4
470.	(b) Number of target group persons benefiting from legal assistance and representation;	(b) Number of target group persons benefiting from legal assistance and representation;	(b) — Number of target group persons benefiting from legal assistance and/ or representation;	Technical -> political Linked to Articles 3 and 4
471.	(c) Number of vulnerable persons, victims of trafficking in human beings, and unaccompanied minors benefiting from specific assistance.	(c) Number of vulnerable persons, victims of trafficking in human beings, and unaccompanied minors benefiting from specific assistance.	(c) — Number of vulnerable persons, victims of trafficking in human beings, and unaccompanied minors benefiting from specific assistance.	Technical -> political Linked to Articles 3 and 4
472.	2. Capacity (number of places) in new reception accommodation infrastructure set up in line with the common requirements for reception conditions set out in the Union	2. Capacity (number of places) in new reception accommodation infrastructure set up in line with the common requirements for reception conditions set out in the Union	2. — Capacity (number of places) in new reception accommodation infrastructure set up in line with the common requirements for reception conditions set out in the Union	Technical -> political Linked to Articles 3 and 4

	acquis and of existing reception accommodation infrastructure, improved in accordance with the same requirements as a result of the projects supported by the Fund and percentage in the total reception accommodation capacity;	acquis and of existing reception accommodation infrastructure, improved in accordance with the same requirements as a result of the projects supported by the Fund and percentage in the total reception accommodation capacity;	acquis and of existing reception accommodation infrastructure, improved in accordance with the same requirements as a result of the projects supported by the Fund and percentage in the total reception accommodation capacity;	
473.	3. Number of places adapted for unaccompanied minors (UAM) supported by the Fund as compared to the total number of places adapted for unaccompanied minors;	3. Number of places adapted for unaccompanied minors (UAM) supported by the Fund as compared to the total number of places adapted for unaccompanied minors;	3. — Number of places adapted for unaccompanied minors (UAM) supported by the Fund as compared to the total number of places adapted for unaccompanied minors;	Technical -> political Linked to Articles 3 and 4
474.	4. Number of persons trained in asylum-related topics with the assistance of the Fund, and that number as a percentage of the total number of staff trained in those topics;	4. Number of persons trained in asylum-related topics with the assistance of the Fund, and that number as a percentage of the total number of staff trained in those topics;	4. — Number of persons trained in asylum-related topics with the assistance of the Fund, and that number as a percentage of the total number of staff trained in those topics;	Technical -> political Linked to Articles 3 and 4
475.	5. Number of applicants for international protection transferred from one Member State to another with support of the Fund;	5. Number of applicants for international protection transferred from one Member State to another with support of the Fund;	5. — Number of applicants for international protection transferred from one Member State to another with support of the Fund;	Technical -> political Linked to Articles 3 and 4
476.	6. Number of persons resettled with the support of the Fund.	6. Number of persons resettled with the support of the Fund.	6. — Number of persons resettled with the support of the Fund.	Technical -> political Linked to Articles 3 and 4

476a			<i>Data source: Member States</i>	Technical -> political Linked to Articles 3 and 4
476b		<i>Specific objective 1a: To support legal migration to the Member States:</i>		Technical -> political Linked to Articles 3 and 4 <u>Indicators for legal migration to reflect the agreement reached at political level on the specific objectives. In the meantime, it was agreed that new possible indicators for legal migration can be worked on.</u> The Commission to propose possible indicators.
476c		<i>1. Number of Blue Cards issued with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
476d		<i>2. Number of intra-corporate transferees granted that status with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
476e		<i>3. Number of applicants for family reunification effectively reunited with their family with the support of the Fund.</i>		Technical -> political Linked to Articles 3 and 4
476f		<i>4. Number of third-country nationals granted long-term</i>		Technical -> political

		<i>residence permits with the support of the Fund. [Am. 243]</i>		Linked to Articles 3 and 4
477.	Specific objective 2: To support legal migration to the Member States including to contribute to the integration of third-country nationals:	Specific objective 2: To support legal migration to the Member States including to contribute to the integration of third-country nationals: [Am. 244]	Specific objective 2: To support legal migration to the Member States <i>and</i> including to contribute to the integration of third-country nationals:	Technical -> political Linked to Articles 3 and 4
477a			Output indicators	Technical -> political Linked to Articles 3 and 4
477b			1. Number of participants in pre-departure measures;	Technical -> political Linked to Articles 3 and 4
477c			2. Number of local and regional authorities supported to implement integration measures;	Technical -> political Linked to Articles 3 and 4
477d			3. Number of participants supported;	Technical -> political Linked to Articles 3 and 4
477e			– of which number of participants in a language course;	Technical -> political Linked to Articles 3 and 4
477f			– of which number of participants in an orientation course.	Technical -> political Linked to Articles 3 and 4
477g			Result indicators	Technical -> political

				Linked to Articles 3 and 4
477h			<i>1. Number of participants in language courses who have improved their proficiency level in the host-country language upon leaving the language course by at least one level in the Common European Framework of Reference for Languages or national equivalent.</i>	Technical -> political Linked to Articles 3 and 4 EP: amendments on indicators need to be better reflected <u>COM will continue working on indicators</u>
477i			<i>2. Number of participants who reported, after the end of the support, that the activity was perceived helpful for their integration</i>	Technical -> political Linked to Articles 3 and 4
478	1. Number of persons who participated in pre-departure measures supported by the Fund.	1. Number of persons who participated in pre-departure measures supported by the Fund.	1. Number of persons who participated in pre-departure measures supported by the Fund.	Technical -> political Linked to Articles 3 and 4
479.	2. Number of local and regional authorities that have implemented integration measures with the support of the Fund.	2. Number of local and regional authorities that have implemented integration measures with the support of the Fund.	2. Number of local local and regional authorities that have implemented integration measures with the support of the Fund.	Technical -> political Linked to Articles 3 and 4

479a		<i>2a. Number of persons who participated in integration measures supported by the Fund who have subsequently obtained a job. [Am. 245]</i>		Technical -> political Linked to Articles 3 and 4 <u>The Commission to suggest possible compromise text.</u>
479b		<i>2b. Number of persons who participated in integration measures supported by the Fund and who have subsequently obtained a diploma in one of the Member States. [Am. 246]</i>		Technical -> political Linked to Articles 3 and 4 <u>The Commission to suggest possible compromise text.</u>
480.	3. Number of persons who participated in measures supported by the Fund focusing on:	3. Number of persons who participated in measures supported by the Fund focusing on:	3. Number of persons who participated in measures supported by the Fund focusing on:	Technical -> political Linked to Articles 3 and 4
481.	(a) education and training;	(a) education and training;	(a) education and training;	Technical -> political Linked to Articles 3 and 4
482.	(a) labour market integration;	(a) labour market integration;	(b) labour market integration;	Technical -> political Linked to Articles 3 and 4
483.	(b) access to basic services; and	(b) access to basic services; and	(c) access to basic services; and	Technical -> political Linked to Articles 3 and 4

484.	(c) active participation and social inclusion.	(c) active participation and social inclusion.	(d) — active participation and social inclusion.	Technical -> political Linked to Articles 3 and 4
485.	4. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund;	4. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund;	4. — Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund;	Technical -> political Linked to Articles 3 and 4
485a		<i>4a. Number of third-country nationals having completed successfully either primary, secondary or tertiary education in the Member State with the support of the Fund. [Am. 247]</i>		Technical -> political Linked to Articles 3 and 4
486.	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Specific objective 3: To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:	Technical -> political Linked to Articles 3 and 4 EP: text of amendment needs to be adapted to modification of the objective in Article 3 as follows: <i>"contribute to countering irregular migration and ensuring effective, safe and dignified return,</i>

				<i>readmission and reintegration in third countries: "</i>
486a			<i>Output indicators</i>	Technical -> political Linked to Articles 3 and 4
486b			<i>1. Number of participants in training activities;</i>	Technical -> political Linked to Articles 3 and 4
486c			<i>2. Number of equipment /IT systems purchased;</i>	Technical -> political Linked to Articles 3 and 4 Related to line 346
486d			<i>3. Number of returnees who received reintegration assistance.</i>	Technical -> political Linked to Articles 3 and 4
486e			<i>Result indicators</i>	Technical -> political Linked to Articles 3 and 4
486f			<i>1. Number of places in detention centres created;</i>	Technical -> political Linked to Articles 3 and 4
486g			<i>2. Number of places in detention centres refurbished/renovated;</i>	Technical -> political Linked to Articles 3 and 4
486h			<i>3. Number of returnees voluntarily returned;</i>	Technical -> political Linked to Articles 3 and 4

486i			4. Number of returnees who were removed;	Technical -> political Linked to Articles 3 and 4
486j			5. Number of returnees subject to alternatives to detention.	Technical -> political Linked to Articles 3 and 4
486k			Data source for all indicators: Member States	Technical -> political Linked to Articles 3 and 4
487.	1. Number of places in detention centres created/renovated with support from the Fund, as compared to the total number of created/renovated places in detention centres.	1. Number of places in detention centres created/renovated with support from the Fund, as compared to the total number of created/renovated places in detention centres.	1. Number of places in detention centres created/renovated with support from the Fund, as compared to the total number of created/renovated places in detention centres.	Technical -> political Linked to Articles 3 and 4
488.	2. Number of persons trained on return-related topics with the assistance of the Fund.	2. Number of persons trained on return-related topics with the assistance of the Fund.	2. Number of persons trained on return-related topics with the assistance of the Fund.	Technical -> political Linked to Articles 3 and 4
489.	3. Number of returnees whose return was co-financed by the Fund as compared to the total number of returns following an order to leave:	3. Number of returnees whose return was co-financed by the Fund as compared to the total number of returns following an order to leave:	3. Number of returnees whose return was co-financed by the Fund as compared to the total number of returns following an order to leave:	Technical -> political Linked to Articles 3 and 4
490.	(a) persons who returned voluntarily;	(a) persons who returned voluntarily;	(a) persons who returned voluntarily;	Technical -> political Linked to Articles 3 and 4

491.	(b) persons who were removed.	(b) persons who were removed.	(b) — persons who were removed.	Technical -> political Linked to Articles 3 and 4
492.	4. Number of returnees who have received pre or post return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.	4. Number of returnees who have received pre or post return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.	4. — Number of returnees who have received pre or post return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.	Technical -> political Linked to Articles 3 and 4
492a		<i>(a) persons who returned voluntarily;</i>		Technical -> political Linked to Articles 3 and 4
492b		<i>(b) persons who were removed; [Am. 248]</i>		Technical -> political Linked to Articles 3 and 4
492c		<i>Specific objective 3a: To ensure solidarity and fair sharing of responsibility:</i>		Technical -> political Linked to Articles 3 and 4
492d		<i>1. Number of transfers of applicants for international protection carried out under Article 17b of this Regulation.</i>		Technical -> political Linked to Articles 3 and 4
492e		<i>1a. Number of transfers of beneficiaries of international protection carried out under Article 17b of this Regulation.</i>		Technical -> political Linked to Articles 3 and 4

492f		2. Number of staff seconded or financial support provided to Member States subject to migration challenges.		Technical -> political Linked to Articles 3 and 4
492g		3. Number of persons resettled with the support of the Fund. [Am. 249]		Technical -> political Linked to Articles 3 and 4