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General Secretariat

Brussels, 21 November 2018

**Interinstitutional files:
2018/0371(COD)**

WK 14256/2018 INIT

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WORKING PAPER

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WORKING DOCUMENT

From:	Presidency
To:	Delegations
N° Cion doc.:	13356/18
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes

With a view to their meeting on 22 November, Counsellors will find attached a 4-column table on the above subject.

The EP draft mandate was adopted on 15 November by the LIBE Committee - you will find it in the second column of the document.

Possible compromise text proposals have been made in the 4th column in relation to Recitals 1, 4 and 5 and Article 1 (1)(2) and 1(2).

Due to the tight schedule, delegations are also kindly requested to express their position on the amendments made by the European Parliament (Amendments 1 - 14).

WK 14256/2018 INIT

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The changes in the text as compared to the Commission proposal are indicated in **bold** and deleted text is marked in ~~strikethrough~~.



Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes			
Commission proposal (st13356/18)	Draft EP amendments (Report A8-0370/2018 19/11/2018)	Council (st14374/18)	Compromise proposals/remarks
018/0371 (COD)		2018/0371 (COD)	
Proposal for a		Proposal for a	Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL		REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes		amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes	amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE

EUROPEAN UNION,		EUROPEAN UNION,	EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and 79(2) and (4) thereof,
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,
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,
Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
Whereas:		Whereas:	Whereas:
(1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the	<i>Amendment 1</i> (1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of	(1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the	1) The purpose of this Regulation is to enable the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 provided for under Regulation (EU) No 516/2014 of the

European Parliament and the Council ¹ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in the areas of migration and asylum.	the European Parliament and the Council ² or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in <i>specific</i> areas of migration and asylum. <i>It is also to ensure that such re-commitment or allocation occurs in a transparent manner.</i>	European Parliament and the Council ³ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in the areas of migration and asylum.	European Parliament and the Council ⁴ or the allocation of them to other actions under the national programmes in line with Union priorities and Member States' needs in specific areas of migration and asylum. It is also to ensure that such re-commitment or allocation occurs in a transparent manner.
(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU) 2015/1523 ⁵		(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU) 2015/1523 ⁸	(2) The Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of the Council Decisions (EU)

¹ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

² Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168)

³ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

⁴ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168)

⁵ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).

and (EU) 2015/1601 ⁶ . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ⁷ . Those Decisions have now ceased to apply.		and (EU) 2015/1601 ⁹ . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ¹⁰ . Those Decisions have now ceased to apply.	2015/1523 ¹¹ and (EU) 2015/1601 ¹² . Decision (EU) 2015/1601 was amended by Council Decision (EU) 2016/1754 ¹³ . Those Decisions have now ceased to apply.
(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 remains available in the Member States' national programmes.		(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 remains available in the Member States' national programmes.	(3) Part of the funding allocated under the Decisions (EU) 2015/1523 and (EU) 2015/1601 in 2016 remains available in the Member States' national programmes.
(4) Member States should have	<i>Amendment 2</i> (4) Member States should have	(4) Member States should have	(4) Member States should have the possibility to use the above-

⁸ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).

⁶ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).

⁷ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).

⁹ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).

¹⁰ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).

¹¹ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece (OJ L 239, 15.9.2015, p. 146).

¹² Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 248, 24.9.2015, p. 80).

¹³ Council Decision (EU) 2016/1754 of 29 September 2016 amending Decision (EU) 2015/1601 establishing provisional measures in the area of international protection for the benefit of Italy and Greece (OJ L 268, 1.10.2016, p. 82).

<p>the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. In addition, it should be possible, duly justified in the revision of Member States' national programmes, to use this funding also to address other challenges in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation. Member States' needs in these areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission.</p>	<p>the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. <i>As a minimum, Member States should re-commit 20% of those amounts to actions in national programmes, for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission. For the remainder of those amounts,</i> it should be possible, <i>where</i> duly justified in the revision of Member States' national programmes, to <i>fund specific actions provided for in Chapters II and III</i> in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation, <i>notably in developing aspects of the Common European Asylum System, in particular family reunification or for supporting legal migration to the Member States and promoting the effective integration of third-country nationals.</i> Member States' needs in <i>those</i> areas remain significant. Re-commitments of the above-mentioned amounts to the</p>	<p>the possibility to use the above-mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. In addition, it should be possible, duly justified in the revision of Member States' national programmes, to use this funding also to address other challenges in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation. Member States' needs in these areas remain significant. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission.</p>	<p>mentioned amounts to continue implementing relocation by re-committing the amounts to the same action in the national programmes. In addition, while Member States should endeavour to recommit those amounts primarily to the same action under the national programme. It should be equally possible to recommit those amounts to other actions under the national programmes in view of the comprehensive and interrelated challenges as well as the resulting Member States' needs in the areas of migration and asylum. Such recommitment should be duly justified in the revision of Member States' national programmes, based on identified needs. Re-commitments of the above-mentioned amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission.</p>
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	same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission. <i>Member States should ensure that the allocation of funds takes place in full respect of the principles set out in the Financial Regulation, in particular efficiency and transparency.</i>		
(5) The target group eligible for relocation should be expanded to give more flexibility to Member States in carrying out relocations.	<i>Amendment 3</i> (5) The target group eligible for relocation <i>as well as the countries from where relocation takes place</i> should be expanded to give more flexibility to Member States in carrying out relocations. <i>Priority should be given to the relocation of unaccompanied minors, other vulnerable applicants and family members of beneficiaries of international protection.</i>	(5) The target group eligible for relocation should be expanded to give more flexibility to Member States in carrying out relocations. The specific provisions concerning lump sums for resettlement and transfer of beneficiaries of international protection from one Member State to another should reflect this expansion.	(5) The target group eligible for relocation as well as the countries from where relocation takes place should be expanded to give more flexibility to Member States in carrying out relocations. Priority should be given to the relocation of unaccompanied minors, other vulnerable applicants and family members of beneficiaries of international protection. The specific provisions concerning lump sums for resettlement and transfer of beneficiaries of international protection from one Member State to another should reflect this expansion.
(6) Member States and the Commission should have sufficient time to revise the national		(6) Member States and the Commission should have sufficient time to revise the national	(6) Member States and the Commission should have sufficient time to revise the national

programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the Council ¹⁴ should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.		programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the Council ¹⁵ should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.	programmes to accommodate the relevant changes that this amending Regulation foresees. Therefore, a derogation from Article 50(1) of Regulation (EU) No 514/2014 of the European Parliament and of the Council ¹⁶ should be applied to the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 prolonging the deadline for the decommitment by six months in view of completing the procedure for the revision of the national programmes, as referred to in Article 14 of Regulation (EU) No 514/2014.
(7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other actions	<i>Amendment 4</i> (7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other	(7) Member States should also have sufficient time to use the amounts re-committed to the same action or transferred to other actions	

¹⁴ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).

¹⁵ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).

¹⁶ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).

prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	<i>specific</i> actions prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	prior to the decommitment of these amounts. Therefore, when such re-commitments or transfers of amounts under the national programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or the transfer concerned.	
	<i>Amendment 5</i> <i>(7a) The Commission should report annually to the European Parliament and to the Council as regards the application of resources for the transfer of applicants for international protection and of beneficiaries of international protection, in particular as regards transfers to other actions under the national programme and re-commitments.</i>		
(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.		(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.	(8) This amending Regulation does not affect the funding available under Article 17 of Regulation (EU) No 516/2014.

		(8a) The objectives of this amending Regulation are pursued without prejudice to the ongoing negotiations on the reform of the Regulation (EU) No 604/2013 of the European Council and of the Council 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.	(8a) The objectives of this amending Regulation are pursued without prejudice to the ongoing negotiations on the reform of the Regulation (EU) No 604/2013 of the European Council and of the Council 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.
(9) [In accordance with Article 3 of 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, those Member States have notified their wish to take part in the adoption and application of this Regulation]		(9) [In accordance with Article 3 of 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, those Member States have notified their wish to take part in the adoption and application of this Regulation]	
OR		OR	
(10) [In accordance with Articles		(10) [In accordance with Articles	

1 and 2 of 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, those Member States are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.]		1 and 2 of 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, those Member States are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.]	
OR		OR	
(10) [In accordance with Articles 1 and 2 of 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, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.		(10) [In accordance with Articles 1 and 2 of 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, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	
(10a) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in		(10a) In accordance with Article 3 of 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, Ireland has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.]		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, Ireland has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.]	
<i>OR</i>		<i>OR</i>	
(10) [In accordance with Article 3 of 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, the United Kingdom has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.		(10) [In accordance with Article 3 of 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, the United Kingdom has notified (, by letter of ...,) its wish to take part in the adoption and application of this Regulation.	
(10a) In accordance with Articles 1 and 2 of 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,		(10a) In accordance with Articles 1 and 2 of 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 to its application.]		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 to its application.]	
(11) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.		(11) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	
		(11a) The decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 can only be avoided if this Regulation enters into force before the end of 2018. In view of this urgency it is necessary to apply in this case the exception for urgent cases provided for in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union.	

(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.		(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.	(12) In view of the need to avoid decommitment of the remaining funding committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 this Regulation should enter into force on the day of its publication in the Official Journal.
	<p><i>Amendment 6</i></p> <p><i>(12a) Without amendment of Regulation (EU) No 516/2014 before the end of 2018, the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund. Given the urgency of amending Regulation (EU) No 516/2014, it is appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.</i></p>		<p>(12a) Without amendment of Regulation (EU) No 516/2014 before the end of 2018, the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund. Given the urgency of amending Regulation (EU) No 516/2014, it is appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.</p>

(13) Regulation (EU) No 516/2014 should therefore be amended,		(13) Regulation (EU) No 516/2014 should therefore be amended,	(13) Regulation (EU) No 516/2014 should therefore be amended,
HAVE ADOPTED THIS REGULATION:		HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
<i>Article 1</i>		Article 1	Article 1
Amendments to Article 18 of Regulation (EU) No 516/2014		Amendments to [...] Regulation (EU) No 516/2014	
Article 18 is amended as follows:		(1) Article 18 is amended as follows:	(1) Article 18 is amended as follows:
'Article 18		[...]	
	<i>Amendment 7</i> (-1) The title is replaced by the following:		
	"Resources for the transfer of <i>applicants for international protection or of</i> beneficiaries of		

	international protection" ¹⁷ ;		
(1) In paragraph 1, the words "beneficiary of international protection" are replaced by the words "applicant for international protection or beneficiary of international protection";	<i>Amendment 8</i> <i>deleted</i>	(1) In paragraph 1, the words "beneficiary of international protection" are replaced by the words "applicant for international protection or beneficiary of international protection";	
	<i>Amendment 9</i> <i>(1a) Paragraph 1 is replaced by the following:</i>		
	“1. With a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 15(1), an additional amount as set out in point (b) of Article 15(2) based on a lump sum of EUR 10 000 for each <i>applicant for international protection and beneficiary of international</i>		

¹⁷ Present text " Resources for the transfer of beneficiaries of international protection"(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

	protection transferred from another Member State.”; ¹⁸		
(2) Paragraph 3 is replaced by the following:		(2) Paragraph 3 is replaced by the following:	(2) Paragraph 3 is replaced by the following:
<p>"3. The additional amounts referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other actions under the national programme shall be possible where duly justified in the revision of the respective national programme. An</p>	<p><i>Amendment 10</i></p> <p>3. The additional amounts referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other <i>specific actions provided for under Chapter II and Chapter III of this Regulation</i> under the national programme shall be</p>	<p>"3. The additional amounts referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of those amounts to the same action under the national programme or transfers thereof to other actions under the national programme shall be possible where duly justified in the revision of the respective national programme. An</p>	<p>"3. The additional amounts referred to in paragraph 1 of this Article shall be allocated to the Member States for the first time in the individual financing decisions approving their national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) No 514/2014 and later in a financing decision to be annexed to the decision approving their national programme. Re-commitments of Member States shall endeavour to recommit those amounts primarily to the same action under the national programme or transfers thereof. Transfers of those amounts to other actions under the</p>

¹⁸ Present text: "“1. With a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation calculated in accordance with point (a) of Article 15(1), an additional amount as set out in point (b) of Article 15(2) based on a lump sum of EUR 6 000 for each beneficiary of international protection transferred from another Member State.”;(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)

amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme.";	possible where duly justified in the revision of the respective national programme. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme. <i>The funding shall be allocated transparently and efficiently in line with the objectives of the national programme.</i>	amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme.";	national programme shall be possible, where only if duly justified in the revision of the respective national programme, taking into account that funds are not needed to support further relocation and resettlement. An amount may only be re-committed or transferred once. The Commission shall approve the re-commitment or transfer through the revision of the national programme." ;
	<i>In respect of amounts stemming from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601, at least 20% of the amounts to be re-committed shall be re-committed to actions under the national programmes for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission.</i>		
(3) The following paragraphs are inserted:		(3) The following paragraphs are inserted:	(3) The following paragraphs are inserted:

<p>"3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.</p>	<p><i>Amendment 11</i></p> <p>3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other <i>specific</i> actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.</p>	<p>"3a. For the purpose of Article 50(1) of Regulation (EU) No 514/2014, where amounts stemming from the provisional measures established by Decisions (EU) No 2015/1523 and (EU) No 2015/1601 are re-committed to the same action under the national programme or transferred to other actions under the national programme in accordance with paragraph 3, the amounts concerned shall be considered to have been committed in the year of the revision of the national programme that approves the re-commitment or transfer in question.</p>	
<p>3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.";</p>		<p>3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.";</p>	<p>3b. By way of derogation from Article 50(1) of Regulation (EU) No 514/2014, the deadline for the decommitment of the amounts referred to in paragraph 3a shall be prolonged by a period of six months.";</p>
	<p><i>Amendment 12</i></p> <p>3c. The Commission shall report annually to the European Parliament and to the Council on</p>		

	<i>the application of this Article, in particular as regards the transfers of amounts to other actions under national programmes and re-commitments.</i>		
(4) In paragraph 4, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".	<i>Amendment 13</i> deleted	(4) In paragraph 4, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".	
	<i>Amendment 14</i> (4a) Paragraph 4 is replaced by the following:¹⁹		
	4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to		

¹⁹ Present text: "4. To effectively pursue the objectives of solidarity and responsibility sharing between the Member States referred to in Article 80 TFEU, and within the limits of available resources, the Commission shall be empowered to adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer 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 the lump sums." (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0516>)



	adopt delegated acts in accordance with Article 26 of this Regulation to adjust the lump sum referred to in paragraph 1 of this Article, in particular taking into account the current rates of inflation, relevant developments in the field of transfer of <i>applicants for international protection and</i> beneficiaries of international protection from one Member State to another <i>and for resettlement and other ad-hoc humanitarian admission</i> , as well as factors which can optimise the use of the financial incentive brought by the lump sums.		
		(2) In the heading and the introductory wording of Article 25, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".	(2) In the heading and the introductory wording of Article 25, the words "beneficiaries of international protection" are replaced by the words "applicants for international protection or beneficiaries of international protection".
<i>Article 2</i> Entry into force		Article 2 Entry into force	Article 2 Entry into force
This Regulation shall enter into force on the day of its publication in		This Regulation shall enter into force on the day of its publication in	This Regulation shall enter into force on the day of its publication in

<i>the Official Journal of the European Union.</i>		<i>the Official Journal of the European Union.</i>	<i>the Official Journal of the European Union.</i>
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.
Done at Brussels,		Done at Brussels,	Done at Brussels,
For the European Parliament		For the European Parliament	For the European Parliament
The President		The President	The President
For the Council		For the Council	For the Council
The President		The President	The President