



Council of the European Union
General Secretariat

**Interinstitutional files:
2018/0250(COD)**

Brussels, 14 February 2020

WK 1799/2020 INIT

LIMITE

**JAI
FRONT
ENFOPOL
CT
CODEC**

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

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

With a view to the meeting of the JHA Counsellors of 19 February 2020, delegations will find enclosed the 4-column table of the abovementioned draft Regulation.

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

T: issue to be discussed at technical level, P: issue to be discussed at political level, H: Horizontal issue.

LEGEND

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	LEGEND
1.				Not agreed
2.				Provisionally agreed
3.				Horizontal provision Not agreed
N.				Horizontal provision Provisionally agreed
				Not included in Council mandate

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
1.	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,	
2.	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	
3.	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,	
4.	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,	
5.	Having regard to the opinion of the European Economic and Social Committee ¹ ,	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 ,	
6.	Having regard to the opinion of the Committee of the Regions ⁴ ,	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	
7.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
8.	Whereas:	Whereas:	Whereas:	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
9.	(1) Ensuring internal security, which is a competence of the Member States, is a shared endeavour to which the EU institutions, relevant Union agencies and Member States should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ⁷ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ⁸ and by the European Parliament in its Resolution of July 2015 ⁹ . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal	(1) Ensuring internal While national security, which is remains solely a competence of the Member States, protecting it requires cooperation and coordination at Union level. Internal security is a joint undertaking to which the EU institutions, relevant Union agencies and Member States, with the help of the private sector and civil society , should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ¹⁰ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ¹¹ and by	(1) Ensuring internal security, which is a competence of the Member States, is a shared endeavour to which the EU institutions, relevant Union agencies and Member States should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ¹⁰ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ¹¹ and by the European Parliament in its Resolution of July 2015 ¹² . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal	

⁷ COM(2015) 185 final of 28 April 2015.

⁸ Council Conclusions of 16 June 2015 on the renewed European Union Internal Security Strategy 2015-2020.

⁹ European Parliament resolution of 9 July 2015 on the European Agenda on Security (2015/2697(RSP)).

¹⁰ COM(2015) 185 final of 28 April 2015.

¹¹ Council Conclusions of 16 June 2015 on the renewed European Union Internal Security Strategy 2015-2020.

¹² European Parliament resolution of 9 July 2015 on the European Agenda on Security (2015/2697(RSP)).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling terrorism and preventing radicalisation, disrupting organised crime and fighting cybercrime.	the European Parliament in its Resolution of July 2015 ¹² . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling preventing and combating terrorism and preventing radicalisation, including online radicalisation, and violent extremism, intolerance and discrimination , disrupting organised crime and fighting cybercrime. [AM1]	security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling terrorism and preventing radicalisation, disrupting organised crime, and fighting and preventing cybercrime.	
10.	(2) In the Rome Declaration signed on 25 September 2017, leaders of 27 Member States affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting	(2) In the Rome Declaration signed on 25 September March 2017, leaders of 27 Member States, the European Council, the European Parliament and the European Commission affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are	(2) In the Rome Declaration signed on 25 September March 2017, leaders of 27 Member States affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy,	Technical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	international norms, as well as a Europe determined to fight terrorism and organised crime.	secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime. [AM2]	respecting international norms, as well as a Europe determined to fight terrorism and organised crime.	
11.	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration) ¹³ .	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration) ¹⁴ .	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration) ¹⁵ .	
12.	(4) The Union's objective of ensuring a high level of security within an area of freedom,	(4) The Union's objective of ensuring a high level of security within an area of freedom,	(4) The Union's objective of ensuring a high level of security within an area of freedom,	

¹³ COM(2017) 794 final.

¹⁴ COM(2017) 794 final.

¹⁵ COM(2017) 794 final.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	
13.	(5) To achieve this objective, actions should be taken at Union level to protect people and goods from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union.	(5) To achieve this objective, actions should be taken at Union level to protect people and goods , public spaces and critical infrastructure from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug and arms trafficking, corruption, money laundering , cybercrime, sexual exploitation , including of children, hybrid	(5) To achieve this objective, actions should be taken at Union level to protect people, and goods, public spaces and critical infrastructure from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to	Technical. To be aligned with article 3 lines 99ff.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>threats, as well as chemical, biological, radiological and nuclear threats</i> , trafficking in human beings and arms , among others, continue to challenge the internal security <i>and the internal market</i> of the Union. [AM3]	challenge the internal security of the Union.	
14.		<i>(5 a) The Fund should provide financial support to address the emerging challenges posed by the significant increase in the scale of certain types of crime, such as payment fraud, child sexual exploitation and trafficking in weapons, being committed via the internet in recent years ('cyber-enabled crimes').</i> [AM4]		Technical. Linked to the definition on "cybercrime" (line 85)
15.	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In-line with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention and police cooperation involving all	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. <i>In line</i> with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention, <i>joint training</i> and police <i>and</i>	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In-line with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention and police cooperation involving all	<u>TM 04.02.20:</u> <u>EP proposal linked to lines 90 (deletion of definition of LETS) and 103:</u> <u>Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In line with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	the Member States' competent authorities concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.	<i>judicial</i> cooperation involving all the Member States' competent authorities <i>and Union agencies</i> concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU. [AM5]	the Member States' competent authorities concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. <i>The Fund should also support training of relevant staff and experts, in line with the European Law Enforcement Training Scheme (LETS) general principles.</i> The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.	<u>support the action of Member States in the field of crime prevention, joint training and police and judicial cooperation involving all the Member States' competent authorities and Union agencies</u> concerning especially information exchange, increased operational cooperation and supporting necessary efforts to strengthen capabilities to combat and to prevent organised and serious cross-border crime and terrorism . <u>The Fund should also support training of relevant staff and experts, in line with the European Law Enforcement Training Scheme (LETS) general principles.</u> The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.
16.	(7) To preserve the Schengen <i>acquis</i> and to strengthen its	(7) To preserve the Schengen <i>acquis</i> <i>and the entire Union</i>	(7) To preserve the Schengen <i>acquis</i> and to strengthen its	Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU's external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States' action towards the development of an effective and genuine security union.	<i>internal market area</i> , and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU's external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States' action towards the development of an effective and genuine security union. [AM6]	functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU's external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States' action towards the development of an effective and genuine security union.	
17.	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	
18.	(9) 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 obligations as regards fundamental rights.	(9) The Fund should be implemented in full compliance with the <i>values enshrined in Article 2 of the Treaty on European Union (TEU)</i> , the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union's international obligations as regards <i>human</i> rights. <i>In particular, this Regulation seeks to ensure that fundamental rights, such as the right to human dignity, the right to life, the prohibition of torture and inhuman or degrading treatment or punishment, the right to protection of personal data, the rights of the child and the right to have an effective remedy, are fully respected. It also seeks to promote the application of the</i>	(9) 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 obligations as regards fundamental rights.	Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>principle of non-discrimination.</i> [AM7]		
19.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	
20.		<i>(10 a) Raising awareness among law enforcement personnel about issues related to all forms of racism, including antisemitism and antiziganism, is a key success factor for internal security. Awareness-raising training and education measures for law enforcement actors should therefore be included in the scope of the Fund in order to increase trust-building capacity at a local level.</i> [AM8]		Technical.
21.	(11) In line with the shared priorities identified at Union	(11) In line with the shared priorities identified at Union	(11) In line with the shared priorities identified at Union	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, increase operational cooperation and improve national and collective capabilities.	level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling preventing and combating terrorism and violent extremism, including radicalisation, intolerance and discrimination, serious and organised crime, and cybercrime and as well as assisting and protecting victims of crime and protecting critical infrastructure. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, such as trafficking, including via online channels, hybrid threats and chemical, biological, radiological and nuclear threats, with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, to increase operational cooperation and improve national and collective capabilities. [AM9]	level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular preventing and tackling terrorism and radicalisation, serious and organised crime and cybercrime, managing effectively security-related risks and crises and by assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, including hybrid threats, with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, increase operational cooperation and improve national and collective capabilities.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
22.	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support <i>exchange of and access to information as well as</i> police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration <i>refugees and irregular migrants, severe labour exploitation, child sexual exploitation and abuse, including of children and women</i>, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises,	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		including through <i>joint training</i> , the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation. [AM10]		
23.		<i>(12 a) The Fund should provide assistance to law enforcement authorities irrespective of their organisational structure under national law. For this reason, actions involving military forces charged with internal security tasks should also be eligible for support from the Fund, to the extent that such actions serve to contribute to the achievement of the specific objectives of the Fund. In emergency situations, and to address and prevent serious risks to public security, including in the aftermath of a terrorist attack, actions by military forces inside the territory of the Member State should be eligible for support from the Fund. Peace-keeping or defence actions outside the territory of the Member State should under no circumstances</i>		Technical. Linked to line 135.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>be eligible for assistance from the Fund.</i> [AM11]		
24.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ¹⁶ , and should be extended it to take into account new developments.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ¹⁷ , and should be extended it to take into account new developments.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ¹⁸ , and should be extended it to take into account new developments.	
25.	(14) There is a need to maximise the impact of Union	(14) There is a need to maximise the impact of Union	(14) There is a need to maximise the impact of Union	Technical.

¹⁶ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

¹⁷ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

¹⁸ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the industrial sector in the development and implementation of security policy, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund.	funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the European industrial sector in the development and implementation of security policy, <i>in particular as regards cybersecurity</i> , including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund. <i>However, it should be ensured that support from the Fund is not used to delegate statutory or public tasks to private actors.</i> [AM12]	funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the industrial sector in the development and implementation of security policy, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund.	
26.	(15) Within the comprehensive framework of the Union's anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this	(15) Within the comprehensive framework of the Union's anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this	(15) Within the comprehensive framework of the Union's anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	
27.	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used	Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	in a way that adds most value to the action of the Member States.	<i>European</i> value to the action of the Member States. [AM13]	in a way that adds most value to the action of the Member States.	
28.	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council Regulation (EU) No 1053/2013 ¹⁹ .	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council Regulation (EU) No 1053/2013 ²⁰ .	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council Regulation (EU) No 1053/2013 ²¹ .	Technical.
29.	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address contribute to the achievement of the	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the	Technical. Linked to discussion on minimum percentages.

¹⁹ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

²⁰ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

²¹ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives ensures that the overall policy objective can be met.	specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives <i>is proportionate to challenges and needs and</i> ensures that the overall policy objective can be met. [AM14]	priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives ensures that the overall policy objective can be met.	
30.	(19) Synergies, consistency and efficiency should be sought with other EU funds and overlap between the actions should be avoided.	(19) Synergies, consistency and efficiency should be sought with other EU funds and overlap between the actions should be avoided.	(19) Synergies, consistency and efficiency should be sought with other EU funds and overlap between the actions should be avoided.	
31.	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be sought ensured in particular with the Asylum and Migration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be ensured in particular with the Asylum and Migration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be sought ensured in particular with the Asylum, and Migration <i>and Integration</i> Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as	Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity and the prevention of radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.	covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity, <i>the protection of victims</i> and the prevention of <i>violent extremism, including</i> radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions. [AM15]	the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity and the prevention of radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.	
32.			<i>(20a) In an effort to strengthen complementarities between the Internal Security Fund and the Border Management and Visa</i>	Technical. Linked to line 130.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			<i>Instrument, the Fund should be able to finance multipurpose equipment and ICT systems of which the primary purpose is in accordance with this Regulation but which also contribute to the achievement of the objectives of the Border Management and Visa Instrument established by Regulation (EU) No .../ ... [BMVI].</i>	
33.	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and 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 objectives of the Union's external action and foreign policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and 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 objectives of external action , the Union's external action and foreign policy and development aid policy related to the country or region in question. In relation to the external dimension, the Fund should	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and 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 objectives of the Union's external action and foreign policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), serious and organised crime and corruption, trafficking in human beings and migrant smuggling.	enhance cooperation with third countries in areas of interest to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), <i>trafficking, in particular of arms, drugs, endangered species and cultural goods</i> , serious and organised crime and corruption, trafficking in human beings and migrant smuggling.[AM16]	to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), serious and organised crime and corruption, trafficking in human beings and migrant smuggling. <i>In its conclusions of 28 June 2018, the European Council underlined the need for flexible instruments, allowing for fast disbursement, to combat illegal migration.</i>	
34.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
35.	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> 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 security 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 security or if an evaluation report under the Schengen evaluation and monitoring mechanism identified deficiencies in the relevant area.	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> 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 security 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 security or if an evaluation report under the Schengen evaluation and monitoring mechanism identified deficiencies in the relevant area.	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> 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 security 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 security or if an evaluation report under the Schengen evaluation and monitoring mechanism identified deficiencies in the relevant area.	
36.		<i>(23a) Under Regulation (EU) No X of the European Parliament and of the Council^{1a}, the Union should take action to protect its budget whenever a generalised deficiency as regards the rule of law is established in a Member State. Regulation (EU) No X should apply to this Fund. [AM17]</i>		Technical.
37.	(24) The Fund should reflect the need for increased flexibility	(24) The Fund should reflect the need for increased flexibility	(24) The Fund should reflect the need for increased flexibility	Technical.

^{1a} Proposal for a regulation of the European Parliament and of the Council on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States (COM(2018)0324).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation.	and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the 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> [AM18]	and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation.	
38.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	
39.	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in <i>internal and external</i> security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	key, taking into account the state of programme implementation.	out in the distribution key, taking into account the state of programme implementation. [AM19]	key, taking into account the state of programme implementation.	
40.		<i>(26a) The critical infrastructure that the Member States have to protect should be taken into account when resources available from the Fund are distributed.</i> [AM20]		
41.	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, 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 and emergency assistance via a thematic facility.	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in <i>internal and external</i> security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, 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 and emergency assistance via a thematic facility. [AM21]	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, 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 and emergency assistance via a thematic facility.	Technical.
42.	(28) Member States should be encouraged to use part of their	(28) Member States should be encouraged to use part of their	(28) Member States should be encouraged to use part of their	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution.	programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution, <i>primarily because of their significant European added value or their high importance for the Union.</i> [AM22]	programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution.	
43.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	
44.	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection of specific costs related to the	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection of specific costs related to the	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection of specific costs related to the	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	objectives under the Fund and should form an integral part of the Member States' programmes.	objectives under the Fund and should form an integral part of the Member States' programmes.	objectives under the Fund and should form an integral part of the Member States' programmes.	
45.	(31) To complement the implementation of its policy objective 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.	(31) To complement the implementation of its policy objective 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>or among certain Member States. In this regard, cooperation between Member States' intelligence services should be encouraged with a view to ensure the necessary information exchange to enhance the effectiveness of the fight against terrorism as well as serious and organised crime, and to contribute to a better understanding of their cross-border nature. The Fund should</i>	(31) To complement the implementation of its policy objective 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.	Technical. Linked to political discussions on lines 104, 125 <u>TM 04.02.20</u> <u>EP proposal taking over additions from lines 364/365; EP additions related to intelligence cooperation tbd at a later stage:</u> <u>To complement the implementation of its policy objective 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 or among certain Member States. In this regard, cooperation between Member States' intelligence services</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>support Member States' efforts to exchange best practice and to promote joint training in order to help develop a culture of cooperation and mutual trust between intelligence services as well as between intelligence services and Europol. [AM23]</i>		<u><i>should be encouraged with a view to ensure the necessary information exchange to enhance the effectiveness of the fight against terrorism as well as serious and organised crime, and to contribute to a better understanding of their cross-border nature. The Fund should support Member States' efforts, including at local level, to exchange best practice and to promote joint training, including sensitisation of law-enforcement staff regarding radicalisation and racism. For this purpose, specialised exchange programmes for junior law-enforcement staff could be funded, in order to help develop a culture of cooperation and mutual trust between intelligence services as well as between intelligence services and Europol.</i></u>
46.	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities.	threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities.	threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities and when the competent authorities fail to plan and react properly.	
47.	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised agencies should be eligible as beneficiaries	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised agencies should be eligible as beneficiaries	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised agencies should be eligible as beneficiaries	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	of emergency assistance, including in the form of grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	of emergency assistance, including in the form of grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	of emergency assistance, including in the form of grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	
48.		<i>(33 a) In light of the transnational nature of Union actions and in order to promote coordinated action to fulfil the objective of ensuring the highest level of security in the Union, decentralised agencies should also be eligible as beneficiaries of Union action, including in the form of grants. Such support should be consistent with the priorities and initiatives identified at Union level by the Union institutions to ensure European added value. [AM24]</i>		Technical. Linked to line 255
49.	(34) 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	(34) 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	(34) 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	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	
50.			<i>(34a) Blending operations have a voluntary nature and are operations supported by the Union budget combining repayable 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>	Technical
51.	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph X of the Interinstitutional Agreement of X between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph X of the Interinstitutional Agreement of X between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph <i>/X/</i> of the Interinstitutional Agreement of <i>/X/</i> between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	financial management ²² , for the European Parliament and the Council during the annual budgetary procedure.	financial management ²³ , for the European Parliament and the Council during the annual budgetary procedure.	financial management ²⁴ , for the European Parliament and the Council during the annual budgetary procedure.	
52.	(36) Regulation (EU, Euratom) No [the new FR] ²⁵ (the ‘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. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation is to apply to the actions to be implemented in	(36) Regulation (EU, Euratom) No [the new FR] ²⁶ (the ‘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. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation is to apply to the actions to be	(36) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council Regulation (EU, Euratom) No [the new FR] ²⁷ (the ‘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. In order to ensure coherence in the implementation of Union funding programmes,	Technical

²² 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

²³ 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

²⁴ 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

²⁵ Full reference

²⁶ Full reference

²⁷ Full reference **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**

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	direct or indirect management under ISF.	implemented in direct or indirect management under ISF.	the Financial Regulation is to apply to the actions to be implemented in direct or indirect management under ISF.	
53.	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X ²⁸ .	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X [CPR] ¹⁸ . <i>In the event of conflicting provisions, this Regulation should take precedence over Regulation (EU) No X [CPR].</i> [AM25]	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation Regulation (EU, Euratom) 2018/1046 and the Common Provisions Regulation (EU) No X ²⁹ .	Council: Technical EP: Technical → Political
54.	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMIF), Internal Security Fund	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and , Migration and Integration Fund (AMIF),	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum, and Migration and Integration Fund (AMIF),	Technical

²⁸ Full reference

²⁹ Full reference

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	(ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.	Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.[AM26]	Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.	
55.		<i>(38 a) To ensure that the Fund supports actions addressing all the specific objectives of the Fund, and that the allocation of resources among the objectives is proportionate to challenges and needs, so that the objectives can be met, a minimum percentage of allocation from the Fund should be defined for each specific objective of the Fund, both for the national</i>		Technical. Linked to lines 169-173 and 202-206

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>programmes and the thematic facility.</i> [AM27]		
56.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should 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.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should 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.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should 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 <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation.	Technical.
57.	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ³⁰ , Council Regulation (Euratom, EC) No	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁹ , Council Regulation (Euratom, EC) No	/(40) In accordance with <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the	Technical. No Council mandate

³⁰

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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	2988/95 ³¹ , Council Regulation (Euratom, EC) No 2185/96 ³² and Council Regulation (EU) 2017/1939 ³³ , 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-	2988/95 ²⁰ , Council Regulation (Euratom, EC) No 2185/96 ²¹ and Council Regulation (EU) 2017/1939 ²² , 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 <i>and/or criminal</i> sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the	Council ³⁵ , Council Regulation (Euratom, EC) No 2988/95 ³⁶ , Council Regulation (Euratom, EC) No 2185/96 ³⁷ and Council Regulation (EU) 2017/1939 ³⁸ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities <i>including</i> 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)	

³¹ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).

³² 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).

³³ Council Regulation (EU) 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).

³⁵ 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).

³⁶ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).

³⁷ 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).

³⁸ Council Regulation (EU) 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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council 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 Council³⁴. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO	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 been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council 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 Council²³. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the	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 been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council 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 interest as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council³⁹. In accordance with Regulation (EU, Euratom) 2018/1046the Financial Regulation, any person	

³⁴ 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).

³⁹ 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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	Commission, OLAF, the EPPO 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>Member States shall cooperate fully and provide all necessary assistance to Union institutions, agencies and bodies in the protection of 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.</i> [AM28]	or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO, <i>in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939</i> , and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights./	
58.	(41) 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	(41) 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	(41) 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	No Council mandate on RoL conditionality.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 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.	provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 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.	provide for checks on the responsibility of financial actors. [Rules adopted on the basis of Article 322 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.]	
59.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴⁰ , 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.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴¹ , 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.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴² , 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.	

⁴⁰ 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).

⁴¹ 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).

⁴² 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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
60.	(43) 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" ⁴³ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.	(43) 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"⁴⁴, endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate. [AM29]	(43) 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" ⁴⁵ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.	Technical.
61.	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ⁴⁶ , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ²⁶ , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ⁴⁷ , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding	Technical.

⁴³ COM (2017)623 final.

⁴⁴ COM (2017)623 final.

⁴⁵ COM (2017)623 final.

⁴⁶ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

⁴⁷ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	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, indicators and related targets should be established in relation to each specific objective of the Fund.	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, indicators and related targets should be established in relation to each specific objective of the Fund. <i>Those indicators should include qualitative and quantitative indicators.</i> [AM30]	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, indicators and related targets should be established in relation to each specific objective of the Fund.	
62.			<i>(44a) 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</i>	Linked to art. 27a (lines 320-321)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			<i>accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council.⁴⁸</i>	
63.	(45) 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, 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.	(45) 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, 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. 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> [AM31]	(45) 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, 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.	Technical. Council has no mandate on climate funding
64.	(46) Through these indicators and financial reporting, the Commission and the Member	(46) Through these indicators and financial reporting, the Commission and the Member	(46) Through these indicators and financial reporting, the Commission and the Member	Technical, linked to line 306 (art. 26)

48

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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation.	States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation. <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 reimbursement of expenditure that was actually incurred. To facilitate the audit and the monitoring of the implementation of the Fund, the Commission should include those amounts in its annual implementation report for the Fund. The Commission should present a summary of the accepted annual performance reports to the European Parliament and the Council</i>	States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>every year. Upon request, the Commission should make the full text of the annual performance reports available to the European Parliament and the Council. [AM32]</i>		
65.	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU 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 further develop the 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 those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of work programmes for the thematic facility , the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the 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 those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU 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 further develop the 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 those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		Making of 13 April 2016. [AM33]		
66.	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with 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 ⁴⁹ . 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 the modalities of providing	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with 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 ²⁷ . 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 the modalities of providing	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with 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 ⁵⁰ . 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 the modalities of providing	Technical. Horizontal. Linked to discussion on line 176.

⁴⁹ OJ L 55, 28.2.2011, p. 13.

⁵⁰ OJ L 55, 28.2.2011, p. 13.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	information to the Commission in the framework of programming and reporting, given their purely technical nature.	information to the Commission in the framework of programming and reporting, given their purely technical nature. [AM34]	information to the Commission in the framework of programming and reporting, given their purely technical nature.	
67.	(49) In accordance with Articles 1 and 2 of 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.	(49) In accordance with Articles 1 and 2 of 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.	(49) In accordance with Articles 1 and 2 of 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.	
68.	(50) 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 TEU and to the TFEU, 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 / has notified its wish to take part in the adoption and application of this Regulation].	(50) 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 TEU and to the TFEU, 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 / has notified its wish to take part in the adoption and application of this Regulation].	(50) 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 <i>Treaty on European Union</i> TEU and to the <i>Treaty on the Functioning of the European Union</i> TFEU, 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 / has notified its wish to take part in the adoption and application of this Regulation].	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
69.			<i>[(50a) 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.]</i>	
70.	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵¹ ,	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵² ,	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵³ ,	
71.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
72.	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	

⁵¹ Council Regulation (EU, Euratom) No XXX.

⁵² Council Regulation (EU, Euratom) No XXX.

⁵³ Council Regulation (EU, Euratom) No XXX.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
73.	<i>Article 1</i> Subject matter	<i>Article 1</i> Subject matter	<i>Article 1</i> Subject matter	Identical - Provisionally agreed
74.	1. This Regulation establishes the Internal Security Fund ('the Fund').	1. This Regulation establishes the Internal Security Fund ('the Fund') <i>for the period from 1 January 2021 to 31 December 2027.</i> [AM35]	1. This Regulation establishes the Internal Security Fund ('the Fund').	T, H TM 16/10: At this stage Council has no mandate to negotiate on the length of the MFF period. Linked to line 75.
75.	2. It lays down the objectives of the Fund, the budget for the period 2021-2027, the forms of Union funding and the rules providing for such funding.	2. It <i>This Regulation</i> lays down: [AM36]	/2. It lays down the objectives of the Fund, the budget for the period 2021-2027, the forms of Union funding and the rules providing for such funding./	T, H Council: lines 75-79 - the approach should remain the same in all three files.
76.		a) the objectives of the Fund; [AM36]		Council: T, H Sugg. CNS LS: the <i>policy objective</i> of the Fund EP: Technical, OK for "policy objective" if agreement on 77
77.		b) <i>the specific objectives of the Fund and measures to implement those specific objectives;</i> [AM36]		Council: T, H EP: Technical
78.		c) the budget for the period 2021-2027; [AM36]		Council: T, H EP: T
79.		d) the forms of Union funding and the rules <i>for</i> providing such funding. [AM36]		Council: T, H EP: T (linguistic) Provisionally agreed!?
80.	<i>Article 2</i>	<i>Article 2</i>	<i>Article 2</i>	Identical - provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Definitions	Definitions	Definitions	
81.	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	Identical - provisionally agreed
82.	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/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;	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/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;	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of <i>Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council the Financial Regulation</i> , combining non-repayable forms of support and/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;	CSL changes provisionally agreed Council: T, H EP: T, H <u>TM 04.02.20: Text provisionally agreed by Council and EP:</u> <u>(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to as defined in point 6 of Article 2(6) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council the Financial Regulation, combining non-repayable forms of support and/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;</u> EP request for COM and CSL to check: given that it is a definition it might be

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				clearer to use ‘as defined in’ as opposed to ‘pursuant’; to avoid confusion with ‘paragraph 6’, it should read ‘as defined in point 6 of Article 2’; <u>COM objects as this provision should be treated horizontally with AMF and BMVI</u>
83.	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁵⁴ ;	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁵⁵ ;	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁵⁶ ;	Identical - Provisionally agreed
84.	(c) ‘critical infrastructure’ means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a	(c) ‘critical infrastructure’ means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a	(c) ‘critical infrastructure’ means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a	Identical - Provisionally agreed

⁵⁴ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

⁵⁵ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

⁵⁶ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	
85.	(d) ‘cybercrime’ means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;	(d) ‘cybercrime’ means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation , which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT; [AM37]	(d) ‘cybercrime’ means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;	T EP: Link with new recital 5a (line 14). CION could be open on this. Council to consult internally. <u>TM 04.02.20: Presidency needs to re-discuss this with MS in connection with Recital 14</u>
86.	(e) ‘EMPACT actions’ means actions undertaken in the framework of the European multidisciplinary platform against criminal threats (EMPACT) ⁵⁷ . EMPACT is a structured multidisciplinary	(e) ‘EMPACT actions’ means actions undertaken in the framework of the European multidisciplinary platform against criminal threats (EMPACT) ⁵⁸ . EMPACT is a structured multidisciplinary	(e) ‘ EMPACT <i>EU policy cycle operational</i> actions’ means actions undertaken in the framework of the <i>EU Policy Cycle for organised and serious international crime, an intelligence-led and</i>	T CION open to merge lines 86 and 87. To check with its legal service.

⁵⁷ Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

⁵⁸ Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	<i>multidisciplinary initiative. Its aim is to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations</i> European multidisciplinary platform against criminal threats (EMPACT)⁵⁹. EMPACT is a structured multidisciplinary cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	EP: merger of lines ok, awaiting proposal from CION which takes into account EP AM in line 87 CION compromise drafting: (e) 'EU policy cycle operational actions' means actions undertaken in the framework of the EU Policy Cycle for organised and serious international crime, an intelligence-led and multidisciplinary initiative. Its aim is to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the and agencies and where relevant third countries and international organisations <u>TM 04.02.20: CION compromise drafting provisionally agreed</u>
87.	(f) 'EU Policy Cycle' refers to an intelligence-led and	(f) 'EU Policy Cycle' refers to an intelligence-led and	(f) 'EU Policy Cycle' refers to the EU Policy Cycle for	T, see above

⁵⁹ — Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations;	multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, <i>the Union Justice and Home Affairs</i> agencies and where relevant third countries and <i>specific international</i> organisations; [AM38]	organised and serious international crime, an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations;	<u>TM 04.02.20: provisionally agreed</u> [...]
88.	(g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime;	(g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol, <i>Eurojust and the European Public Prosecutor’s Office</i> in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular <i>terrorism and cybercrime, as well as</i> cross-border <i>serious and</i> organised crime, <i>processed in compliance with applicable Union data protection rules</i> ; [AM39]	(g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 <i>of the Treaty on the Functioning of the European Union</i> (TFEU) as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime <i>and terrorism</i> ;	Council: T, maybe P EP: T Council: removal of "access to" is more in line with Treaty. EP restates AMDs, keep “access to” CION prefers to stick to its proposal regarding “access to”. CION compromise drafting: (g) ‘exchange of information’ means the secure collection, storage, processing, analysis, access and exchange of information relevant to the

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				authorities referred to in Article 87 Treaty of the Functioning of the European Union (TFEU) as well as to Europol and other relevant Union agencies in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border serious and organised crime and terrorism; <u>CNS: could agree to COM drafting</u> <u>TM 04.02.20:</u> <u>EP could agree to CION compromise drafting with the addition of “processed in compliance with applicable Union data protection rules”</u> <u>Issues to be further checked:</u> - need for a definition - need to mention ‘access’ - addition of reference to data protection (could be covered by art. 3(4))

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
89.	(h) 'judicial cooperation' means judicial cooperation in criminal matters;	(h) 'judicial cooperation' means judicial cooperation in criminal matters; [AM40]	(h) 'judicial cooperation' means judicial cooperation in criminal matters;	T CION: if deleted, then recitals should refer to "judicial cooperation in criminal matters". EP: delete the definition and add "in criminal matters" to "judicial cooperation" in recitals <u>TM 04.02.20:</u> <u>CNS: EP proposal most likely ok, but needs to be re-confirmed with MS</u>
90.	(i) 'LETS' means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat cross-border crime effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a	(i) 'LETS' means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat organised and serious cross-border crime and terrorism effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS ³¹ and further	(i) 'LETS' means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat cross-border crime effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a	T Council: Removal linked to addition in recital 6 (line 15). CION's communication cannot be made legally binding. EP: agree to deletion of the definition and CSL addition in recital 6 if "organised and serious cross-border crime and terrorism" added in recital 6 (see line 15)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	European LETS ⁶⁰ and further referred to in the CEPOL Regulation ⁶¹ ;	referred to in the CEPOL Regulation ³² ; [AM41]	European LETS⁶² and further referred to in the CEPOL Regulation⁶³;	<u>TM 04.02.20:</u> <u>Council will come back on this</u>
91.	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁶⁴ ;	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁶⁵ ;	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁶⁶ ;	Identical - provisionally agreed
92.	(k) ‘preparedness’ means any measure aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;	(k) ‘preparedness’ means any <i>specific measures</i> aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents; [AM42]	(k) ‘preparedness’ means any measure aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;	T EP: measures should be specific for otherwise the eligibility definition would be too broad. Need for clear definition of the terms “measures”, “actions” and “projects” - in full respect of the CPR - and alignment of terminology throughout the

⁶⁰ COM(2013) 172 establishing a European Law Enforcement Training Scheme (LETS).

⁶¹ Regulation (EU) 2015/2219 of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL).

⁶² ~~COM(2013) 172 establishing a European Law Enforcement Training Scheme (LETS).~~

⁶³ ~~Regulation (EU) 2015/2219 of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL).~~

⁶⁴ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

⁶⁵ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

⁶⁶ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				text (CION to make a proposal). CION compromise drafting: (k) ‘preparedness’ means specific measures aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents; <u>CNS: ‘any’ is still important for CNS. Perhaps: “...means any specific measures...”</u> <u>TM 04.02.20</u> <u>EP can agree to CION compromise drafting without “any”</u> <u>CION revised COMP drafting: “any action specifically aimed at” (acceptable for EP)</u>
93.	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Regulation (EU) No 1053/2013,	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Regulation (EU) No 1053/2013,	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Council	Provisionally agreed T CION: a correction to legal reference OK. EP: OK

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	including in the area of police cooperation;	including in the area of police cooperation;	Regulation (EU) No 1053/2013 ⁶⁷ , including in the area of police cooperation;	
94.	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	Identical - provisionally agreed
95.	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism ⁶⁸ .	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism ⁶⁹ .	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism ⁷⁰ .	Provisionally agreed T Council: technical revision. EP: OK
96.		(o) ‘emergency situation’ means a[n] security-related	(o) ‘emergency situation’ means any security-related	T, H

⁶⁷ *Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).*

⁶⁸ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

⁶⁹ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

⁷⁰ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		incident, or newly emerging threat <i>or newly detected vulnerability</i> [within the scope of this Regulation] which has or may have a significant adverse impact on the security of people, <i>public spaces or critical infrastructure</i> in one or more Member States.	<i>incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States.</i>	Moved from article 22 (see line 271). CION: EP's AMDs change the scope. Wants to keep "within the scope of this Regulation", removed by Council. EP: ok to move definition to art. 2 (need for horizontal agreement), but substance has to be in line with EP amendment in line 271. Agree with deleting "within the scope of this Regulation", as chapeau already contains "for the purposes of this Regulation". Clarification is requested from CION whether the "emergency situation" in line 139 is the same type as the one defined in this line or not. CION compromise drafting: (o) 'emergency situation' means any security-related incident, or newly emerging threat or newly detected vulnerability within the scope of this Regulation, which

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				has or may have a significant adverse impact on the security of people, public spaces or critical infrastructure in one or more Member States. <u>TM 04.02.20: self-standing definition and CION compromise drafting provisionally agreed</u>
97.			<i>(p) 'Flash money' is genuine cash which is shown during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.</i>	Provisionally agreed T Moved from article 4(3)(f) (line 138). EP: OK CION: The term appears only once. Why to have a definition?
				CION compromise drafting: (q) 'Radicalisation' refers to radicalisation leading to violent extremism and terrorism, meaning a phased and complex process in which an individual or a group embraces a radical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				ideology or belief that accepts, uses or condones violence, including acts of terrorism, to reach a specific political or ideological purpose. <u>CNS: could agree to COM drafting</u> <u>TM 04.02.20:</u> <u>EP proposes minor changes to CION drafting:</u> <u>'radicalisation' refers to <i>means</i> radicalisation leading to violent extremism and terrorism, meaning <i>that is</i> a phased and complex process in which an individual or a group of <i>individuals</i> embraces a radical ideology or belief that accepts, uses or condones violence, including acts of terrorism, to reach a specific political, <i>religious</i> or ideological purpose goal.</u> <u>Council/CION to check addition of '<i>religious</i>'</u>
				CION compromise drafting:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				(r) 'Prevention of radicalisation' means all measures that intend to reduce or contribute to reducing radicalisation <u>CNS: could agree to COM drafting</u> <u>TM 04.02.20:</u> <u>EP proposes minor changes to CION drafting:</u> <u>'prevention of radicalisation' means all measures that intend to reduce or contribute to reducing radicalisation or stopping radicalisation from happening</u>
98.	<i>Article 3</i> Objectives of the Fund	<i>Article 3</i> Objectives of the Fund	<i>Article 3</i> Objectives of the Fund	Identical - provisionally
99.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, <i>inter alia through increased cooperation</i> , in particular by tackling preventing and combating terrorism and violent extremism, including radicalisation, serious and organised crime, and cybercrime, as well as and by assisting and	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union in particular by preventing and tackling terrorism and radicalisation, serious and organised crime and cybercrime, by managing effectively security-related risks and crises , and by assisting and protecting victims of crime.	T → P CION: Against "support preparedness" and "by managing effectively security-related risks and crises" because of possible interference with RescEU. CION: To check if "violent extremism" is the right term.;

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		protecting victims of crime. <i>The Fund shall also support preparedness for and management of security-related incidents.</i> [AM43]		CION: Prefers "tackling terrorism and preventing radicalisation. CION: To come back with a proposal <u>(see below)</u>; EP: 1) keep "combating" terrorism instead of "tackling" 2) keep "preparedness and management of security-related incidents" - no risk of double-funding with RescEU as ISF-P is explicitly excluded from the scope of the Civil protection Mechanism (recital 27 of Dec. 1313/2013) which provides the legal basis for RescEU; Security-related "risks" is considered too undefined. 3) proposal to include definition of radicalisation in Article 2: "radicalisation leading to violent extremism and terrorism", in line with Commission policy documents. CION compromise drafting:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by preventing and tackling terrorism and radicalisation, serious and organised crime, and cybercrime, and by assisting and protecting victims of crime as well as by effectively managing security-related risks and incidents within the scope of this Regulation. <u>CNS: preference for ‘crisis’ over ‘incidents’</u> <u>TM 04.02.20: EP proposal based on CION compromise drafting for CSL to check: “The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by combating and preventing and tackling terrorism and radicalisation, serious and organised crime, and cybercrime, and by assisting and protecting victims of crime as well as by supporting the effectively preparedness for and</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u><i>management of managing security-related risks and crises within the scope of this Regulation.</i></u>
100.	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:	Identical - Provisionally agreed
101.	(a) to increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with third countries and international organisations;	(a) to increase improve and facilitate the exchange of relevant and accurate information among and within the Union law enforcement and judicial authorities of the Member States , other competent authorities of the Member States and other relevant Union bodies, in particular Europol and Eurojust, and, where relevant, as well as with third countries and international organisations; [AM44]	(a) to increase enhance the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with third countries and international organisations and to enhance the related capacities of the Member States ;	T → P Council: To come back with a proposal.
102.	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to serious and organised crime with a cross-border dimension; and	(b) to improve and intensify cross-border coordination and cooperation, including relevant joint operations among and within the Union Member States' law enforcement and other competent authorities in relation	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to all forms of crime, in particular to terrorism and serious and	T → P CION: Against "all forms of crime". Council: To come back with a proposal.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		to terrorism, and serious and organised crime with a cross-border dimension; and [AM45]	organised crime with a cross-border dimension; and	
103.	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States.	(c) to support effort at the necessary strengthening of the Member States in relation to combatting and preventing crime, including terrorism, cybercrime and violent extremism, including radicalisation , in particular through increased cooperation between public authorities, the relevant Union agencies , civil society and private partners actors, within and across the Member States, and civilian crisis management following a security-related incident ; [AM46]	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including and terrorism including in particular through increased cooperation between public authorities; and all the relevant actors including civil society and private partners across the Member States.	T → P Again, reference to "violent extremism". EP: see line 99 CION: Reference to "civilian crisis management" can create confusion. CION: To come back with a proposal <u>(see below)</u>. CION compromise drafting: (c) to support the necessary effort at strengthening of the Member States' capabilities of in relation to combatting and preventing crime including and terrorism, including in particular through increased cooperation between public authorities, the relevant Union agencies , actors including civil society and private partners across the Member States.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>CNS: COM drafting not acceptable. ‘the necessary’ and ‘in particular’ are problematic.</u> <u>TM 04.02.20</u> <u>EP proposal: “to support the necessary effort at strengthening <i>of the Member States’</i> capabilities of in relation to combatting and preventing crime, including terrorism, and radicalisation <i>as well as managing civilian crises following a security-related incident, including</i> in particular through increased cooperation between public authorities, the relevant Union agencies, actors including civil society and private partners across the Member States.”</u> <u>Council will check with MS</u> <u>CION: “civilian” can be an issue (outside the scope of ISF, risk of overlapping with RescEU)</u> <u>COM to make proposal that covers the situations described by</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>the EP (civilian crises in the aftermath of a terrorist attack)</u>
104.		<i>(c a) to develop a common intelligence culture by supporting contacts and mutual trust, understanding and learning, the dissemination of know-how and best practices among the intelligence services of the Member States and with Europol, notably through joint training and the exchange of experts. [AM47]</i>		Council: T → P EP: P Council: Difficult issue. Intelligence is a red line. Include it in reformulated form in Art. 3(2)(a)? EP: Further political discussions needed. But open to explore alternatives at T level.
105.	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, <i>inter alia</i> , through the implementation measures listed in Annex II Article 3a . [AM48]	3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.	Council: T, H EP: T (to be adjusted following agreement on lines 107 ff)
106.	4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and	4. Actions Operations funded shall be implemented in full respect for compliance with fundamental rights and human dignity and the values enshrined in Article 2 of the Treaty on European Union (TEU), and the funding shall be interrupted and recovered in case of clear and substantiated evidence that the	4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and	Council: T, P, H EP: T, P, H EP: Prefers "operations", as they are defined in the CPR but would also be open to including definitions for "actions" and/or "projects" in art. 2 and use them in a consistent manner. Asks CION to propose a

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Fundamental Freedoms (ECHR). In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and unaccompanied minors.	<i>actions contribute to violation of such rights.</i> In particular, actions <i>operations</i> shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). In particular, wherever possible, Special attention shall be given by Member States when implementing actions to the assistance and protection of <i>operations relating to</i> vulnerable persons, in particular children and unaccompanied minors. [AM49]	Fundamental Freedoms (ECHR). In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and unaccompanied minors.	solution that would ensure consistency of terminology throughout the text and with CPR + reintroduction of definitions. Horizontal approach needed on fundamental rights CION: Prefers "actions" to avoid confusion with law enforcement operations. CION: The suspension of payments (art. 91 CPR) could address EP's concerns. Council: Right place to introduce a conditionality? Council: Clarify what are operations, actions and projects. Horizontal question to be dealt with by the three legal services.
107.		<i>Article 3 a</i> [AM50]		Council: T, H. Structural change proposed.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				EP: agree to keeping implementation measures in an Annex
108.		<i>Implementation measures</i> [AM50]		Council: As above EP: Moved from Annex II (line 353 ff) T → H (Annex v. operative part) EP: agree to keeping implementation measures in an Annex
109.		<i>1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:</i> [AM50]		<u>TM 16/10: Lines 109 to 126 are skipped</u> Council: As above EP: Technical. Identical with line 354
110.		<i>(a) ensuring uniform application of the Union acquis on security, supporting the exchange of relevant information, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation</i>		Council: As above EP: See line 355

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>mechanism and other quality control and evaluation mechanisms; [AM50]</i>		
111.		<i>(b) setting up, adapting and maintaining security-relevant Union IT systems and communication networks, including ensuring their interoperability, and developing appropriate tools to address identified gaps; [AM50]</i>		Council: As above EP: Technical. See line 356
112.		<i>(c) increasing the active use of Union security-relevant information exchange tools, systems and databases, improving the interconnection of security-relevant national databases as well as their connection to Union databases when foreseen in relevant legal bases, ensuring that those databases are fed with relevant high quality data;and [AM50]</i>		Council: As above EP: Technical. See line 357
113.		<i>(d) supporting relevant national measures to implement the specific objectives set out in Article 3(2)(a.) [AM50]</i>		Council: As above EP: Technical See line 358
114.		<i>2. The Fund shall contribute to the specific objective set out in</i>		Council: As above EP: Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>Article 3(2)(b) by focusing on the following implementation measures: [AM50]</i>		Identical with line 359
115.		<i>(a) increasing relevant law enforcement operations between Member States, including, where appropriate, with other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations; [AM50]</i>		Council: As above EP technical See line 360
116.		<i>(b) increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres; [AM50]</i>		Council: As above EP technical Text EP/CSL/COM is identical See line 361
117.		<i>(c) improving inter-agency cooperation and, at Union level, between the Member States</i>		Council: As above EP technical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>themselves, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand, as well as at national level among the competent national authorities in each Member State;</i> [AM50]		See line 362
118.		<i>3. The Fund shall contribute to the specific objective set out in Article 3(2)(c) by focusing on the following implementation measures:</i> [AM50]		Council: As above EP technical See line 363
119.		<i>(a) increasing law enforcement training, exercises and mutual learning, notably by including elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism, specialised exchange programmes between Member States, including for junior law enforcement staff, and sharing of best practice including with third countries and other relevant actors;</i> [AM50]		Council: As above EP technical? See line 364
120.		<i>(b) exploiting synergies by pooling resources and knowledge among Member</i>		Council: As above EP Technical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, common operational support centres for jointly conducted operations, or the sharing of best practices in preventing crime at the local level; [AM50]</i>		See line 365
121.		<i>(c) promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and developing partnerships between public authorities and other relevant actors to this effect; [AM50]</i>		Council: As above EP Technical (linguistic adjustment of the text; substance = CION/CSL) See line 366
122.		<i>(d) acquiring relevant equipment and setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats; [AM50]</i>		Council: As above EP Technical (=CION) See line 367 part 1

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
123.		<i>(e) detecting, assessing and closing vulnerabilities in critical infrastructure and IT equipment with high market penetration in order to prevent attacks against information systems and critical infrastructure, for instance by code auditing of free and open source software, by establishing and supporting bug bounty programmes, or by penetration testing.</i> [AM50]		Council: As above EP Technical TM 19/11/2019 EP – focus on vulnerabilities; to suggest wording Council – flexible on critical infrastructure, ‘IT equipment’ is too broad as cyber security is not in the scope of the ISF regulation CION – flexible regarding inclusion of “critical infrastructure” but should be moved to a different part; hesitant concerning addition of IT equipment (important to stay within limits of this regulation); See line 367 part 2
124.		<i>4. The Fund shall contribute to the achievement of the specific objective set out in Article 3(2)(c a) by focusing on the following implementation measures:</i> [AM50]		Council: As above EP Linked to outcome of discussion on line 104 See line 367 part 3

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
125.		<i>(a) improving cooperation and coordination among the intelligence services of the Member States and between these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations and threat assessment; [AM50]</i>		Council: As above EP linked to outcome of discussion on line 104 See line 367 part 4
126.		<i>(b) the exchange of and training of intelligence officers. [AM50]</i>		As above EP linked to outcome of discussion on line 104 See line 367 part 4
127.	<i>Article 4</i> Scope of support	<i>Article 4</i> Scope of support	<i>Article 4</i> Scope of support	Identical - provisionally agreed
128.	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 with the implementation measures listed in Annex II <i>Article 3 a</i> , the Fund shall in particular support <i>actions that contribute to the achievement of the objectives referred to in</i>	1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall <i>support actions such as those</i> in particular support the actions listed in Annex III.	T, H – the same approach to be maintained in all three files. EP, Council: Annex III to be considered as a non-closed list.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>Article 3. They may include</i> the actions listed in Annex III. [AM51]		CION: Proposes "such as in particular". Primary focus on list in Annex III. CION compromise drafting: 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 measures such as those the actions listed in Annex III. <u>CNS: could agree to COM drafting</u>
129.	2. To achieve the objectives of this Regulation, the Fund may support the actions in-line with Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5.	2. To achieve the objectives <i>referred to in Article 3</i> of this Regulation, the Fund may <i>in exceptional cases, within defined limits and subject to appropriate safeguards</i> , support 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. [AM52]	2. To achieve the objectives of this Regulation, the Fund may support the actions in-line with Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5 15a .	T, H – the same approach to be maintained in all three files.
130.		2 a. The total amount of funding for supporting actions in or in relation to third countries under the thematic		Council: T → P EP: H, P

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>facility in accordance with Article 8 shall not exceed 2% of the total amount allocated to the thematic facility under Article 7(2)(b) [AM53]</i>		EP: Critical on any kind of expenditure in third countries (outsourcing, question of fundamental rights). Council, CION: Internal security depends on external factors. Percentage very restrictive. There are requirements in the CPR on management and control system (managing authorities have to verify that projects comply with applicable law) and on legality and regularity of expenditure which apply in the same way to actions implemented in the EU and outside of the EU as firewalls.
131.		<i>2 b. The total amount of funding for supporting actions in or in relation to third countries under the Member States' programmes in accordance with Article 12 shall not exceed, for each Member State, 2% of the total amount allocated to that Member State in accordance with Article</i>		See above.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		7(2)(a), Article 10(1) and Annex I. [AM54]		
			2a. <i>Multipurpose equipment and ICT systems financed under this Fund may be used for achieving the objectives of the Instrument for financial support for border management and visa established by Regulation (EU) No ...[BMVI], as long as the primary purpose of those equipment and ICT systems is in accordance with this Regulation and double-financing is avoided.</i>	EP: Need for discussion on links with line 136; should be turned into a recital. CION: doesn't support the Council amendment
132.	3. The following actions shall not be eligible:	3. The following actions shall not be eligible:	3. The following actions shall not be eligible:	Provisionally agreed EP: Linguistic change - equipment is not an action New text: "The following actions shall not be eligible:"
133.	(a) actions limited to the maintenance of public order at national level;	(a) actions limited to, <i>or mainly consisting of</i> , the maintenance of public order at national level;[AM55]	(a) actions limited to the maintenance of public order at national level;	T Council: to reflect with MS on the proposed further restriction of scope by EP, multi-purpose actions should be eligible, take into account emergency situations

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				EP: sticks to its position CION: to propose new wording, (difficult to assess what means “mainly”) CION compromise drafting: 3. (a) actions projects limited to projects aimed at the maintenance of public order at national level;
134.	(b) actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	(b) actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	(b) — actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	T Council: provision is too limiting if as well percentages for all kinds of equipment apply, related also to outcome of debate on (a) EP, CION: standard equipment should not be eligible
135.	(c) actions with a military or defence purpose;	(c) actions with a military or defence purpose;	(c) actions with a military or defence purpose;	Provisionally agreed
136.	(d) equipment of which at least one of the purposes is customs control;	(d) equipment of which at least one of the purposes the main purpose is customs control; [AM56]	(d) equipment of which at least one of the primary purposes is customs control;	T, H EP, Council: pending outcome of negotiations on BMVI, in principle agree, LL to propose wording

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				CION: flexible on this
137.	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	Provisionally agreed
138.	(f) informant rewards and flash money ⁷¹ outside the framework of an EMPACT action.	(f) informant rewards and flash money ⁷² outside the framework of an EMPACT action.	(f) informant rewards and flash money ⁷³ outside the framework of an <i>EU policy cycle operational action</i> EMPACT action.	T CSL text provisionally agreed
139.	Where an emergency situation occurs, non-eligible actions referred to in this paragraph may be considered eligible.	Where an emergency situation occurs, non-eligible actions referred to in this paragraph <i>points (a) and (b) of the first subparagraph</i> may be considered eligible. [AM57]	Where an emergency situation occurs, non-eligible actions referred to in this paragraph may be considered eligible.	T EP: sticks to its position; military actions are very sensitive COM: H with BMVI but open to EP changes Council: all points, including actions with military purpose should remain eligible in emergency situations

⁷¹ 'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.

⁷² 'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.

⁷³ ~~'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.~~

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
140.	<i>Article 5</i> Eligible entities	<i>Article 5</i> Eligible entities	<i>Article 5</i> Eligible entities	T, H (the location and content), CSL: CPR covers shared management - moved to article 15a (lines 240ff) CION: confirmed that CPR covered shared management; supports moving this article to the section on (in)direct management; EP: accepts argument; location to be discussed horizontally
141.	1. The following entities may be eligible:	1. The following entities may be eligible:	1. — The following entities may be eligible:	Text provisionally agreed, pending agreement on location
142.	(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:	Text provisionally agreed, pending agreement on location
143.	(i) a Member State or an overseas country or territory linked to it;	(i) a Member State or an overseas country or territory linked to it;	(i) — a Member State or an overseas country or territory linked to it;	Text provisionally agreed, pending agreement on location
144.	(ii) third country listed in the work programme under the conditions specified therein.	(ii) <i>a</i> third country listed in the work programme under the conditions specified therein, <i>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</i>	(ii) — third country listed in the work programme under the conditions specified therein.	T → P, H CSL asks for explanation in political trilogue on fundamental rights and international obligations, reflected differently in BMVI and other files

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>Fundamental Rights of the European Union and the international obligations of the Union and the Member States.</i> [AM58]		EP: flexible on wording, but need to reflect concerns on respect for fundamental rights COM: T+ H Proposed EP addition focuses on eligibility of actions, not entities If paragraph 3 is a condition to be read with point (a)(ii), see line 147
145.	(b) any legal entity created under Union law or any international organisation.	(b) any legal entity created under Union law or any <i>relevant</i> international organisation. [AM59]	(b) any legal entity created under Union law or any international organisation.	T, H Council: as above; flexible, but could be unclear what “relevant” means EP: more specification for eligibility required; to check internally COM: T + H, opposes addition of “relevant” to be future-proof
146.	2. Natural persons are not eligible.	2. Natural persons are not eligible.	2. Natural persons are not eligible.	COM: T + H Provisionally agreed pending agreement on location
147.	3. Legal entities established in a third country are exceptionally eligible to participate where this is	3. Legal entities established in a third country are exceptionally eligible to participate where this is	3. Legal entities established in a third country are exceptionally eligible to participate where this is	Council: T, H, EP addition could cause delays

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	necessary for the achievement of the objectives of a given action.	necessary for the achievement of the objectives of a given action, <i>following approval by the Commission.</i> [AM60]	necessary for the achievement of the objectives of a given action.	CION: not needed if provision applies only to direct and indirect management. Consultation would be more appropriate in order to avoid double funding. To check CPR wording. If paragraph 3 only refers to countries listed in the work programme (par. 1 a ii), then reference to this paragraph should be added there. But if a third country not listed in a work programme is meant, then it should be added as point iii.
148.	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 <i>in</i> overseas countries or territories linked to those states or in third countries , are eligible. [AM61]	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.	Council: T, H EP deletion limiting, Council would like to see examples; EP: H, confusing with 1. a (ii) and 3., where word “exceptionally” is used; CION: according to current practice third country entities beneficiaries only in consortia with entities from MS
149.	CHAPTER II	CHAPTER II	CHAPTER II	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	FINANCIAL AND IMPLEMENTATION FRAMEWORK	FINANCIAL AND IMPLEMENTATION FRAMEWORK	FINANCIAL AND IMPLEMENTATION FRAMEWORK	
150.	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	Provisionally agreed
151.	<i>Article 6</i> General principles	<i>Article 6</i> General principles	<i>Article 6</i> General principles	Provisionally agreed
152.	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing added value to the objectives of this Regulation.	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing <i>European</i> added value to the objectives of this Regulation. [AM62]	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing added value to the objectives of this Regulation.	Provisionally agreed New text: “Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing <i>Union</i> added value to the objectives of this Regulation.” Council: T EP: Technical, horizontal COM: T + H
153.	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	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	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	Council: T, double wording with CPR EP: Technical, horizontal LL to propose text

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	complementary to other Union instruments.	complementary to other Union <i>national</i> instruments <i>and coordinated with other instruments of the Union, in particular actions carried out under other Union funds.</i> [AM63]	complementary to other Union instruments.	COM: T + H, in principle ok
154.	3. The Fund shall be implemented under 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 under 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 under shared, direct or indirect management in accordance with Articles 62(1)(a), (b) and (c) of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation.	Provisionally agreed T COM: T + H
155.	<i>Article 7 Budget</i>	<i>Article 7 Budget</i>	<i>Article 7 Budget</i>	
156.	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 500 000 000 in current prices.	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 209 725 000 in 2018 prices (EUR 2 500 000 000 in current prices). [AM64]	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be [EUR 2 500 000 000] in [current prices].	EP: Technical TM 4/11 No Council mandate
157.	2. The financial envelope shall be used as follows:	2. The financial envelope shall be used as follows:	2. The financial envelope shall be used as follows:	
158.	(a) EUR 1 500 000 000 shall be allocated to the programmes implemented under shared management;	(a) <i>EUR 1 325 835 000 in 2018 prices</i> (EUR 1 500 000 000 <i>in current prices</i>) shall be allocated to the programmes	(a) [EUR 1 500 000 000] shall be allocated to the programmes implemented under shared management;	EP: Technical.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		implemented under shared management; [AM65]		Council: TM 4/11 no mandate, question on using both 2018 and current prices
159.	(b) EUR 1 000 000 000 shall be allocated to the thematic facility.	(b) EUR 883 890 in 2018 prices (EUR 1 000 000 000 in current prices) shall be allocated to the thematic facility.[AM 66]	b) [EUR 1 000 000 000] shall be allocated to the thematic facility.	EP: Technical Council: TM 4/11 no mandate
160.			<i>/2a. The above amounts include a dedicated, significant component for external migration management/</i> ⁷⁴ .	EP: Political. TM 4/11 No Council mandate
161.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	Provisionally agreed
162.	<i>Article 8</i> General provisions on the implementation of the thematic facility	<i>Article 8</i> General provisions on the implementation of the thematic facility	<i>Article 8</i> General provisions on the implementation of the thematic facility	Provisionally agreed
163.	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared,	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared,	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared,	Provisionally agreed

⁷⁴ *The external dimension of migration is a horizontal aspect of the negotiations on the MFF 2021-2027. The sentence between brackets reflects the current wording included in the Negotiating box and this without prejudice of the final outcome of the ongoing discussions. A substantial number of Member States indicated that the external dimension of migration should be funded by the thematic facility.*

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	
164.	(a) specific actions;	(a) specific actions;	(a) specific actions;	Provisionally agreed
165.	(b) Union actions; and	(b) Union actions; and	(b) Union actions; and	Provisionally agreed
166.	(c) emergency assistance.	(c) emergency assistance.	(c) emergency assistance.	Provisionally agreed
167.	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.	Provisionally agreed
168.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or to 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 to be used to respond to urgent needs, in line with agreed Union priorities as outlined in <i>Article 3 a, for specific measures such as those listed in Annex H III, or to support measures in accordance with Article 19. The allocation of resources of the thematic facility among the different priorities shall, as far as possible, be proportionate to challenges and needs so as to</i>	2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II.	Council: T, H (the place of actions) EP: Political, horizontal, depends on agreement where implementation measures will be placed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>ensure that the objectives of the Fund can be met.</i> [AM67]		
169.		<i>2 a. The funding from the thematic facility shall be allocated as follows:[AM68]</i>		Council: T → P Council doesn't agree with minimum percentages, situations and needs of MS differ, some countries might focus only on one or some specific objectives, split of small programme into more objectives might lead to ineffectiveness EP: Political, need to focus on enforcement and implementation of EU legislation
170.		<i>a) a minimum of 10 % to the specific objective referred to in point (a) of Article 3(2); [AM68]</i>		Council: T → P EP: Political See line 169
171.		<i>b) a minimum of 10 % to the specific objective referred to in point (b) of Article 3(2); [AM68]</i>		Council: T → P EP: Political See line 169
172.		<i>c) a minimum of 30 % to the specific objective referred to in point (c) of Article 3(2); [AM68]</i>		Council: T → P EP: Political See line 169
173.		<i>d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2). [AM68]</i>		Council: T → P EP: Political See line 169

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
174.	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>no funding available for projects are not affected by, 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 in doubt as a result of</i> a reasoned opinion issued by the Commission in respect of an infringement <i>procedure</i> under Article 258 TFEU of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects. [AM69]	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.	T, H To be aligned with BMVI EP suggestion for new wording (discussed at TM on horizontal issues): "When funding from the thematic facility is granted in direct or indirect management to Member States, <i>no projects</i> which are affected by a reasoned opinion by the Commission in respect of an infringement <i>proceedings</i> under Article 258 TFEU that puts at risk the legality and regularity of expenditure or the performance of <i>those</i> projects <i>shall be selected.</i> "
175.	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No [CPR], assess whether the foreseen actions are not affected by a reasoned opinion by	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No X [CPR], assess whether the foreseen actions are not affected by <i>ensure that no</i>	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No [CPR], assess whether the foreseen actions are not affected by a reasoned opinion by	T, H To be aligned with BMVI EP suggestion for new wording: "When funding from the thematic facility is granted in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	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.	<i>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 in doubt as a result of</i> a reasoned opinion <i>issued</i> by the Commission in respect of an infringement <i>procedure</i> under Article 258 <i>TFEU</i> . of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects [AM70]	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.	Regulation (EU) No X [CPR],, <u>no 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 puts at risk the legality and regularity of expenditure or the performance of <u>those</u> projects <u>shall be selected.</u> " <u>The Commission proposes the following possible compromise (to be discussed at TM on horizontal issues):</u> <u>"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 Commission shall, that 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</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>expenditure or the performance of the projects."</u> <u>To wait for outcome of negotiations on CPR to find appropriate wording.</u>
176.	5. The Commission shall establish the overall amount made available for the thematic facility at 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 the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations.	5. The Commission shall establish the overall amount made available for the thematic facility at under the annual appropriations of the Union budget. The Commission shall financing decisions <i>be empowered to adopt delegated acts in accordance with Article 28 in order to supplement this Regulation by laying down work programmes</i> as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. <i>Before the adoption of a work programme, the Commission shall consult relevant stakeholders, including civil society organisations. Work</i>	5. The Commission shall establish the overall amount made available for the thematic facility at under the annual appropriations of the Union budget. The Commission shall <i>by means of implementing acts</i> adopt financing decisions as referred to in Article [110] of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to 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</i>	Council: T → P, H, if to be aligned with BMVI, paragraph to be split after "Union budget"; introduce implementing acts with examination procedure (status quo under Regulation (EU) 514/2014) EP: P, H, ok to split paragraph after "Union Budget" (alignment with BMVI); sticks to delegated acts; CION: both delegated and implementing acts to cause delays; suggests instead a sort of consultation; separate WP for emergency assistance is implicitly covered by par. 5 (financing decisions)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>programmes</i> Financing decisions shall set out, where applicable, the overall amount reserved for blending operations. To ensure a timely availability of resources, the Commission may separately adopt a work programme for emergency assistance. [AM71]	<i>examination procedure referred to in Article 29(2).</i>	
177.	6. Following the adopting of the financing decision as referred to in paragraph 3, the Commission may amend the programmes implemented under shared management accordingly.	6. Following the adopting decision work programme as referred to in paragraph 3 5 , the Commission may amend the programmes implemented under shared management accordingly.[AM72]	6. Following the adopting of the financing decision as referred to in paragraph 5 3 , the Commission may amend the programmes implemented under shared management accordingly.	P, T, H Linked to delegated/implementing acts - see line 176.
178.	7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	7. These financing decisions work programmes may be annual or multiannual and may cover one or more components of the thematic facility.[AM73]	7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	P, T, H Linked to delegated/implementing acts - see line 176.
179.	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	Provisionally agreed
180.	<i>Article 9 Scope</i>	<i>Article 9 Scope</i>	<i>Article 9 Scope</i>	Provisionally agreed
181.	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	
182.	2. Support under this section shall be implemented under shared management in accordance with Article 63 of the Financial Regulation and the Regulation (EU) No [CPR].	2. Support under this section shall be implemented under shared management in accordance with Article 63 of the Financial Regulation and the Regulation (EU) No [CPR].	2. Support under this section shall be implemented under shared management in accordance with Article 63 of Regulation (EU, Euratom) 2018/1046 the Financial Regulation and the Regulation (EU) No [CPR].	Provisionally agreed
183.	<i>Article 10</i> Budgetary resources	<i>Article 10</i> Budgetary resources	<i>Article 10</i> Budgetary resources	Provisionally agreed
184.	3. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	3. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	3.1. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	Provisionally agreed
185.	(a) EUR 1 250 000 000 to the Member States in accordance with the criteria in Annex I;	(a) EUR 1 250 000 000 to the Member States in accordance with the criteria in Annex I;	(a) [EUR 1 250 000 000] to the Member States in accordance with the criteria in [Annex II];	TM 4/11 No Council mandate
186.	(b) EUR 250 000 000 to the Member States for the adjustment of the allocations for the	(b) EUR 250 000 000 to the Member States for the adjustment of the allocations for the	(b) [EUR 250 000 000] to the Member States for the adjustment of the allocations for the	TM 4/11 No Council mandate

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	programmes as referred to in Article 13(1).	programmes as referred to in Article 13(1).	programmes as referred to in Article 13(1).	
187.	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	To be discussed later
188.	<i>Article 11</i> Co-financing rates	<i>Article 11</i> Co-financing rates	<i>Article 11</i> Co-financing rates	Provisionally agreed
189.	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.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	Provisionally agreed,
190.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	Provisionally agreed
191.	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 may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	Provisionally agreed
192.	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.	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
193.	5. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for emergency assistance.	5. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for emergency assistance.	5. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for emergency assistance.	Provisionally agreed
194.		<i>5 a. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.</i> [AM74]	<i>5a. Within the limits set out in Article 30(5)(v) of Regulation (EU) No [CPR], technical assistance of Member States may be financed up to 100 % of the Union budget contribution.</i>	T, H EP, Council - agree in principle to keep current practice Proposed wording: <i>The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States within the limits set out in Article 30(x)(x) of Regulation (EU) No [CPR].</i> CION: H, co-funding rates should be mentioned, to align with CPR
195.	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	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	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	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	actions referred to in paragraphs 1 to 5.	actions referred to in paragraphs 1 to 5.	actions referred to in paragraphs 1 to 5.	
196.	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 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 <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> :	T, H CSL: “each type of action” as outlined in par. 1-5 EP: CPR refers to specific objectives
197.	(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	Provisionally agreed Deletion of “or” depends on result of 196
198.	(b) the public contribution only.	(b) the public contribution only.	(b) the public contribution only.	Provisionally agreed
199.	<i>Article 12</i> Programmes	<i>Article 12</i> Programmes	<i>Article 12</i> Programmes	Provisionally agreed
200.	1. Each Member State shall ensure that the priorities addressed in its programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set	1. Each Member State <i>and the Commission</i> shall ensure that the priorities addressed in its <i>the national</i> programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementation measures as	1. Each Member State shall ensure that the priorities addressed in its programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set	CSL: open COM: T + H, <u>would like to align with AMF and BMVI</u> , will propose wording, “ensure” too strong EP: no intention to introduce new procedure but to reflect CPR; proposal to reverse the order of sentences to make the sequence of the stages clearer:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	out in Annex II are adequately addressed in the programme.	set out in Annex II Article 3 a are adequately addressed in the programme.[AM75]	out in Annex II are adequately addressed in the programme.	1. In defining the priorities of their [national] programmes, Member States shall ensure that the implementation measures as set out in Annex II Article 3 a are adequately addressed. Each Member State, and the Commission at the stage of approval , shall ensure that the priorities addressed in its the national programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union acquis and agreed Union priorities. [AM75]
201.		1 a. When assessing the national programs of the Member States, the Commission shall ensure that the planned actions are not affected by a reasoned opinion that it has delivered concerning an infringement under Article 258 TFEU relating to the legality and regularity of expenditure or the execution of projects. [AM76]		T, maybe P Also H Council: related to 174, 175, CPR text sufficient CION: Art. 67 CPR refers to implementation phase, not planning; programme does not provide sufficient level of detail regarding actions; if infringement procedures for not implementing legislation started, funding can help MS to address deficiencies

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
202.		<i>1 b. Member States shall allocate the resources for their national programmes as follows: [AM77]</i>		T → P Council: no minimum percentages
203.		<i>a) a minimum of 10% to the specific objective referred to in point (a) of Article 3(2); [AM77]</i>		T → P Council: no minimum percentages
204.		<i>b) a minimum of 10 % to the specific objective referred to in point (b) of Article 3(2); [AM77]</i>		T → P Council: no minimum percentages
205.		<i>c) a minimum of 30 % of the to the specific objective referred to in point (c) of Article 3(2); [AM77]</i>		T → P Council: no minimum percentages
206.		<i>d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2)(c a). [AM77]</i>		T → P Council: no minimum percentages
207.		<i>1 c. Member States wishing to derogate from paragraph 1b shall inform the Commission accordingly and shall assess, together with the Commission, whether those minimum percentages should be amended because of particular circumstances affecting internal security. Any such amendments</i>		T, H Council: no minimum percentages EP: paragraph included in other programmes CION: formulation “particular circumstances affecting internal security” too limiting

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>shall be approved by the Commission.</i> [AM78]		
208.	2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the development of the programmes at an early stage, as regards the areas of their competence. Specifically, Member States shall consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps.	2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL), <i>the European Union Agency for Criminal Justice Cooperation (Eurojust), the European Public Prosecutor's Office (EPPO), the European Union Network and Information Security Agency (ENISA), the European Agency for the operational management of large-scale IT Systems (eu-LISA), the European Border and Coast Guard Agency (EBCGA), the European Union Agency for Fundamental Rights (FRA)</i> and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the <i>involved in the programme</i> development of the programmes at an early stage <i>from the outset</i>, as regards the areas of their competence. Specifically, Member States shall	2. <i>At an early stage of the programming,</i> the Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the development of the programmes consulted at an early stage, as regards the areas of their competence.	Council: T, H, including all agencies would delay preparation and implementation, unclear how relevance would be determined; civil society covered by partnership in CPR EP: Technical → Political, sticks to its position; several agencies initially not included are relevant COM: T + H, agencies need the necessary mandate, it might stretch their resources; consult only if relevant; in CPR discussions on new enabling condition on partnership

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps. <i>Members States shall also consult other relevant stakeholders, including civil society organisations, on the planning of their actions.</i> [AM79]		
209.			2a. Specifically <i>In order to avoid overlaps</i> , Member States shall consult <i>inform</i> Europol, or EMCDDA or CEPOL on the design of their actions <i>when including in their programmes EU Policy Cycle operational actions or other actions related to the areas of competence of the abovementioned agencies in particular when including EU policy cycle or EMPACT actions or actions coordinated by the</i>	Council: T EP: Technical → Political Split of paragraph and Council rewording on EU Policy Cycle in principle ok COM: T + H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps.	
210.	3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) where appropriate in the monitoring and evaluation tasks as specified in Section 5 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 Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) Agencies referred to in paragraph 2 , the European Data Protection Board and the European Data Protection Supervisor (EDPS) where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund, which fall within their mandate , are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.[AM80]	3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) where appropriate in the monitoring and evaluation tasks as specified in Section 5 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.	Council: T, to reflect, depending on the outcome of 208 and 209, EP: Technical → Political See line 208 COM: T + H, lack of resources of agencies, EDPB more relevant than EDPS

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
211.	4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases.	4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may only be exceeded only in duly justified cases and following approval by the Commission. [AM81]	4. A maximum of 15 50% of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases. <i>This ceiling shall not apply to ICT equipment.</i>	T → P Council: related to standard equipment issue, does not wish ceiling for ICT EP: to reflect; need to align terminology throughout the text (ICT) CION: opposes higher percentage and unlimited ICT funding; open to explore higher ceiling;
212.	5. In their programmes, Member States shall give priority to addressing:	5. In their programmes, Member States shall give priority to addressing:	5. In their programmes, Member States shall give priority to addressing:	Provisionally agreed
213.	(a) Union priorities and <i>acquis</i> in the area of security in particular information exchange and interoperability of IT systems;	(a) Union priorities and <i>acquis</i> in the area of security in particular <i>the coordination and cooperation between law enforcement authorities and the efficient exchange of relevant and accurate</i> information exchange and <i>the implementation of the components of the framework for interoperability of EU information</i> IT systems;[AM82]	(a) Union priorities and <i>acquis</i> in the area of security in particular information exchange and interoperability of ICT systems;	T Council: will analyse further EP: "interoperability of ICT" system is an unknown term, unlike "interoperability of IT systems" for which there is a definition CION: EP amendment is less clear than original proposal; it copies objective 2a. Will reflect

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				further; submit a redraft (see below) CION compromise drafting (19/12): "Union priorities and <i>acquis</i> in the area of security in particular the efficient exchange of relevant and accurate information exchange and the implementation of the components of the framework for interoperability of EU Information IT Systems;"
214.	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	T Council: All recommendations which are relevant should be addressed. EP: to reflect; "in the area of police cooperation" could be replaced with "falling within the scope of this regulation" CION: Possible to change to "law enforcement cooperation" CION compromise drafting (19/12): "(b) recommendations with financial implications made in

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;"</u>
215.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	Provisionally agreed
216.	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5 and the progress in achieving the milestones and targets as assessed in the annual performance reports as referred to in Article 26(2)(a). Depending on the impact of the adjustment, the revised programme may shall be approved by the Commission in line with the procedure set out in Article 19 of Regulation (EU) No X [CPR]. [AM83]	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.	T COM: T + H EP: Achievement of milestones and targets should be taken into account. CION: Targets are not revised. Agreed: the question of "may" or "shall" shall be left to the legal experts
217.	7. Member States shall pursue in particular the actions	7. Member States shall pursue in particular the actions	7. Member States may shall pursue in particular the actions	T COM: T + H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	listed in Annex IV. In the event of 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 28 to amend Annex IV.	listed in Annex IV. In the event of 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 28 to amend Annex IV.	listed in Annex IV. In the event of 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 28 to amend Annex IV.	Council: don't want to unnecessarily limit MS' room of manoeuvre EP: stick to CION proposal, linked to higher co-financing;
218.	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. Whenever a Member State decides to implement projects with <i>in</i> or in <i>relation to</i> a third country <i>as referred to in Article 5</i> , with the support of the Fund, the Member State concerned shall consult the Commission prior to the start of the project. <i>The Commission shall assess the complementarity and coherence of the projects envisaged with the other actions of the Union and the Member States, in relation to the third country concerned. The Commission shall also check the conformity of the proposed projects with the fundamental rights requirements referred to in Article 3(4).</i> [AM84]	8. Whenever a Member State decides to implement <i>new</i> projects with or in a third country, with the support of the Fund, the Member State concerned shall <i>inform</i> consult the Commission prior to the <i>approval</i> start of the project.	T → P, H Council: changes proposed in order to exclude projects already running and to avoid time lapses. EP: "consult" should stay; can be flexible regarding the timing of the consultation CION: flexible on "new" and "approval".
219.	9. Programming as referred to in Article 17(5) of Regulation	9. Programming as referred to to In <i>accordance with</i> Article	9. Programming as referred to in Article 17(5) of Regulation	T

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	(EU) No [CPR] shall be based on the types of intervention set out in Table 1 of Annex VI.	17(5) 17 of Regulation (EU) No X [CPR] , each 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 an indicative breakdown of the programmed resources by type of intervention or area of support. [AM85]	(EU) No [CPR] shall be based on the types of intervention set out in Table 24 of Annex VI.	Council: EP amendment seems ok; CION should propose redraft. Will get back re Table 1 or 2. EP: insists on explicit mention of "indicative breakdown"; could be redrafted: "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 24 of Annex VI and include an indicative breakdown of the programmed resources by type of action. " CION: to redraft re indicative breakdown.
220.	<i>Article 13</i> Mid-term review	<i>Article 13</i> Mid-term review	<i>Article 13</i> Mid-term review	Not bracketed in ISF, but in the other two files. COM: Should not at least discuss this at technical level? TM 13/11/19: Council has no mandate
221.	1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance	1. In 2024, after informing the European Parliament , the Commission shall allocate to the programmes of the Member States concerned the additional	1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance	See above

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025. [AM86]	with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	
222.	2. If at least 10 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.	2. If at least 10 30 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No X [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1. [AM87]	2. If at least 10 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.	See above
223.		<i>2a. Paragraph 2 shall apply only if the relevant regulatory framework and related acts are in force on 1 January 2022.</i> [AM 160]		See above
224.	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in	See above

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Article 12 of Regulation (EU) No [CPR] and identified implementation shortcomings.	Article 12 of Regulation (EU) No X [CPR] and identified implementation shortcomings. [AM88]	Article 12 of Regulation (EU) No [CPR] and identified implementation shortcomings.	
225.	<i>Article 14</i> Specific actions	<i>Article 14</i> Specific actions	<i>Article 14</i> Specific actions	Provisionally agreed
226.	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 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 in line with the objectives of this Regulation for which one, several or all Member States may receive an additional allocation to their programmes.	Provisionally agreed
227.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	Provisionally agreed
228.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	through the amendment of the programme.	through the amendment of the programme.	through the amendment of the programme.	
229.	<i>Article 15</i> Operating support	<i>Article 15</i> Operating support	<i>Article 15</i> Operating support	Provisionally agreed
230.	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 <i>insofar as they contribute to ensuring a high level of security in the Union as a whole.</i> [AM89]	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.	T Council: hesitant to "as a whole" EP: could be flexible on "as a whole".
231.	2. A Member State may use up to 10 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	2. A Member State may use up to 10 20 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union. [AM90]	2. A Member State may use up to 10-30 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	T → P Also H in the sense that all three files have operating support. Council: IT systems, PNR, interoperability, maintenance, are all outside of the scope. TM 19/11: COM: maintenance of IT systems was outside the scope in 2014-2020, has been incl. for post 2020 (see line 488)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
232.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	Provisionally agreed
233.	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms.	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as: the Schengen evaluation mechanism, <i>the vulnerability and risk assessment by the European Border and Coast Guard Agency (EBCGA)</i> and other quality control and evaluation mechanisms, <i>as applicable.</i> [AM91]	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms.	T Council: Re the reports: technical (linguistic) change proposed in CPR; come back to this when discussing Art. 26 EBCGA concerns more BMVI EP: to reflect on addition re EBCGA CION: to check with colleagues, clarify at next meeting: <u>19/12: In principle, EBCGA vulnerability assessments have only limited relevance for Security. Also, they are EU classified information, so it would be difficult for us to take them on board when assessing the baseline situation for each national programme, so the original COM drafting should remain.</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
234.	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 actions as laid down in Annex VII. [AM92]	5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.	T terminology
235.	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 28 to amend the 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 28 to amend the 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 28 to amend the specific tasks and services in Annex VII.	Provisionally agreed
236.		<i>Article 15a</i> [AM93]		T, H
237.		<i>Visibility, transparency and communication</i> [AM93]		T, H
238.		<i>The recipients of Union financing shall comply fully with the visibility, transparency and communication requirements set out in Regulation (EU) No X [CPR].</i> [AM93]		T, H CION: Not "recipients" but "beneficiaries" Should be careful not to deviate from CPR.
239.	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	See lines 140-148
240.			<i>Article 15a Eligible entities</i>	T, H As above

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
241.			<i>1. The following entities may be eligible:</i>	T, H As above
242.			<i>(a) legal entities established in any of the following countries:</i>	T, H As above
243.			<i>(i) a Member State or an overseas country or territory linked to it;</i>	T, H As above
244.			<i>(ii) third country listed in the work programme under the conditions specified therein.</i>	T → P, H As above
245.			<i>(b) any legal entity created under Union law or any international organisation.</i>	T, H As above
246.			<i>2. Natural persons are not eligible.</i>	T, H As above
247.			<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>	T → P, H As above
248.			<i>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</i>	T → P, H As above

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			or in third countries, are eligible.	
249.	<i>Article 16 Scope</i>	<i>Article 16 Scope</i>	<i>Article 16 Scope</i>	Provisionally agreed
250.	Support under this section 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 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 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.	T Update of reference Provisionally agreed
251.	<i>Article 17 Union actions</i>	<i>Article 17 Union actions</i>	<i>Article 17 Union actions</i>	Provisionally agreed
252.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	Provisionally agreed
253.	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.	Provisionally agreed
254.	3. Union actions may provide funding in any of the forms laid down in the Financial	3. Union actions may provide funding in any of the forms laid down in the Financial	3. Union actions may provide funding in any of the forms laid down in Regulation	T

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	(EU, Euratom) 2018/1046 the Financial Regulation , in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	Update of reference Provisionally agreed
255.		3 a. Decentralised agencies may also be eligible for funding available within the framework of Union actions in order to support transnational actions with European added value. [AM94]		Council: T, H(?) EP: Technical → Political - additional resources needed for agencies for unforeseen important tasks COM: (only in ISF) Council: Agencies are already included under emergency support CION: Should be decided by budgetary authority
256.	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.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of Regulation (EU, Euratom) 2018/1046 the Financial Regulation .	T Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
257.	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.	Provisionally agreed
258.	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 X [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 X [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 Regulation (EU, Euratom) 2018/1046 the Financial Regulation. The provisions laid down in [Article X of] Regulation X [successor of the Regulation on the Guarantee Fund] shall apply.	Council: T, H(?) EP: Technical Update of reference Provisionally agreed
259.	<i>Article 18</i> Blending operations	<i>Article 18</i> Blending operations	<i>Article 18</i> Blending operations	Provisionally agreed
260.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁷⁵ and Title X of the Financial Regulation.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁷⁶ and Title X of the Financial Regulation.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁷⁷ and Title X of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	T Provisionally agreed
261.	<i>Article 19</i>	<i>Article 19</i>	<i>Article 19</i>	Provisionally agreed

⁷⁵ Full reference.⁷⁶ Full reference.⁷⁷ Full reference.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Technical assistance at the initiative of the Commission	Technical assistance at the initiative of the Commission	Technical assistance at the initiative of the Commission	
262.	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, <i>namely preparatory, monitoring, control, audit, evaluation, communication, including corporate communication on the political priorities of the Union in the area of security, visibility and all administrative and technical assistance actions necessary for the implementation of this Regulation and, where appropriate, with third countries</i> , may be financed at the rate of 100%. [AM95]	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%.	T COM: T, H Council: Different wording in BMVI; this should be horizontally aligned EP: cf Art 29 in CPR CION: to get back on this; check Financial Regulation; <u>19/12: This is also horizontal and should stay the same in the 3 Regulations. CPR applies exceptionally also to technical assistance at the initiative of the Commission and the scope of that is defined thereof and specified in detail following EP amendments (article 29 of CPR).</u>
263.	<i>Article 20 Audits</i>	<i>Article 20 Audits</i>	<i>Article 20 Audits</i>	Provisionally agreed
264.	Audits on the use of 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	Audits on the use of 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	Audits on the use of 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	T COM: T, H Update of reference Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].	of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].	of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union] <i>Regulation (EU, Euratom) 2018/1046.</i>	
265.	<i>Article 21</i> Information, communication and publicity	<i>Article 21</i> Information, communication and publicity	<i>Article 21</i> Information, communication and publicity	Provisionally agreed
266.	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 and proportionate targeted information to multiple audiences, including media and the public.	1. The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting <i>promote</i> the actions and their results by providing coherent, effective and proportionate targeted <i>meaningful</i> information to multiple <i>relevant</i> audiences, including media and the public <i>in the relevant language. To ensure the visibility of Union funding, recipients of Union funding shall make reference to its origin when communicating the action. To that end, recipients shall ensure that any communication to the media and the general public displays the Union's emblem and mentions</i>	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 and proportionate targeted information to multiple audiences, including media and the public, <i>except where it is restricted due to its classified or confidential nature, particularly concerning security, public order, criminal investigations and the protection of personal data, according to applicable law.</i>	T, P, H To be discussed at horizontal meeting on 18/11 Council: to reflect on this EP: transparency concerns; to reflect <u>COM compromise proposal (19/12):</u> <u>"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, including the media and the public, having due regard for the requirements of</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>explicitly the Union's financial support.</i> [AM96]		<u>confidentiality and security, in particular the protection of personal data.</u> <u>Accompanying recital: 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 emblem, and explicitly mention the Union's financial support."</u> <u>EP: could agree with this COM proposal if text of recital proposed for paragraph 3 is added to the paragraph 3 of the Article</u> <u>Council: will discuss the COM compromise proposal internally.</u>
267.	2. The Commission shall implement information and communication actions relating	2. <i>To reach the widest possible audience</i> , the Commission shall implement	2. The Commission shall implement information and communication actions relating	T, P, H To be discussed at horizontal meeting on 18/11

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives of this Regulation.	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 regularly.</i> Financial resources allocated to the Fund shall also contribute to the <i>communication, notably</i> corporate communication, of the political priorities of the Union, as far as they are related to the objectives of this Regulation. [AM97]	to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives of this Regulation.	<u>COM compromise proposal (19/12):</u> <u>"To reach the widest possible audience, Commission shall implement information and communication actions relating to this [Fund/instrument], its actions and results. Financial resources allocated to this instrument 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.</u> <u>Accompanying recital (could be added to the recital on Union Actions): The Commission may use financial resources under this [Fund/instrument] to promote best practices and exchange information as regards to the implementation of the instrument."</u> <u>EP: could agree with this COM proposal if text of recital proposed for paragraph 3 is</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>added to the paragraph 3 of the Article</u> <u>Council: will discuss the COM compromise proposal internally.</u>
268.		<i>2 a. The Commission shall publish the information referred to in paragraph 2 in open, machine readable formats that allow data to be sorted, searched, extracted, compared and reused, as set out in Article 5(1) of Directive 2003/98/EC of the European Parliament and of the Council^{1a}. 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. [AM98]</i>		T, H To be discussed at horizontal meeting on 18/11 Council: Open to this but unsure what "open, machine readable" means. EP: to reflect on this. To check ref to Dir 2003/98 SION: not opposed as such, but to the drafting, will check Financial Regulation. <u>COM compromise proposal (19/12):</u> <u>"The Commission shall publish the programmes of the thematic facility. For support provided under direct and indirect</u>

^{1a} 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).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>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.</u> <u>Accompanying recital: 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. This information should be published in open, machine readable format which allows data to be sorted, searched, extracted and compared. It shall be possible to sort the data by specific objective, maximum funding from the EU budget and name of beneficiary."</u> <u>EP: could agree with this COM proposal if text of recital proposed for paragraph 3 is added to the paragraph 3 of the Article</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>Council: will discuss the COM compromise proposal internally and get back</u>
269.	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	Provisionally agreed
270.	<i>Article 22</i> Emergency assistance	<i>Article 22</i> Emergency assistance	<i>Article 22</i> Emergency assistance	Provisionally agreed
271.	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from a security-related incident or newly emerging threat within the scope of this Regulation which has or may have a significant adverse impact on the security of people in one or more Member States;	1. The Fund shall The Commission may decide to provide financial assistance from the Fund to address urgent and specific needs in the event of an a duly justified emergency situation resulting . Those situations can result from a security-related incident, or newly emerging threat or newly detected vulnerability within the scope of this Regulation which has or may have a significant adverse impact on the security of people, public spaces or critical infrastructure in one or more Member States. In such cases, it shall inform the European	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from a security-related incident or newly emerging threat within the scope of this Regulation which has or may have a significant adverse impact on the security of people in one or more Member States;	T, P, H TM 16/10 EP: transparency issue. Wants to be better informed by CION. Council: Linked to transparency and information TM 13/11 Council: Haven't changed substance, just moved it to definitions. Will reflect on EP amendment

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>Parliament and the Council in a timely manner.</i> [AM99]		EP: Too narrow to only refer to "people" CION: to reflect on information to EP, in flexible manner
272.	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.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	Provisionally agreed
273.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the 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.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the 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.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the 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.	Provisionally agreed
274.	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.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	T, H Update of reference Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
275.		<i>4 a. Where necessary for the implementation of the action, emergency assistance may cover expenditure that was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.</i> [AM100]		T, H Council: Open to this EP: taken over from current regime CION: need to cross-check with FR; will reflect further: <u>19/12: This is also horizontal and should stay the same in the 3 Regulations. This EP amendment is taken over from the current horizontal regulation and as such COM could be flexible on this.</u>
276.	<i>Article 23</i> Cumulative, complementary and combined funding	<i>Article 23</i> Cumulative, complementary and combined funding	<i>Article 23</i> Cumulative, complementary and combined funding	
277.	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	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 rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding	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	T COM: T, H <u>TM on horizontal issues: use “action” instead of “operation”</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	shall not exceed the total eligible costs 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.	shall not exceed the total eligible costs of the action operation 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.[AM101]	shall not exceed the total eligible costs 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.	
278.	2. Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:	Actions Operations awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:[AM102]	2. Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:	T COM: T, H <u>TM on horizontal issues: use “action” instead of “operation”</u> <u>COM: “or” should be deleted</u>
279.	(a) they have been assessed in a call for proposals under the Fund;	(a) they have been assessed in a call for proposals under the Fund;	(a) they have been assessed in a call for proposals under the Fund;	
280.	(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;	
281.	(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	
282.	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the	T COM: T, H <u>TM on horizontal issues</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [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.	European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions operations are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.[AM103]	European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [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.	<u>COM: “the Cohesion Fund” and “or the European Agricultural Fund for Rural Development” should be deleted</u>
283.	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	
284.	Sub-section 1 Common provisions	Sub-section 1 Common provisions	Sub-section 1 Common provisions	
285.	<i>Article 24</i> Monitoring and reporting	<i>Article 24</i> Monitoring and reporting	<i>Article 24</i> Monitoring and reporting	
286.	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 information on performance in accordance with Annex V.	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	T COM: T, H <u>TM on horizontal issues: COM to verify if (i) in the COM proposal is correct.</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			performance in accordance with Annex V.	
287.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 28 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 28 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 28 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.	
288.	3. The indicators to report on progress of the Fund, towards the achievement of the specific objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	3. The indicators to report on progress of the Fund, towards the achievement of the specific objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative. <i>Upon request, the Commission shall make the data on the output and result indicators it has received available to the European Parliament and to the Council.</i> [AM104]	3. The indicators to report on progress of the Fund, towards the achievement of the specific objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	T COM: T, H
289.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	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.	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.	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.	
290.	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 28 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.	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 28 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>Qualitative indicators shall be included for the assessment.</i> [AM105]	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 28 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 the content of Annex VIII shall only start to apply in the first accounting year following the year of adoption of the delegated act.</i>	T COM: T, H <u>TM on horizontal issues:</u> <u>EP cannot accept a duration of 18 months for the application of a delegated act.</u> <u>Council to discuss internally</u>
291.	<i>Article 25</i> Evaluation	<i>Article 25</i> Evaluation	<i>Article 25</i> Evaluation	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
292.	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under this Fund.	1. <i>By 31 December 2024,</i> the Commission shall carry out a mid-term and a retrospective <i>present a mid-term</i> evaluation of this Regulation, including the actions implemented under this Fund. <i>The mid-term evaluation shall examine the effectiveness, efficiency, relevance and coherence of the Fund. More specifically, it shall include an assessment of:</i> [AM106]	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under this Fund.	Council: T, H, maybe P EP: Political, Horizontal COM: T, H <u>TM on horizontal issues:</u> <u>EP to suggest a possible compromise</u>
293.		<i>(a) 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> [AM106]		Council: T EP: Political, Horizontal COM: T, H
294.		<i>(b) the European added value of actions and operations implemented under this Fund;</i> [AM106]		Council: T EP: Political, Horizontal COM: T, H
295.		<i>(c) the appropriateness of the implementation measures set out in Article 3 a to address existing and emerging security challenges;</i> [AM106]		Council: T EP: Political, Horizontal COM: T, H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
296.		<i>(d) the longer-term impacts and the sustainability effects of the Fund;</i> [AM106]		Council: T EP: Political, Horizontal COM: T, H
297.		<i>(e) the complementarity and coherence between the actions supported under this Fund and support provided by other Union funds.</i> [AM106]		Council: T EP: Political, Horizontal COM: T, H
298.		<i>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 for the period 2014-2020, the Internal Security Fund-Police. The evaluation shall, as appropriate, be accompanied by a legislative proposal for the revision of this Regulation.</i> [AM106]		Council: T EP: Political, Horizontal COM: T, H
299.		<i>1 a. By 31 January 2030, the Commission shall carry out 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 includes the elements listed in paragraph 1.</i>		Council: T EP: Political, Horizontal COM: T, H TM on horizontal issues 4/12: COM/Council: The date in the CPR is end 2031. This would not

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>In that regard, the longer-term impacts of the instrument shall be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund. [AM107]</i>		<u>allow to have the evaluation ready for the planning of the new funding period</u> <u>EP to consult internally</u>
300.	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR].	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR]. <i>made publicly available and submitted to the Parliament without delay to ensure full transparency. The Commission shall ensure that the evaluations do not include information the dissemination of which may create a risk for the safety or privacy of individuals or jeopardise security operations. [AM108]</i>	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR].	Council: T EP: Technical, Horizontal COM: T, H
301.	Sub-section 2 Rules for shared management	Sub-section 2 Rules for shared management	Sub-section 2 Rules for shared management	
302.	<i>Article 26</i> Annual performance reports	<i>Article 26</i> Annual performance reports	<i>Article 26</i> Annual performance review reports	Council: T EP: Technical, Horizontal

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
303.	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) No [CPR]. The report submitted in 2023 shall cover the implementation of the programme until 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) No X [CPR]. The report submitted in 2023 shall cover the implementation of the programme until 30 June 2022. Member States shall publish those reports on a dedicated website and forward them to the European Parliament and the Council. [AM109]	1. <i>For the purpose of the annual performance review as referred to in article 36 of Regulation (EU).../... [CPR],</i> B 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 a 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.	Council: T EP: Political, Horizontal COM: T, H <u>To be further discussed</u>
304.	2. The annual performance report shall in particular include information on:	2. The annual performance report shall in particular include information on:	2. The annual performance report shall in particular include information on:	Council: T EP: Technical, Horizontal COM: T, H <u>Depends on solution for paragraph 1</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
305.	(a) the 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) No [CPR];	(a) the 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) No [CPR];	(a) the 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) No [CPR];	
306.		<i>(a a) a breakdown of the annual accounts of the national programme into recoveries, pre-financing to final beneficiaries and expenditure actually incurred; [AM110]</i>		Council: T EP: Technical, Horizontal. Linked to Recital (46) - line 64 COM: T, H <u>EP to reflect on amendment</u>
307.	(b) any issues affecting the performance of the programme and the actions taken to address them;	(b) any issues affecting the performance of the programme and the actions taken to address them, <i>including reasoned opinions issued by the Commission in respect of an infringement procedure under Article 258; [AM111]</i>	(b) any issues affecting the performance of the programme and the actions taken to address them;	Council: T EP: Technical, Horizontal COM: T, H <u>Council to consult internally</u>
308.	(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 Fund and support provided by other Union funds, in particular those in or in relation to third countries. [AM112]	(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;	Council: T EP: Technical, Horizontal COM: T, H <u>Council to consult internally</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
309.	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	
310.		<i>(d a) compliance with fundamental rights requirements;</i> [AM113]		Council: T, maybe P EP: Political, Horizontal COM: T, maybe P, H
311.	(e) the implementation of communication and visibility actions;	(e) the implementation of communication and visibility actions;	(e) — the implementation of communication and visibility actions;	Council: T, maybe P EP: Political, Horizontal COM: T, maybe P, H
312.	(f) the fulfilment of the enabling conditions and their application throughout the programming period.	(f) the fulfilment of the enabling conditions and their application throughout the programming period.	(ef) the fulfilment of the enabling conditions and their application throughout the programming period.	
313.	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 within 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 within 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 within that deadline, the report shall be deemed to have been accepted.	Technical, Horizontal Linked to line 304
314.		<i>3 a. Once accepted, the Commission shall make summaries of the annual performance reports available to the European Parliament and the Council and shall publish them on a dedicated website. If</i>		Council: T, P, H EP: Political, Horizontal

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>not forwarded by the Member States in accordance with paragraph 1, the full text of the annual performance reports shall be made available to the European Parliament and to the Council upon request. [AM114]</i>		
315.	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 29(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 29(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 29(2).	Council: T, P, H EP: Political, Horizontal
316.	<i>Article 27</i> Monitoring and reporting	<i>Article 27</i> Monitoring and reporting	<i>Article 27</i> Monitoring and reporting	<u>EP observes that this title appears twice. Can this be changed?</u>
317.	1. Monitoring and reporting, in accordance with Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2 and 3 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered	1. Monitoring and reporting, in accordance with Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2 and 3 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered	1. Monitoring and reporting, in accordance with Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2, and 3 and 4 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered	Council: T, P, H EP: Technical, Horizontal COM: T, H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	to adopt delegated acts to amend Annex VI in accordance with Article 28.	to adopt delegated acts to amend Annex VI in accordance with Article 28.	to adopt delegated acts to amend Annex VI in accordance with Article 28.	
318.	2. The indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	2. The indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	2. The indicators <i>set in Annex VIII</i> shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	Council: T EP: Technical, Horizontal COM: T, H
319.			<i>Article 27a Processing of personal data</i>	Council: T, P, H the whole issue
320.			<i>1. For the purposes of the implementation of the Fund 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>	Council: T, P, H the whole issue EP: Technical, Horizontal
321.			<i>2. The personal data referred to in paragraph 1 shall be retained in accordance with</i>	Council: T, P, H the whole issue EP: Technical, Horizontal

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			<i>Article 76 Regulation (EU).../... [CPR].</i>	
322.	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	
323.	<i>Article 28</i> Exercise of the delegation	<i>Article 28</i> Exercise of the delegation	<i>Article 28</i> Exercise of the delegation	
324.	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.	
325.	2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Articles 8 , 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028. [AM115]	2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.	Council: T EP: Technical, Horizontal COM: T, H
326.	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of 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 <i>Official Journal of the European Union</i> or at a later date specified	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 8 , 12, 15, 24 and 27 at any time. A decision of 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 <i>Official Journal of the European Union</i> or at a later date specified	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of 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 <i>Official Journal of the European Union</i> or at a later date specified	Council: T, P, H the whole issue EP: Technical, Horizontal COM: T, H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	therein. It shall not affect the validity of any delegated acts already in force.	therein. It shall not affect the validity of any delegated acts already in force. [AM116]	therein. It shall not affect the validity of any delegated acts already in force.	
327.	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.	
328.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	
329.	6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 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 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.	6. A delegated act adopted pursuant to Articles 8 , 12, 15, 24 and 27 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 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	6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 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 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.	Council: T, P, H the whole issue EP: Technical, Horizontal COM: T, H

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		Parliament or the Council. [AM117]		
330.	<i>Article 29</i> Committee procedure	<i>Article 29</i> Committee procedure	<i>Article 29</i> Committee procedure	
331.	1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Coordination Committee for the Asylum, and Integration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011 <i>of the European Parliament and of the Council</i> ⁷⁸ .	Council: T, partly P to be solved in AMF EP: Technical, to be aligned with AMF
332.	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 54 of Regulation (EU) No 182/2011 shall apply. <i>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>	Council: T, P EP: Technical, horizontal COM: T, P, H
333.	3. Where the Committee delivers no opinion, the	3. Where the Committee delivers no opinion, the	3. Where the Committee delivers no opinion, the	Council: T, P EP: Technical, horizontal

⁷⁸

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.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).	Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).	Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).	COM: T, P, H
334.	<i>Article 30</i> Transitional provisions	<i>Article 30</i> Transitional provisions	<i>Article 30</i> Transitional provisions	
335.	1. Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	1. Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	1. — Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	Council: T, P EP: Technical, horizontal
336.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	2. — Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	Council: T, P EP: Technical, horizontal
337.	3. 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 Police Instrument of the Internal Security Fund established by Regulation (EU) No 513/2014.	3. 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 Police Instrument of the Internal Security Fund established by Regulation (EU) No 513/2014.	3. 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 Police Instrument of the Internal Security Fund established by Regulation (EU) No 513/2014.	
338.	<i>Article 31</i>	<i>Article 31</i>	<i>Article 31</i>	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	Entry into force and application	Entry into force and application	Entry into force and application	
339.	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> .	
340.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	
341.	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.	
342.	Done at Brussels,	Done at Brussels,	Done at Brussels,	
343.	For the European Parliament The President	For the European Parliament The President	For the European Parliament The President	
344.	For the Council The President	For the Council The President	For the Council The President	
345.	ANNEX I Criteria for the allocation of funding to the programmes under shared management	ANNEX I Criteria for the allocation of funding to the programmes under shared management	[ANNEX I]⁷⁹ [Criteria for the allocation of funding to the programmes under shared management]	
346.	The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	[The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	

⁷⁹ A majority of Member States welcomed the proposed criteria for the allocation of funding to programmes based on their GDP, population and the size of their territories. Other additional criteria suggested by Member States were the number of criminal offences and the number of visitors. Some Member States also indicated that the fixed amount allocated at the start of the programming could be increased up to EUR 10 million, in line with the reinforced financial envelope of the Fund, with the aim of facilitating implementation.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
347.	(1) a one-time fixed amount of EUR 5 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	(1) a one-time fixed amount of EUR 5 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	(1) a one-time fixed amount of EUR 5 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	
348.	(2) the remaining resources will be distributed according to the following criteria:	(2) the remaining resources will be distributed according to the following criteria:	(2) the remaining resources will be distributed according to the following criteria:	
349.	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	
350.	(b) 40 % in proportion to the size of their population,	(b) 40 % in proportion to the size of their population,	(b) 40 % in proportion to the size of their population,	
351.	(c) 15 % in proportion to the size of their territory.	(c) 15 % in proportion to the size of their territory.	(c) 15 % in proportion to the size of their territory.	
352.	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	calendar year available at the time of the mid-term review in 2024.	calendar year available at the time of the mid-term review in 2024.	calendar year available at the time of the mid-term review in 2024.]	
353.	ANNEX II Implementation measures	ANNEX II Implementation measures [AM119]	ANNEX II Implementation measures	T, P, H the method and the place
354.	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures: [AM119] <u>1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures: [AM50]</u>	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	T, P, H the method and the place CNS: EP has agreed to keep the implementation measures in Annex II instead of art. 3a in order to maintain same approach in the three files. Could we move the EP AMDs from article 3a to here for easier reading? EP – linguistic change; should be aligned in all paragraphs (1-3) Council – flexible CION – flexible if ok for lawyers <u>TM 04.02.20</u> <u>Provisionally agreed (EP text)</u> <u>1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
355.	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms; [AM119] <u>(a) ensuring uniform application of the Union <i>acquis</i> on security, supporting the exchange of relevant information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality</u>	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;	T, P, H the method and the place EP – delete examples (against highlighting certain databases); limitation of info exchange to “relevant” information Council – possibly open on deleting examples, will check CION – prefers to keep examples; “relevant” already included in definition of exchange of information; application of Union <i>acquis</i> and info exchange go together - should read “ensuring [<i>acquis</i>] on security by supporting”; to suggest drafting <u>CION compromise drafting (19/12):</u> <u>"(a) to ensuring the uniform application of the Union <i>acquis</i> on security by supporting the exchange of relevant information for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<u>control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms; [AM50]</u>		<u>control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;"</u> <u>TM 04.02.20</u> <u>EP proposal (based on CION compromise drafting):</u> <u>(a) to <i>ensuring</i> the uniform application of the Union acquis on security <i>by</i> supporting <i>the exchange of relevant information for example via Prüm, EU PNR and SIS II</i>, including through the implementation of recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;</u> <u>CION can be flexible</u> <u>Council to check with MS</u>
356.	(b) to set up, adapt and maintain security relevant Union IT systems and communication	(b) — to set up, adapt and maintain security relevant Union and national ICT systems and	(b) to set up, adapt and maintain security relevant Union and national ICT systems and	T, P, H the method and the place

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	networks, including their interoperability, and to develop appropriate tools to address identified gaps;	communication networks, including their interoperability, and to develop appropriate tools to address identified gaps; [AM119] <u>(b) <i>setting up, adapting and maintaining</i> security-relevant Union IT systems and communication networks, including <i>ensuring</i> their interoperability, and <i>developing</i> appropriate tools to address identified gaps; [AM50]</u>	communication networks, including their interoperability, and to develop appropriate tools to address identified gaps;	EP – decentralised systems included in line 355 – point (a) Council – to check use of “ICT”; focus here on inclusion of national systems that are used to feed into EU systems; have both “Union” and “national” in lines 356, 357, 358 CION – lines 355+356 pertain to Union IT systems and 357+358 to national systems; shouldn’t be mixed; awaiting clarification from CSL regarding ‘ICT’; to suggest drafting on lines 356, 357, 358 <u>CION compromise drafting (19/12):</u> <u>"(b) to <i>setting up, adapting and maintaining</i> security relevant Union IT systems and communication networks, including <i>ensuring</i> their interoperability, and to <i>developing</i> appropriate tools to address identified gaps;"</u> <u>TM 04.02.20</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>CION compromise drafting provisionally agreed</u>
357.	(c) to increase the active use of Union security relevant information exchange tools, systems and databases ensuring that these are fed with high quality data;	(c) to increase the active use of Union and national security relevant information exchange tools, systems and databases ensuring that these are fed with high quality data; [AM119] <u>(c) increasing the active use of Union security-relevant information exchange tools, systems and databases, improving the interconnection of security-relevant national databases as well as their connection to Union databases when foreseen in relevant legal bases, ensuring that those databases are fed with relevant high quality data; and [AM50]</u>	(c) to increase the active use of Union and national security relevant information exchange tools, systems and databases ensuring that these are fed with high quality data;	T, P, H the method and the place EP – ok for national databases in sense of EP AM; “foreseen in relevant legal bases” to be redrafted, but important that only databases with valid legal basis before entry into force of the ISF regulation should be included Council – have both “Union” and “national” in lines 356, 357, 358. Also very hesitant on limiting the scope only to already existing systems and databases. CION – suggests to move EP amendment to line 358, to suggest drafting on lines 356, 357, 358 <u>CION compromise drafting (19/12):</u> <u>"(c) to increasing the active use of Union security relevant information exchange tools, systems and databases ensuring</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>that these are fed with high quality data; and"</u> <u>TM 04.02.20</u> <u>CION compromise wording</u> <u>provisionally agreed;</u> <u>p.m.: Use of different</u> <u>terminology around "IT</u> <u>systems/ICT</u> <u>systems/communication</u> <u>networks" should be clarified</u> <u>throughout the text</u>
358.	(d) to support relevant national measures if relevant to implement the specific objectives set out in Article 3(2)(a).	(d) to support relevant national and Union measures if relevant to implement the specific objectives set out in Article 3(2)(a). [AM119]	(d) to support relevant national and Union measures if relevant to implement the specific objectives set out in Article 3(2)(a).	T, P, H the method and the place EP – one “relevant” redundant, LL suggests deleting the second one as in EP amendment Council - have both “Union” and “national” in lines 356,357,358; CION – keep Union and national systems/measures in separate paragraphs; to prepare drafting on lines 356, 357, 358 <u>CION compromise drafting (19/12):</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<u>(d) supporting relevant national measures if relevant to implement the specific objectives set out in Article 3(2)(a). [AM50]</u>		<u>"(d) to supporting relevant national and Union measures including the interconnection of security-relevant national databases and their connection to Union databases when foreseen in relevant legal bases, if relevant to implement the specific objectives set out in Article 3(2)(a)."</u> TM 04.02.20 CION compromise drafting provisionally agreed
359.	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures: [AM119] <u>The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures: [AM50]</u>	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	T, P, H the method and the place Provisionally agreed (potentially add 'contribute to achieving ') <u>The Fund shall contribute to achieving the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures;</u>
360.	(a) to increase law enforcement operations between Member States, including when	(a) — to increase law enforcement operations between Member States, including when	(a) to increase law enforcement operations between Member States, including when	T, P, H the method and the place

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	appropriate with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;	appropriate with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations; [AM119] <u>(a) <i>increasing relevant law enforcement operations between Member States, including, when appropriate, with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations; [AM50]</i></u>	appropriate with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;	EP – ok to delete “EMPACT” in line with agreed definition Council, CION – “relevant” addition not needed as measures have to be in the scope of the Regulation (= ‘relevant’) <u>CION compromise drafting (19/12):</u> <u>"(a) to <i>increasing law enforcement operations between Member States, including, where appropriate, with other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;</i>"</u> <u>TM 04.02.20</u> <u>CION compromise drafting provisionally agreed</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
361.	(b) to increase coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;	(b) to increase coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres; [AM119] <u>(b) increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres; [AM50]</u>	(b) to increase coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;	T, P, H the method and the place Council – flexible to use gerund throughout the paragraphs on this annex <u>CION compromise drafting (19/12):</u> <u>"(b) to increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;"</u> <u>TM 04.02.20</u> <u>CION compromise drafting provisionally agreed</u>
362.	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at	T, P, H the method and the place Council – CSL changes were not intended to change the substance; LEA and judicial authorities should be covered; EP text “competent” in line with Article

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	national level among the national authorities in each Member State.	national level among the national authorities in each Member State. [AM119] <u>(c) improving inter-agency cooperation and, at Union level, between the Member States themselves, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand, as well as at national level among the competent national authorities in each Member State;</u> [AM50]	national level among the national authorities in each Member State.	87 TFEU might exclude “judicial authorities”. EP – keep “competent”, add “judicial authorities” as Article 82 TFEU as well legal basis of the draft regulation; LL – competent authorities mentioned as well in recital (32) in line 46 of the 4CT CION – “competent” included in Article 3 (2) (b) already; Council AM deletes intra-MS cooperation; <u>CION compromise drafting (19/12):</u> <u>"(c) to improving inter-agency cooperation and at Union level between the Member States, or and between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at national level among the national authorities in each Member State."</u> <u>TM 04.02.20</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>EP can agree to COM proposal with the reintroduction of “competent”- linked to ongoing discussion on line 102</u>
363.	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures: [AM119] <u>The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures: [AM50]</u>	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	T, P, H the method and the place Provisionally agreed (potentially add ‘contribute <i>to achieving</i> ’) <u>The Fund shall contribute to <i>achieving</i> the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:</u>
364.	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors;	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors; [AM119] <u>(a) <i>increasing</i> law enforcement training, exercises <i>and</i> mutual learning, <i>notably by including elements aimed at raising awareness on issues related to</i></u>	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors;	T, P, H the method and the place CION – priorities of training should be defined by MS; implementation measures should stay broad; EP – adapt wording to new definition of radicalisation; to check possibility of covering “junior LE staff” in recital Council – examples not necessarily needed, open to

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<u>radicalisation, violent extremism and racism, specialised exchange programmes <i>between Member States, including for junior law-enforcement staff</i>, and sharing of best practice including with third countries and other relevant actors; [AM50]</u>	PUBLIC	possibility of covering them in recitals <u>CION compromise drafting (19/12):</u> <u>"(a) to <i>increasing</i> law enforcement training, exercises, mutual learning, specialised exchange programmes <i>between Member States</i> and sharing of best practice including in and with third countries and other relevant actors;"</u> <u>TM 04.02.20</u> <u>EP (lines 364/365): proposes to move LE exchange programmes and awareness raising on radicalisation to recital 31 (line 45); since 'crime prevention' is a specific objective of the Fund and 'sharing of best practice' should apply to different areas, the EP addition to line 365 (EP: line 120) can be deleted and the 'local' level added to line 365 as well as recital 31.</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>EP proposal including the changes discussed at the technical meeting:</u> <u>(a) increasing law enforcement training, exercises and mutual learning including awareness-raising on radicalisation and racism, notably by including on elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism, specialised exchange programmes between Member States, including for junior law-enforcement staff, and sharing of best practice in and between Member States, including at local level, and with third countries and other relevant actors;</u>
365.	(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil	(b) — to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil	(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil	T, P, H the method and the place

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations;	society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations; [AM119] <u>(b) exploiting synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations, or the sharing of best practices in preventing crime at the local level;</u>[AM50]	society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations;	EP – “preventing crime at the local level” linked to serious and organised crime, to reflect Council – ok for sharing best practices, flexible on “preventing crime”, but need to reflect on the local level. CION – ‘sharing of best practice’ is an over-arching objective, not just in relation to crime prevention (which is included in the specific objective) <u>CION compromise drafting (19/12):</u> <u>"(b) to exploiting synergies by pooling resources and knowledge and sharing good practice among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations; "</u> <u>TM 04.02.20</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>CION compromise drafting provisionally agreed with “<i>best good practice</i>”</u>
366.	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect; [AM119] <u>(c) promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect; [AM50]</u>	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;	T, P, H the method and the place <u>CION compromise drafting (19/12):</u> <u>"(c) to promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;"</u> <u>TM 04.02.20</u> <u>CION compromise drafting provisionally agreed</u>
367.	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to	T, P, H the method and the place Council – deletion of ‘other essential’ for avoiding problems

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	increase preparedness, resilience, public awareness and adequate response to security threats.	increase preparedness, resilience, public awareness and adequate response to security threats. [AM119] <u>(d) acquiring relevant equipment and setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats; [AM50]</u>	increase preparedness, resilience, public awareness and adequate response to security threats.	in defining the term. ‘Security relevant’ is sufficient. EP – “essential” should stay <u>CION compromise drafting (19/12):</u> <u>"(d) to acquiring relevant equipment and to setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats."</u> <u>TM 04.02.20</u> <u>CION compromise drafting</u> <u>provisionally agreed</u>
		<u>(d a) detecting, assessing and closing vulnerabilities in critical infrastructure and IT equipment with high market penetration in order to prevent attacks against information systems and critical infrastructure, for instance by code auditing of free and open source software, by establishing and supporting bug bounty</u>		<u>See line 123</u> <u>Council: As above</u> <u>EP Technical</u> <u>TM 19/11/2019</u> <u>EP – focus on vulnerabilities; to suggest wording</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<u>programmes, or by penetration testing.</u> [AM50]		<u>Council – flexible on critical infrastructure, ‘IT equipment’ is too broad as cyber security is not in the scope of the ISF regulation</u> <u>CION – flexible regarding inclusion of “critical infrastructure” but should be moved to a different part; hesitant concerning addition of IT equipment (important to stay within limits of this regulation);</u> <u>TM 04.02.20</u> <u>CION: the objective pursued by the EP falls more within the scope of DG Connect funding (Digital Europe programme/CEF) than ISF</u>
		<u>4. The Fund shall contribute to the achievement of the specific objective set out in Article 3(2)(c a) by focusing on the following implementation measures:</u> <u>(a) improving cooperation and coordination among the intelligence services of the Member States and between</u>		<u>See lines 124-126</u> <u>EP linked to outcome of discussion on line 104</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<u><i>these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations and threat assessment;</i></u> <u><i>(b) the exchange of and training of intelligence officers.</i></u> [AM50]		
368.	ANNEX III Actions to be supported by the Fund in-line with Article 4	ANNEX III <i>Examples of eligible actions to be supported by the Fund in-line with Article 4.</i> [AM120]	ANNEX III <i>List of indicative aActions to be supported by the Fund in-line with Article 4</i>	T, P the method and the place TM 19/11/2019 EP, Council – agree in principle on open list, not necessarily to wait for horizontal alignment CION – keep original proposal <u>TM 04.02.20</u> <u>Provisionally agreed “Scope of support”</u>
369.		<i>Support from the Internal Security Fund may, inter alia, be targeted towards the</i>		T, P, H the method and the place EP – keep open list of actions Council - flexible

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>following types of actions:</i> [AM121]		<u>TM 04.02.20</u> <u>Provisionally agreed (EP text)</u>
370.	IT systems and networks contributing to the achievement of the objectives of this Regulation, training on the use of such systems, testing and improving interoperability and data quality of such systems;	— <i>setting up of</i> IT systems and networks contributing to the achievement of the objectives of this Regulation, training on the use of such systems, testing and improving <i>the</i> interoperability <i>components</i> and data quality of such systems; [AM122]	ICT systems and networks contributing to the achievement of the objectives of this Regulation, training on the use of such systems, testing and improving interoperability and data quality of such systems;	T EP – “IT systems” as such are not an action, limit funding to interoperability ‘components’; to propose wording pending CSL clarification on “ICT” Council – add also maintaining, , upgrading, developing; to check reasoning behind “ICT” CION – flexible regarding IO ‘components’, align wording with line 356 (‘set up, adapt and maintain’); maintenance should in any case be included (until ceiling of operating support 100 %, afterwards 75 % co-financing) <u>CION compromise drafting proposal (19/12):</u> <u>"- setting up, adapting and maintaining IT systems and communication networks contributing to the achievement of the objectives of this</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>Regulation, training on the use of such systems, testing and improving <i>the</i> interoperability <i>components</i> and data quality of such systems"</u> <u>TM 04.02.20</u> <u>Provisionally agreed (CION text)</u>
371.	monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems;	— monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems, <i>in particular data protection, privacy and data security;</i> [AM123]	monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems;	T EP – data protection and privacy important; to propose drafting Council – to check internally, proposed also in BMVI CION – proposal to change “in particular” to “including” <u>TM 04.02.20</u> <u>EP proposal: “monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems, <i>including data protection, privacy and data security;</i>”</u> <u>Council to check</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
372.	EMPACT actions implementing or facilitating the implementation of the EU Policy Cycle;	EMPACT actions implementing or facilitating the implementation of the EU Policy Cycle;	EMPACT <i>EU policy cycle operational</i> actions implementing or facilitating the implementation of the EU Policy Cycle;	T Provisionally agreed, in line with rewording of the definition
373.		— <i>support of decentralised agencies with a view to facilitate the cooperation during cross-border operations;</i> [AM124]		T, P Depends on outcome of political discussion on line 255
374.	actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection and terrorism;	actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection, terrorism <i>and cybercrime</i>; [AM125]	actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection and terrorism;	T Council – addition of cybercrime not necessary, but possibly flexible on this CION flexible regarding cybercrime <u>TM 04.02.20</u> <u>Presidency needs to discuss again with MS</u>
375.	actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially	actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially	actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	projects aiming at testing and validating the outcome of Union-funded security research projects;	projects aiming at testing and validating the outcome of Union-funded security research projects;	projects aiming at testing and validating the outcome of Union-funded security research projects;	
376.		— <i>actions that promote research and exchange of expertise improving resilience to emerging threats including trafficking via online channels, hybrid threats and chemical, biological, radiological and nuclear threats.</i> [AM126]		T, P CION – open regarding second part as of ‘increased resilience’; ‘research’ on threats is covered by the Horizon program, avoid double funding – take this part out; EP – pro complementarity, against overlaps; to check internally if research can be dropped; Council – hybrid threats + CBRN was added in recitals by the CNS so possibly open to actions improving resilience to emerging threats <u>TM 04.02.20</u> <u>EP proposal: “<i>actions that promote research and exchange of expertise improving resilience to emerging threats including trafficking via online channels, hybrid threats and chemical,</i></u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>biological, radiological and nuclear threats”</u> <u>Presidency will discuss with MS</u>
377.		— <i>actions and networks of national contact points that facilitate the cross-border exchange of data acquired by surveillance systems, such as cameras and other sensors, combined with artificial intelligence algorithms, subject to robust safeguards, including data minimisation, prior validation by a judicial authority, and access to judicial redress; [AM127]</i>		T, P EP – surveillance does not mean ‘intelligence’; Council – could belong in different place, e.g. line 378 CION – could be a project; national contact points part of project under Horizon 2020; to suggest drafting in order to avoid overlaps with 378 <u>(see below)</u> <u>TM 04.02.20</u> <u>Provisionally agreed to merge with line 378 (see wording below)</u>
378.	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices,	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices,	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices,	Provisionally agreed <u>CION proposes compromise drafting (19/12, covers line 377, see above):</u> <u>"- support to thematic or cross-theme networks of specialised</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	pooling of resources and expertise in joint centres of excellence;	pooling of resources and expertise in joint centres of excellence;	pooling of resources and expertise in joint centres of excellence;	<u>national units and national contact points to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices, pooling of resources and expertise in joint centres of excellence"</u> <u>TM 04.02.20</u> <u>CION compromise drafting</u> <u>provisionally agreed</u>
379.		— <i>support for initiatives to network the intelligence services of the Member States to foster a common intelligence culture, improve mutual trust, exchange and dissemination of know-how, information, experience and good practice;</i> [AM128]		T, P EP: linked to outcome of discussions on AM on Art. 3(2)(c a) on additional specific objective
380.	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and,	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and,	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and,	T CNS amendment in principle ok for EP (pending deletion of definition of LETS in article 2)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	when applicable, the European Judicial Training Network;	when applicable, the European Judicial Training Network;	when applicable, the European Judicial Training Network;	<u>CION compromise proposal (19/12, merging lines 381 and 380):</u> <u>"- education and training, of staff and experts of relevant law enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network <i>in particular on prevention policies with special emphasis on fundamental rights training.</i>"</u> <u>TM 04.02.20</u> <u>EP proposal: "based on the LETS" to be deleted + "<i>in particular</i>" to be replaced with "including"</u> <u>Provisionally agreed (lines 380/381):</u> <u>"education and training, of staff and experts of relevant law enforcement and judicial authorities and administrative agencies taking into account</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network in particular including on prevention policies with special emphasis on fundamental rights training</u>
381.		— <i>education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies in prevention policies with special emphasis on fundamental rights training, including measures to detect and avoid racism, and exchange of best practices;</i> [AM129]		T, P CNS: to be checked with MS CION proposes to merge with line 380 - will propose drafting <u>(see above)</u> <u>TM 04.02.20</u> <u>Provisionally agreed</u> <u>[...]</u>
382.	• cooperation with the private sector in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors	— cooperation with the private sector, in particular in the field of cybersecurity , in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and	• cooperation with the private sector in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors	T EP: AM to stress special benefits of cooperating with public sector in cybersecurity; protecting public spaces is the responsibility of public authorities

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	including in the protection of public spaces and critical infrastructure;	best practices among public and private actors including in the protection of public spaces and critical infrastructure; [AM130]	including in the protection of public spaces and critical infrastructure;	CNS: prefers ‘for instance’ instead of ‘in particular’; important for MS to keep ‘public spaces’ CION: cybersecurity outside the scope of regulation; it could be cybercrime, but other areas of cooperation are also important, e.g. with organisers of public events <u>TM 04.02.20</u> <u>EP proposal: “cooperation with the private sector, for instance in the fight against cybercrime, in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure;</u> <u>Presidency to check with MS</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
383.	actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies;	actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies;	actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies;	Provisionally agreed
384.	equipment, means of transport, communication systems and essential security-relevant facilities;	equipment, means of transport, communication systems and essential security-relevant facilities;	equipment, means of transport, communication systems and essential security-relevant facilities;	Provisionally agreed
385.	cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	Provisionally agreed
386.	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(2) and 12(6)	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(2) 11(3) and 12(6) 12(7) [AM131]	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(23) and 12(6)	T, H the REFERENCE Both EP and CNS correct wrong references CNS: deletion of Art. 12(7) linked to 'shall/may' - see line 217 - CION prefers to keep it
387.	Projects which aim to prevent and counter radicalisation.	— Projects which aim to prevent and counter <i>violent extremism, including radicalisation, intolerance and discrimination, in particular measures to address their root</i>	Projects which aim to prevent and counter radicalisation.	T, P CNS: 'violent extremism/radicalisation' linked to discussions on definition of radicalisation; concerns about

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>causes and to prevent radicalisation in prisons, and projects providing specific training for law-enforcement authorities.</i> [AM132]		‘root causes’ and ‘intolerance and discrimination’ as may fall outside the scope of the fund. CION: does not see the need to expand on specific areas; in principle open on prisons (tbc); ‘intolerance and discrimination’ may possibly be added if linked to radicalisation; will propose drafting <u>CION (19/12): would prefer the original wording. A definition of radicalisation is proposed to be added in Article 2. COM would prefer not to indicate in particular root causes and prisons because of the following:</u> <u>• important priorities such as ideologies (far right, religious extremism, but also the phenomenon of polarisation etc.), the local dimension, disengagement and reintegration and other key areas are not included in this list</u> <u>• radicalisation is a constantly evolving phenomenon and Member States should be</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				<u>free to equally address emerging challenges and MS are exposed to radicalisation in different fields and at different levels. adding “in particular” means not only to indirectly steer financing towards priorities which are currently not covering the range identified by MS, but could also could give the impression that project proposals covering these priorities will have a higher success rate.</u>
388.	Projects which aim at improving the interoperability of IT systems and communication networks.⁸⁰	Projects which aim at improving the interoperability of IT systems and communication networks, <i>insofar as provided for by Union or Member State law.</i> [AM133]	Projects which aim at improving the interoperability of ICT systems and communication networks.⁸¹	T EP: wants to make sure projects are founded on pre-existing legal basis CNS: will provide further clarifications on ‘IT/ICT’; cannot agree to EP AM CION: cannot agree to EP AM
389.		<i>Projects which aim to fight organised crime structures</i>		T, P

⁸⁰ In line with the Commission Communication on stronger and smarter information systems for borders and security COM(2016) 205.

⁸¹ ~~In line with the Commission Communication on stronger and smarter information systems for borders and security COM(2016) 205.~~

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>that are particularly dangerous according to EMPACT.</i> [AM134]		EP: area otherwise not specifically mentioned in regulation CNS: organised crime is important but need to reflect further as not yet discussed with MS CION: very broad; does not see reasons to incentivise priorities defined by MS themselves <u>CION (19/12): would not like to see this added. However, it could be open to “high value targets” in the framework of EU policy cycle if that would be acceptable.</u>
390.		— <i>Projects which aim to prevent and fight cybercrime, in particular child sexual exploitation online, including measures to prevent attacks against information systems and critical infrastructure by detecting and closing vulnerabilities.</i> [AM135]	• <i>Projects which aim to fight all forms of cyber-crime.</i>	T, P CNS: investment in cybercrime needs to be incentivised; areas mentioned in EP AM are ok, but Council’s wording is preferable; distinction ‘cybercrime’ and ‘cybersecurity’ not always so clear as claimed by CION EP: flexible on wording; last part (‘attacks...’) important as not

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				sufficiently covered by other EU instruments CION: ISF does not cover cybersecurity; investment in infrastructure would attract a too large share of funding; will check what can be covered in other programmes, e.g. structural funds <u>CION compromise drafting (19/12):</u> <u>"- Projects which aim to prevent and fight cybercrime, in particular child sexual exploitation online, and crimes where the Internet is the primary platform for evidence collection"</u> <u>Explanation - the yellow part of the aims to accommodate EP amendment in line 391.</u> <u>COM would not want to add the part on critical infrastructure as proposed by Council.</u>
			<i>Projects which aim at strengthening critical infrastructures.</i>	T, P CNS: important for MS CION will propose drafting

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
391.		— <i>Projects which aim to fight against trafficking via online channels.</i> [AM136]		T, P CNS: More information is needed what this could mean in practise and therefore hesitant. EP: is cyber-enabled crime, so falling under definition of cybercrime, but it needs special stress CION: could be linked to line 390; not sure specific incentive is relevant; will propose drafting See CION compromise drafting for line 390 above (19/12)
392.	ANNEX V Core performance indicators referred to in Article 24(1)	ANNEX V Core performance indicators referred to in Article 24(1)	ANNEX V Core performance indicators referred to in Article 24(1)	TM 27/11/19: Discussion on role of Annex V ongoing within the framework of horizontal AMF/BMVI/ISF meetings - Items to be included in Annex V to be selected from those in Annex VIII; discussion of Annex V following agreement on Annex VIII
393.	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	
394.			1. Number of ICT systems and networks made interoperable	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
395.			<i>2. Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/tools/guidance for exchange of information with other Member States/EU agencies/international organisations/third countries</i>	
396.			<i>3. Number of participants who report a more effective use of EU information exchange mechanisms after the training activity</i>	
397.	Use of EU information exchange mechanisms,.	Use of EU information exchange mechanisms,.	Use of EU information exchange mechanisms,.	
398.	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	
399.	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	
400.	(1) Number of joint operational actions supported by the Fund.	(1) Number of joint operational actions supported by the Fund.	(1) Number of joint operational actions supported by the Fund.	
401.	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	
402.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
403.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
404.	(3) Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.	Value <i>of seizures</i> of illicit <i>drugs, weapons, wildlife products and trafficking of cultural goods</i> achieved with involvement of cross-border cooperation between law enforcement agencies <i>implemented with the support of the Fund.</i> [AM137]	(3)1. Quantity The value of illicit drug seizures achieved with involvement of <i>seized in the context of</i> cross-border <i>operations</i> cooperation between law enforcement agencies.	
405.	<i>data source: Member States, Union action grant beneficiaries</i>	<i>data source: Member States, Union action grant beneficiaries</i>	<i>data source: Member States, Union action grant beneficiaries</i>	
406.			2. Number of cross-border operations	
407.			3. Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed	
408.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	
409.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
410.	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
411.			1. <i>Number of initiatives developed or expanded to prevent radicalisation and violent extremism</i>	
412.			2. <i>Number of critical infrastructure/public spaces with new/adapted facilities protecting against security related risks</i>	
413.			3. <i>Number of participants who completed the training activity/the exchange programme</i>	
414.			4. <i>Number of victims of crimes assisted</i>	
415.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	
416.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
417.	(6) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	Number <i>of public spaces and scale</i> and public spaces of critical infrastructures of which the protection against security-related incidents has been improved with the help of the Fund. [AM138]	(6) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	
418.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
419.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	
420.	<i>data source: RAN</i>	<i>data source: RAN</i>	<i>data source: RAN</i>	
421.	ANNEX VI Types of intervention	ANNEX VI Types of intervention	ANNEX VI Types of intervention	
422.	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	
423.	1 TER-Countering Terrorist Financing	1 TER-Countering Terrorist Financing	1 TER-Countering Terrorist Financing	
424.	2 TER-Prevention and countering of radicalisation	2 TER-Prevention and countering of radicalisation	2 TER-Prevention and countering of radicalisation	
425.	3 TER-Protection and resilience of public spaces and other soft targets	3 TER-Protection and resilience of public spaces and other soft targets	3 TER-Protection and resilience of public spaces and other soft targets	
426.	4 TER- Protection and resilience of critical infrastructure	4 TER- Protection and resilience of critical infrastructure	4 TER- Protection and resilience of critical infrastructure	
427.	5 TER-Chemical Biological Radioactive Nuclear	5 TER-Chemical Biological Radioactive Nuclear	5 TER-Chemical Biological Radioactive Nuclear	
428.	6 TER-Explosives	6 TER-Explosives	6 TER-Explosives	
429.	7 TER-Crisis Management	7 TER-Crisis Management	7 TER-Crisis Management	
430.	8 TER-Other	8 TER-Other	8 TER-Other	
431.	9 OC-Corruption	9 OC-Corruption	9 OC-Corruption	
432.	10 OC-Economic and Financial Crime	10 OC-Economic and Financial Crime	10 OC-Economic and Financial Crime	
433.		<i>10a OC - Laundering of the proceeds of crime</i> [AM139]		T, P

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)		EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
					CNS: open to consider new items if Annex VI is a reporting tool and does not limit transfers of funds between different categories - ensure that list is not expanded too much
434.	11	OC-Drugs	11	OC-Drugs	
435.	12	OC-Firearms trafficking	12	OC-Firearms trafficking	
436.			<i>12a Trafficking of cultural objects</i> [AM140]		T, P
437.			<i>12b Trafficking of endangered species</i> [AM141]		T, P CION: could be covered under line 440
438.	13	OC-Trafficking in Human Beings	13	OC-Trafficking in Human Beings	
439.	14	OC-Migrant Smuggling	14	OC-Migrant Smuggling	
440.	15	OC-Environmental Crime	15	OC-Environmental Crime	
441.	16	OC-Organised Property Crime	16	OC-Organised Property Crime	
442.	17	OC-Other	17	OC-Other	
443.	18	CC-Cybercrime - Other	18	CC-Cybercrime - Other	
444.	19	CC-Cybercrime – Prevention	19	CC-Cybercrime – Prevention	
445.	20	CC-Cybercrime - Facilitating investigations	20	CC-Cybercrime - Facilitating investigations	
446.	21	CC-Cybercrime - Victims assistance	21	CC-Cybercrime - Victims assistance	
447.	22	CC-Child Sexual Exploitation - Prevention	22	CC-Child Sexual Exploitation - Prevention	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
448.	23 CC-Child Sexual Exploitation – Facilitating investigations	23 CC-Child Sexual Exploitation – Facilitating investigations	23 CC-Child Sexual Exploitation – Facilitating investigations	
449.	24 CC-Child Sexual Exploitation - Victims assistance	24 CC-Child Sexual Exploitation - Victims assistance	24 CC-Child Sexual Exploitation - Victims assistance	
450.		24a CC - Distribution of child abuse images and child pornography [AM142]		COM: T
451.	25 CC- Child Sexual Exploitation – Other	25 CC- Child Sexual Exploitation – Other	25 CC- Child Sexual Exploitation – Other	
452.	26 CC-Other	26 CC-Other	26 CC-Other	
453.	27 GEN-Information exchange	27 GEN-Information exchange	27 GEN-Information exchange	
454.	28 GEN-Police or interagency cooperation (customs, border guards, intelligence services)	28 GEN-Police or interagency cooperation (customs, border guards, intelligence services)	28 GEN-Police or interagency cooperation (<i>e.g.</i> customs, border guards, intelligence services)	COM: T
455.	29 GEN-Forensics	29 GEN-Forensics	29 GEN-Forensics	
456.	30 GEN-Victim support	30 GEN-Victim support	30 GEN-Victim support	
457.	31 GEN-Operating support	31 GEN-Operating support	31 GEN-Operating support	
458.	32 TA-Technical assistance - information and communication	32 TA-Technical assistance - information and communication	32 TA-Technical assistance - information and communication	T CNS: COM proposal is too detailed and risks making reporting difficult; CNS is for transparency but this is a more practical matter - MS are concerned about how data will be collected.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				CION does not support Council's amendments on lines 458-461; those items are the same as in CPR, no reason for deviating EP in favour of full transparency on use of funds, i.e. to keep COM proposal
459.	33 TA-Technical assistance - preparation, implementation, monitoring and control	33 TA-Technical assistance - preparation, implementation, monitoring and control	33 TA-Technical assistance - preparation, implementation, monitoring and control	T
460.	34 TA-Technical assistance - evaluation and studies, data collection	34 TA-Technical assistance - evaluation and studies, data collection	34 TA-Technical assistance - evaluation and studies, data collection	T
461.	35 TA-Technical assistance - capacity building	35 TA-Technical assistance - capacity building	35 TA-Technical assistance - capacity building	T
462.	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	
463.	1 IT-systems, interoperability, data quality, communication systems (excluding equipment)	1 IT-systems, interoperability, data quality, communication systems (excluding equipment)	1 IT-systems, interoperability, data quality, communication systems (excluding equipment)	
464.	2 Networks, centres of excellence, cooperation structures, joint actions and operations	2 Networks, centres of excellence, cooperation structures, joint actions and operations	2 Networks, centres of excellence, cooperation structures, joint actions and operations	
465.	3 Joint Investigation Teams (JITs) or other joint operations	3 Joint Investigation Teams (JITs) or other joint operations	3 Joint Investigation Teams (JITs) or other joint operations	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
466.	4 Secondment or deployment of experts	4 Secondment or deployment of experts	4 Secondment or deployment of experts	
467.	5 Training	5 Training	5 Training	
468.	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	
469.	7 Studies, pilot projects, risk assessments	7 Studies, pilot projects, risk assessments	7 Studies, pilot projects, risk assessments	
470.	8 Equipment (included in calculation of 15% cap)	8 Equipment (included in calculation of 15% cap)	8 Equipment (included in calculation of 15% cap)	T, P CNS: AM linked to discussion on line 211
471.	9 Means of transport (included in calculation of 15% cap)	9 Means of transport (included in calculation of 15% cap)	9 Means of transport (included in calculation of 15% cap)	T, P
472.	10 Buildings, facilities (included in calculation of 15% cap)	10 Buildings, facilities (included in calculation of 15% cap)	10 Buildings, facilities (included in calculation of 15% cap)	T, P
473.	11 Deployment or other follow-up of research projects	11 Deployment or other follow-up of research projects	11 Deployment or other follow-up of research projects	
474.	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	
475.	1 Cooperation with third countries	1 Cooperation with third countries	1 Cooperation with third countries <i>Actions as per Art. 11.1</i>	T, P CNS (lines 475-485): table was split into two to cover the same items but ensure transparency as regards additional criteria such as

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				cooperation with third countries since expenditure can be categorised under one item only in each table
476.	2 Actions in third countries	2 Actions in third countries	2 Actions in third countries	T, P
477.	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	T, P
478.	4 Specific Actions (not known at programming stage)	4 Specific Actions (not known at programming stage)	4-2 Specific Actions (not known at programming stage)	T, P
479.	5 Emergency Assistance (not known at programming stage)	5 Emergency Assistance (not known at programming stage)	5 Emergency Assistance (not known at programming stage)	T, P
480.	6 Actions listed in Annex IV	6 Actions listed in Annex IV	6 Actions listed in Annex IV 3 Actions listed in Annex IV	T, P
			4 Operating support	
481.			5 Other actions (as per Art. 11.1) Emergency Assistance	T, P
482.			TABLE 4: CODES FOR SECONDARY IMPLEMENTATION MODALITIES DIMENSION	T, P
483.			1 Cooperation with third countries	T, P
484.			2 Actions in third countries	T, P
485.			3 Implementation of Schengen evaluation recommendations in the area of police cooperation	T, P

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
486.	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	
487.	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	
488.	• maintenance and helpdesk of Union and where relevant national IT systems contributing to the achievement of the objectives of this Regulation.	• maintenance and helpdesk of Union and where relevant national IT systems contributing to the achievement of the objectives of this Regulation.	• maintenance and helpdesk of Union and where relevant national ICT systems and networks contributing to the achievement of the objectives of this Regulation.	T CSL to come back with reason for change
489.	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	
490.	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	
491.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
492.	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	
493.	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	
494.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	• maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension.	
495.	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	
496.	Actions which are not eligible under Article 4(3) shall not be covered.	Actions which are not eligible under Article 4(3) shall not be covered.	Actions which are not eligible under Article 4(3) shall not be covered.	
497.	ANNEX VIII Output and result indicators referred to in Article 24(3)	ANNEX VIII Output and result indicators referred to in Article 24(3)	ANNEX VIII Output and result indicators referred to in Article 24(3)	
498.	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	
499.			<u>Output indicators</u>	CNS: it was necessary to think of a complete revision of the indicators part, a workshop was organised. Special focus was

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
				given to distinguish between output and result indicators and the availability and ease-of-collection of the data. CION: link of some proposed indicators with ISF funding was not clear; guidance will be issued by COM to MS with clear definitions to ensure harmonised application EP: needs to thoroughly study CNS proposal to make sure all its points are covered
500.			1. Number of participants in training activities	
501.			2. Number of expert meetings/workshops/study visits	TM 27/11/19 CNS/CION: further breakdown of data could be considered. CNS: Defining the each sub-category would be difficult and therefore have an impact on the comparability of the data.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
502.			3. <i>Number of ICT systems/functionalities/services developed/maintained/upgraded</i>	TM 27/11/19 CNS/CION: further breakdown of data could be considered CNS: Defining the each sub-category would be difficult and therefore have an impact on the comparability of the data.
503.			4. <i>Number of equipment items purchased</i>	
504.			5. <i>Number of transport means purchased</i>	
505.			<u>Result indicators</u>	
506.			1. <i>Number of ICT systems and networks made interoperable</i>	
507.			2. <i>Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/tools/guidance for exchange of information with other Member States/EU agencies/international organisations/third countries</i>	
508.			3. <i>Number of participants who report a more effective use of EU information exchange</i>	TM 27/11/19 EP/CION: example of qualitative indicator

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
			<i>mechanisms after the training activity</i>	
509.	(1) Use of EU information exchange mechanisms measured through the:	(1) Use of EU information exchange mechanisms measured through the:	(1) Use of EU information exchange mechanisms measured through the:	
510.	(a) number of searches performed in the Schengen Information System (SIS);	(a) number of <i>alerts introduced and</i> searches performed in the Schengen Information System (SIS); [AM143]	(a) number of searches performed in the Schengen Information System (SIS);	
511.	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member States (Prüm automated data exchange system);	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member States (Prüm automated data exchange system);	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member States (Prüm automated data exchange system);	
512.	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	
513.	(d) number of searches performed in Europol's Information System (EIS);	(d) number of searches performed in Europol's Information System (EIS);	(d) number of searches performed in Europol's Information System (EIS);	
514.	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	
515.		<i>(e a) number of searches performed in the European</i>		

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		<i>Criminal Record Information system for third Country nationals (ECRIS-TCN).</i> [AM144]		
516.	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	
517.	(2) Number of new connections between security- relevant databases made with support of the Fund:	(2) Number of new connections <i>of competent authorities to</i> between security- relevant databases made with support of the Fund: [AM145]	(2) Number of new connections between security- relevant databases made with support of the Fund:	
518.	(a) with EU and where relevant international databases;	(a) with EU and where relevant international databases;	(a) with EU and where relevant international databases;	
519.	(b) within the Member State;	(b) within the Member State;	(b) within the Member State;	
520.	(c) with one or more other Member States;	(c) with one or more other Member States;	(c) with one or more other Member States;	
521.	(d) with one or more third countries.	(d) with one or more third countries.	(d) with one or more third countries.	
522.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
523.	(3) Number of active users of EU and where relevant national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	(3) Number of active users of EU and where relevant national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	(3) Number of active users of EU and where relevant national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	
524.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
525.	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	
526.			<u>Output indicators</u>	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
527.			<i>1. Number of expert meetings/workshops/study visits/common exercises/manuals of best practice/ contributions to manuals prepared by another Member State</i>	
528.			<i>2. Number of ICT systems/functionalities/services developed/maintained/upgraded</i>	
529.			<i>3. Number of equipment items purchased</i>	
530.			<i>4. Number of transport means purchased</i>	
531.			<u><i>Result indicators</i></u>	
532.			<i>1. The estimated value of assets frozen in the context of cross-border operations</i>	
533.			<i>2. Quantity of illicit drug seized in the context of cross-border operations</i>	See line 549
534.			<i>3. Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/tools/guidance for cooperation with other Member States/EU agencies/international organisations/third countries</i>	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
535.			<i>4. Number of cross-border operations</i>	
536.			<i>4.1. Of which number of joint investigation teams</i>	
537.			<i>4.2. Of which number of EU policy cycle operational actions</i>	
538.			<i>5. Number of staff involved in cross-border operations</i>	
539.			<i>6. Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed</i>	
540.	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	
541.	(a) number of joint investigation teams (JITs);	(a) number of joint investigation teams (JITs);	(a) number of joint investigation teams (JITs);	
542.	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	
543.	(c) other joint operational actions.	(c) other joint operational actions.	(c) other joint operational actions.	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
544.	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	
545.	(5) Participation in transnational networks operating with support of the Fund.	(5) Participation in transnational networks operating with support of the Fund.	(5) Participation in transnational networks operating with support of the Fund.	
546.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	
547.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	
548.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
549.	(7) Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.	Value <i>of seizures</i> of illicit <i>drugs, weapons, wildlife products and trafficking of cultural goods</i> achieved with involvement of cross-border cooperation between law enforcement agencies. [AM146]	(7) Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.	CION: is favour of keeping the value of drugs seized calculated using the data collected by EMCDDA on national value of different drugs. It is not possible to add up different quantities of different types of drugs ie tables and kilos and tons etc. Otherwise the indicators should be split into different drug types. (see line 533)
550.	<i>data source: Member States, Union action grant beneficiaries</i>	data source: Europol , Member States, Union action grant beneficiaries [AM147]	<i>data source: Member States, Union action grant beneficiaries</i>	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
551.	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example manuals on best practices, workshops, common exercises.	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example manuals on best practices, workshops, common exercises.	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example manuals on best practices, workshops, common exercises.	
552.	<i>data source: Union action grant beneficiaries</i>	<i>data source: Union action grant beneficiaries</i>	<i>data source: Union action grant beneficiaries</i>	
553.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	
554.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
555.	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	
556.			<u>Output indicators</u>	
557.			1. Number of participants in training activities/exchange programmes	
558.			2. Number of equipment items purchased	
559.			3. Number of transport means purchased	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
560.			<i>4. Number of items of infrastructure/security relevant facilities/tools/mechanisms constructed/purchased/upgraded</i>	
561.			<i>5. Number of activities to prevent crime and to assist victims of crimes</i>	
562.			<u><i>Result indicators</i></u>	
563.			<i>1. Number of initiatives developed or expanded to prevent radicalisation and violent extremism</i>	
564.			<i>2. Number of critical infrastructure/public spaces with new/adapted facilities protecting against security related risks</i>	
565.			<i>3. Number of participants who completed the training activity/the exchange programme</i>	
566.			<i>4. Number of victims of crimes assisted</i>	
567.			<i>Data source for all indicators is Member States</i>	
568.	(10) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-	(10) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-	(10) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
	border related topics provided with the support of the Fund, broken down by the following areas:	border related topics provided with the support of the Fund, broken down by the following areas:	border related topics provided with the support of the Fund, broken down by the following areas:	
569.	(a) counter terrorism;	(a) counter terrorism;	(a) counter terrorism;	
570.	(b) organised crime;	(b) organised crime;	(b) organised crime;	
571.	(c) cybercrime;	(c) cybercrime;	(c) cybercrime;	
572.	(d) other areas of operational cooperation.	(d) other areas of operational cooperation.	(d) other areas of operational cooperation.	
573.	<i>data source: Member States</i>	data source: Member States, Europol, ENISA [AM148]	data source: Member States	
574.	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools developed with support of the Fund as a result of interaction between different organisations across the EU.	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools developed with support of the Fund as a result of interaction between different organisations across the EU.	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools developed with support of the Fund as a result of interaction between different organisations across the EU.	
575.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	data source: Member States, Union action or EMAS grant beneficiaries	
576.	(12) Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings, migrant smuggling, terrorism, serious and organised crime, cybercrime, child sexual exploitation).	Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings and organs , migrant smuggling, terrorism, serious and organised crime, cybercrime, sexual exploitation and child	(12) Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings, migrant smuggling, terrorism, serious and organised crime, cybercrime, child sexual exploitation).	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		sexual exploitation, <i>torture or inhuman or degrading treatment</i>) [AM149]		
577.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
578.	(13) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	Number of public spaces and scale and public spaces of critical infrastructures of which the protection against security-related incidents has been improved with the help of the Fund; [AM150]	(13) — Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	
579.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
580.	(14) Number of initiatives to prevent radicalisation leading to violent extremism:	(14) Number of initiatives to prevent radicalisation leading to violent extremism:	(14) — Number of initiatives to prevent radicalisation leading to violent extremism:	
581.	(a) number of hits on the website of the Radicalisation Awareness Network (RAN);	(a) — number of hits on the website of the Radicalisation Awareness Network (RAN); [AM151]	(a) — number of hits on the website of the Radicalisation Awareness Network (RAN);	
582.	(b) number of participants in the RAN broken down by type of expert;	(b) number of participants in the RAN broken down by type of expert;	(b) — number of participants in the RAN broken down by type of expert;	
583.	(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).	(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).	(e) — number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
		authorities, other) <i>and feedback of participants.</i> [AM152]		
584.	<i>data source: RAN</i>	data source: RAN, <i>Member States</i> [AM153]	<i>data source: RAN</i>	
585.	(15) Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	(15) Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	(15) Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	
586.	(a) with the private sector;	(a) with the private sector;	(a) with the private sector;	
587.	(b) with civil society.	(b) with civil society.	(b) with civil society.	
588.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	
589.		<i>Specific objective 3 a: Development of a common intelligence culture:</i> [AM154]		T, P
590.		<i>(15a) Number of exchanges between Member States in the field of intelligence.</i> [AM154]		T, P
591.		<i>(15b) Number of law enforcement and intelligence officers involved in training, exercises, mutual learning programs or specialised exchange programs on cross-border issues organised with support from the Fund.</i> [AM154]		T, P

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council position Partial general approach (JHA Council on 7 June 2019) (10137/19)	Compromise text proposals
592.		<i>data source: Member States</i> [AM154]		T, P