

## NDICI - Changes in the final text of the regulation

### 1. Political Agreement

#### 1.1. Budget

- Recital (29): indicative amount for Pacific and for Caribbean
- Recital (32): indicative amount for Erasmus
- Recital (35): indicative amount for local authorities under geographic programmes
- Recital (42): electoral observation missions up to 25% of the Human Rights and Democracy thematic programme
- Recital (62); Article 6; Article 36(3): amounts as decided in EUCO conclusions and adjusted pro-rata for those not mentioned
- Recital (69): additional funds guaranteed from the cushion for human rights and democracy, civil society organisations, and Global Challenges programme
- Article 6(5): cap for CBDSD

#### 1.2. Governance

- Delegated acts:
  - Recital (80) and recital (82): delegated acts proposed by the Commission
  - Article 4(6) and (7): delegated act to amend Annexes II, III and IV; additional delegated act in 2021 and compulsory mid-term review of the 2021 delegated act
  - Article 6(5): to modify the CBDSD cap
  - Article 31(3) and (4): to modify the EAG provisioning amount; to modify the ceiling of the EAG; to amend the provisioning rates
  - Article 35(10): to amend the priority areas in Annex V
  - Article 41(9): to amend Annex VI and to establish a monitoring and evaluation framework
  - Article 44: exercise of the delegation
- Recital (19); Article 25(1), (2), (3) and (4); Article 42(1); and Article 45: comitology
- Recital (39): suspension of assistance in case of degradation in democracy and rule of law
- Recital (70): political commitment on the cushion
- Recital (81) (conferral of implementing powers), Article 35(8): linked to comitology – on setting up investment windows
- Article 4(2): possibility to establish a Pan-African programme and an ACP programme
- Article 7: policy framework
- Article 8(5): reference to conventions on nuclear safety standards
- Articles 10 and article 11: headlines of the geographic and thematic areas of cooperation and intervention
- Article 16(3) and (4): compulsory mid-term review of programming documents

### 1.3. Migration

- Recital (49); Recital (50) and Article 8(10)

### 1.4. Spending targets

- Recital (20) and Article 3(3): ODA
- Recital (43): gender
- Recital (48): climate and contribution to the overall MFF biodiversity target

### 1.5. Others

- Recital (12): list of secondary policy documents
- Recital (60); Recital (87); Article 27(6): retroactivity provisions
- Article 31(8); Article 49 and 50(1): extension of External Lending Mandate and date of transfer of assets to CPF
- Annex III, 4 (Areas of intervention for global challenges), A (People), 7. (e): reference to return of cultural goods

## 2. Outstanding issues outside of the political agreement

### a) Lines with horizontal implications:

- Recital (78): Olaf
- Article 5(3): cumulative funding
- Articles 1 and 51: end date

b) **Pending migration lines:** Article 3(1) and (2), Article 4(4), Article 17(1)(b), Article 41(7), plus Annex II, 3.(a), (b), (d), (e), (f), (g), (h), (i), (j); Annex III. 4 (Areas of intervention for global challenges), A (People), 5. (c); Annex IV, 1.; Annex V, (f)

c) **Local authorities:** missing text agreed at technical level in June (linked to placement)

- Recital (35)
- Articles – Article 8(14)
- Annex II, 1. (h), (j), (k); 2. (j), (n), (r), (v); 4. (a), (b), (m), (n), (o); 5. (b), (t); 6. (a); 7. (g); Annex III, 3 (Areas of intervention for peace, stability and conflict prevention), 1.; 4 (Areas of intervention for global challenges), D (Partnerships), 1. (a)

d) **EEAS clause:** Recital (83) and Article 48

**e) Miscellaneous open lines:**

- Recital (23): recital on priorities
- Article 4(3): civil society organisations
- Article 4(4) and Annex IV, 3.: Foreign Policy Needs and Priorities
- Article 25(5): ex-ante assessments
- Article 29(a): excluded activities – violation of human rights
- Article 43(1): extension of geo scope
- Title, Recital (1) and Article 1: name