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General Secretariat

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	
N° Cion doc.:	10154/18
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing the Internal Security Fund

With a view to the informal meeting of the members of the JHA Counsellors on Financial instrument of 22 September 2020, delegations will find enclosed an extract from the 4-column table of the abovementioned draft Regulation relevant to this meeting.

Delegations are kindly requested to send their comments to the Presidency (jens.schumacher@diplo.de; pol-in1-5-eu@brue.auswaertiges-amt.de; OeSI4@bmi.bund.de) and to the General Secretariat of the Council (MFF-Home@consilium.europa.eu) by Friday 25 September 2020.

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We would like to have feedback from you in particular on the minimum percentages for funding proposed by the EP in lines 56, 169-173 and 202-206 of the four-column table, see Annex. The EP proposes to introduce minimum allocations of funding for each specific objective, both from the thematic facility and for Member states' national programmes. The reasoning behind this is that, according to the EP, some of the MS use funds only in one direction although there is a need for progress in every specific objective, for example in information exchange. EP wants to make sure that there is a legal obligation that would guarantee the contributing to different goals.

Could Member States accept a minimum percentage for any of the objective and if so which would be the highest acceptable percentage? We are open for possible compromise proposals from your side.

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
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 programmes and the thematic facility. [AM27]</i>		Technical. Linked to lines 169-173 and 202-206
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

	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
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
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