

**Proposal for a regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Council Joint Action n°98/700/JHA, Regulation (EU) n° 1052/2013 of the European Parliament and of the Council and Regulation (EU) n° 2016/1624 of the European Parliament and of the Council  
(COM(2018)0631 – C8 0406/2018 – 2018/0330(COD))  
(Article 1 to 49)**

	<b>Commission proposal</b>	<b>EP amendments</b>	<b>Council position</b>	<b>Compromise text proposals</b>
<b>124</b>	CHAPTER I	CHAPTER I	CHAPTER I	CHAPTER I
<b>125</b>	European Border and Coast Guard	European Border and Coast Guard	European Border and Coast Guard	European Border and Coast Guard
<b>126</b>	Article 1	Article 1	Article 1	Article 1
<b>127</b>	Subject matter	Subject matter	Subject matter	Subject matter
<b>128</b>	This Regulation establishes a European Border and Coast Guard to ensure European Integrated Border Management at the external borders with a view to managing the crossing of those external borders efficiently, as well as increasing the efficiency of the common return policy as a key component of sustainable migration management.	This Regulation establishes a European Border and Coast Guard to ensure European Integrated Border Management at the external borders <i>of the Union</i> with a view to <i>support the capacity of Member States to manage</i> <del>managing those the crossing of those external borders efficiently,</del> <i>ensuring the saving of lives of persons in distress</i> , as well as <i>ensuring compliance with fundamental rights and</i> increasing the efficiency of the common return policy as a key component of sustainable migration management.	This Regulation establishes a European Border and Coast Guard to ensure European Integrated Border Management at the external borders with a view to managing the crossing of those external borders efficiently, as well as increasing the efficiency of the common return policy as a key component of sustainable migration management.	This Regulation establishes a European Border and Coast Guard to ensure European Integrated Border Management at the external borders-with a view to managing <i>those</i> borders efficiently <i>and in full compliance with fundamental rights as well as</i> increasing the efficiency of the common return policy <del>[as a key component of sustainable migration management]</del>
<b>129</b>	The Regulation addresses migratory challenges, including return, and	<del>The</del> <i>This</i> Regulation addresses migratory <i>and security</i> challenges;	The Regulation addresses migratory challenges, including return, and	<del>The</del> <i>This</i> Regulation addresses migratory challenges, <del>including</del>

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	potential future threats at those borders, thereby contributing to addressing serious crime with a cross-border dimension, to ensure a high level of internal security within the Union in full respect for fundamental rights, while safeguarding the free movement of persons within it.	<del>including return,</del> and potential future <b>challenges and</b> threats at <del>the external</del> those borders <b>and the pre-frontier area</b> thereby contributing to addressing serious crime with a cross-border dimension, to ensure a high level of internal security within the Union in full respect for fundamental rights, while safeguarding the free movement of persons within it.	potential future threats at those borders, thereby contributing to addressing <del>serious cross border crime with a cross border dimension</del> such as migrant smuggling and trafficking in human beings, to ensure a high level of internal security within the Union in full respect for fundamental rights, while safeguarding the free movement of persons within it.	<del>return,</del> and potential future <b>challenges and</b> threats at <del>the external borders.</del> and threats at those borders <b>It ensures a high level of internal security within the Union in full respect for fundamental rights, while safeguarding the free movement of persons within the Union. It contributes to the detection, prevention and combating of cross-border crime at the external borders.</b> such as migrant smuggling and trafficking in human beings. potential future threats at those borders ensures a high level of internal security within the Union in full respect for fundamental rights, while safeguarding the free movement of persons within it.
130	Article 2	Article 2	Article 2	Article 2
131	Definitions	Definitions	Definitions	Definitions
132	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
133	(1) ‘external borders’ means external borders as defined in point 2 of Article 2 of Regulation (EU) 2016/399, to which Title II of that Regulation applies;	(1) ‘external borders’ means <b>the</b> external borders <b>of the Union</b> as defined in point 2 of Article 2 of Regulation (EU) 2016/399, to which Title II of that Regulation applies;	(1) ‘external borders’ means external borders as defined in point 2 of Article 2 of Regulation (EU) 2016/399; <del>to which Title II of that Regulation applies;</del>	(1) ‘external borders’ means external borders as defined in point 2 of Article 2 of Regulation (EU) 2016/399; <del>to which Title II of that Regulation applies;</del>

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134	(2) 'border crossing point' means border crossing point as defined in point 8 of Article 2 of Regulation (EU) 2016/399;	(2) 'border crossing point' means border crossing point as defined in point 8 of Article 2 of Regulation (EU) 2016/399;	(2) 'border crossing point' means border crossing point as defined in point 8 of Article 2 of Regulation (EU) 2016/399;	'border crossing point' means border crossing point as defined in point 8 of Article 2 of Regulation (EU) 2016/399;
135	(3) 'border control' means border control as defined in point 10 of Article 2 of Regulation (EU) 2016/399;	(3) 'border control' means border control as defined in point 10 of Article 2 of Regulation (EU) 2016/399;	(3) 'border control' means border control as defined in point 10 of Article 2 of Regulation (EU) 2016/399;	'border control' means border control as defined in point 10 of Article 2 of Regulation (EU) 2016/399;
136			(3a) 'border checks' means border checks as defined in point 11 of Article 2 of Regulation (EU) 2016/399;	<b><i>(3a) 'border checks' means border checks as defined in point 11 of Article 2 of Regulation (EU) 2016/399;</i></b>
137	(4) 'border surveillance' means border surveillance as defined in point 12 of Article 2 of Regulation (EU) 2016/399;	(4) 'border surveillance' means border surveillance as defined in point 12 of Article 2 of Regulation (EU) 2016/399;	(4) 'border surveillance' means border surveillance as defined in point 12 of Article 2 of Regulation (EU) 2016/399;	(4) 'border surveillance' means border surveillance as defined in point 12 of Article 2 of Regulation (EU) 2016/399;
138	(5) 'external flight' means any flight of a manned or unmanned aircraft and its passengers and/or cargo to or from the territories of the Member States, which is not an internal flight as defined in point 3 of Article 2 of Regulation (EU) 2016/399;	(5) 'external flight' means any flight of a manned or unmanned aircraft and its passengers and/or cargo to or from the territories of the Member States, which is not an internal flight as defined in point 3 of Article 2 of Regulation (EU) 2016/399;	(5) 'external flight' means any flight of a manned or unmanned aircraft and its passengers and/or cargo to or from the territories of the Member States, which is not an internal flight as defined in point 3 of Article 2 of Regulation (EU) 2016/399;	(5) 'external flight' means any flight of a manned or unmanned aircraft and its passengers and/or cargo to or from the territories of the Member States, which is not an internal flight as defined in point 3 of Article 2 of Regulation (EU) 2016/399;

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139	(6) ‘air border surveillance’ means the surveillance of external flights;	(6) ‘air border surveillance’ means the surveillance of external flights;	(6) ‘air border surveillance’ means the surveillance of external flights <sup>1</sup> ;	(6) ‘air border surveillance’ means the surveillance of external flights <sup>2</sup> ;
140	(7) ‘situational awareness’ means the ability to monitor, detect, identify, track and understand illegal cross-border activities in order to find reasoned grounds for reaction measures on the basis of combining new information with existing knowledge, and to be better able to reduce loss of lives of migrants at, along or in the proximity of, the external borders;	(7) ‘situational awareness’ means the ability to monitor, detect, identify, track and understand illegal cross-border activities in order to find reasoned grounds for reaction measures on the basis of combining new information with existing knowledge, and to be better able to reduce loss of lives of migrants at, along or in the proximity of, the external borders;	(7) ‘situational awareness’ means the ability to monitor, detect, identify, track and understand illegal cross-border activities in order to find reasoned grounds for reaction measures on the basis of combining new information with existing knowledge, and to be better able to reduce loss of lives of migrants at, along or in the proximity of, the external borders;	(7) ‘situational awareness’ means the ability to monitor, detect, identify, track and understand illegal cross-border activities in order to find reasoned grounds for reaction measures on the basis of combining new information with existing knowledge, and to be better able to reduce loss of lives of migrants at, along or in the proximity of, the external borders;
141	(8) ‘reaction capability’ means the ability to perform actions aimed at countering illegal cross-border activities at, along or in the proximity of, the external borders, including the means and timelines to react adequately;	(8) ‘reaction capability’ means the ability to perform actions aimed at countering illegal cross-border activities at, along or in the proximity of, the external borders, including the means and timelines to react adequately;	(8) ‘reaction capability’ means the ability to perform actions aimed at countering illegal cross-border activities at, along or in the proximity of, the external borders, including the means and timelines to react adequately;	(8) ‘reaction capability’ means the ability to perform actions aimed at countering illegal cross-border activities at, along or in the proximity of, the external borders, including the means and timelines to react adequately;
142	(9) ‘EUROSUR’ means the framework for information exchange and cooperation between the Member States and the Agency;	(9) ‘EUROSUR’ means the framework for information exchange and cooperation between the Member States and the Agency;	(9) ‘EUROSUR’ means the framework for information exchange and cooperation between the Member States and the Agency;	(9) ‘EUROSUR’ means the framework for information exchange and cooperation between the Member States and the Agency;

<sup>1</sup> Clarified in a recital.

<sup>2</sup> Clarified in a recital.

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143	(10) ‘situational picture’ means an aggregation of geo-referenced near-real-time data and information received from different authorities, sensors, platforms and other sources, which is transmitted across secured communication and information channels and can be processed and selectively displayed and shared with other relevant authorities in order to achieve situational awareness and support the reaction capability at, along or in proximity of the external borders and the pre-frontier area;	(10) ‘situational picture’ means an aggregation of geo-referenced near-real-time data and information received from different authorities, sensors, platforms and other sources, which is transmitted across secured communication and information channels and can be processed and selectively displayed and shared with other relevant authorities <i>in the Union</i> in order to achieve situational awareness and support the reaction capability at, along or in proximity of the external borders and the pre-frontier area;	(10) ‘situational picture’ means an aggregation of geo-referenced near-real-time data and information received from different authorities, sensors, platforms and other sources, which is transmitted across secured communication and information channels and can be processed and selectively displayed and shared with other relevant authorities in order to achieve situational awareness and support the reaction capability at, along or in proximity of the external borders and the pre-frontier area;	(10) ‘situational picture’ means an aggregation of geo-referenced near-real-time data and information received from different authorities, sensors, platforms and other sources, which is transmitted across secured communication and information channels and can be processed and selectively displayed and shared with other relevant authorities in order to achieve situational awareness and support the reaction capability at, along or in proximity of the external borders and the pre-frontier area;
144	(11) ‘external border section’ means the whole or a part of the external border of a Member State, as defined by national law or as determined by the national coordination centre or any other responsible national authority;	(11) ‘external border section’ means the whole or a part of the external border of a Member State, as defined by national law or as determined by the national coordination centre or any other responsible national authority;	(11) ‘external border section’ means the whole or a part of the external border of a Member State, as defined by national law or as determined by the national coordination centre or any other responsible national authority;	(11) ‘external border section’ means the whole or a part of the external border of a Member State, as defined by national law or as determined by the national coordination centre or any other responsible national authority;
145	(12) ‘cross-border crime’ means any serious crime with a cross-border dimension committed or attempted to be committed at, along or in the proximity of, the external borders;	(12) ‘cross-border crime’ means any serious crime with a cross-border dimension committed or attempted to be committed at, along or in the proximity of, the external borders;	(12) ‘cross-border crime’ means any serious crime with a cross-border dimension committed or attempted to be committed at, along or in the proximity of, the external borders;	(12) ‘cross-border crime’ means any serious crime with a cross-border dimension committed or attempted to be committed at, along or in the proximity of, the external borders;

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146	(13) 'pre-frontier area' means the geographical area beyond the external borders;	(13) 'pre-frontier area' means the geographical area beyond the external borders <i>which is relevant for risk analysis, border surveillance and checks at external border crossing points</i> ;	(13) 'pre-frontier area' means the geographical area beyond the external borders;	(13) 'pre-frontier area' means the geographical area beyond the external borders <i>which is relevant for managing the external borders through risk analysis and situational awareness</i> ;
147		<i>(13 a) Neighbouring country means a country which shares a common land border with one or more Member States and which have ratified and implemented in full the European Convention on Human Rights and the 1951 Convention Relating to the Statues of Refugees and the 1967 Protocol thereto</i> ;		<i>Deleted</i>  <i>Strong red line for Council</i>
148	(14) 'incident' means a situation relating to illegal immigration, cross-border crime or a risk to the lives of migrants at, along or in the proximity of, the external borders;	(14) 'incident' means a situation relating to <del>illegal immigration</del> <i>irregular migration</i> , cross-border crime, <i>such as drugs or weapons smuggling</i> , or a risk to the lives of migrants at, along or in the proximity of, the external borders;	(14) 'incident' means a situation relating to illegal immigration, cross-border crime or a risk to the lives of migrants at, along or in the proximity of, the external borders;	(14) 'incident' means a situation relating to <del>illegal immigration</del> <i>irregular migration</i> , cross-border crime, or a risk to the lives of migrants at, along or in the proximity of, the external borders;
149	(15) 'statutory staff' means staff employed by the Agency in accordance to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the Union ('CEOS') laid	(15) 'statutory staff' means staff employed by the Agency in accordance to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the Union ('CEOS') laid	(15) 'statutory staff' means staff employed by the Agency in accordance to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the Union ('CEOS') laid	(15) 'statutory staff' means staff employed by the Agency in accordance to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the Union

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	down in Council Regulation No 259/68	down in Council Regulation No 259/68	down in Council Regulation No 259/68	(‘CEOS’) laid down in Council Regulation No 259/68
150	<p>(16) ‘operational staff’ means border guards, return escorts, return specialists and other relevant staff constituting the "European Border and Coast Guard standing corps". In accordance with the three categories defined under Article 55(1), operational staff is either employed by the European Border and Coast Guard Agency as statutory staff (category 1), seconded to the Agency by the Member States (category 2) or provided for short term deployment by the Member States (category 3). Operational staff is to act as members of border management teams, migration management support teams or return teams having executive powers. Operational staff also includes the statutory staff responsible for the functioning of the central unit of ETIAS;</p>	<p>(16) ‘operational staff’ means border guards, return escorts, return specialists, <b>return monitors, statutory staff responsible for the functioning of the central unit of ETIAS</b> and other relevant staff <b>that constitute</b> constituting the "European Border and Coast Guard standing corps" <del>-</del> <b>in</b> accordance with the <del>three</del> <b>four</b> categories defined under <b>set out in</b> Article 55(1);; operational staff is either employed by the European Border and Coast Guard Agency as statutory staff (category 1), seconded to the Agency by the Member States (category 2), <del>or</del> provided for short-term deployment by the Member States (category 3) <b>or deployed from the rapid reaction pool for rapid border interventions (category 4)</b> Operational staff is to act as members of border management teams, migration management support teams or return teams having executive powers. Operational staff also includes the statutory staff responsible for the functioning of the central unit of ETIAS;</p>	<p>(16) ‘operational staff’ means border guards, return escorts, return specialists and other relevant staff constituting the "European Border and Coast Guard standing corps". In accordance with the three categories defined under Article 55(1), operational staff is either employed by the European Border and Coast Guard Agency as statutory staff (category 1), seconded to the Agency by the Member States (category 2) or provided for short term deployment by the Member States (category 3). Operational staff is to act as members of border management teams, migration management support teams or return teams having executive powers <u>if applicable</u>. Operational staff also includes the statutory staff responsible for the functioning of the central unit of ETIAS <u>but not deployable as team members</u>;</p>	<p>(16) ‘operational staff’ means border guards, return escorts, return specialists and other relevant staff constituting the "European Border and Coast Guard standing corps" <del>-</del> <b>in</b> accordance with the <del>three</del> <b>four</b> categories defined under <b>set out in</b> Article 55(1);; operational staff is either employed by the European Border and Coast Guard Agency as statutory staff (category 1), seconded to the Agency by the Member States (category 2), <del>or</del> provided for short-term deployment by the Member States (category 3) <b>or deployed from the reserve for rapid reaction pool for rapid border interventions (category 4)</b>. Operational staff is to act as members of border management teams, migration management support teams or return teams having executive powers <u>if applicable</u>. Operational staff also includes the statutory staff responsible for the functioning of the central unit of ETIAS <u>but not deployable as team members</u>;</p>

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				Subject to the agreement on 4 <sup>th</sup> category
151	(17) ‘border management teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during joint operations at the external borders and rapid border interventions in Member States and third countries;	(17) ‘border management teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during joint operations at the external borders and rapid border interventions in Member States and third countries;	(17) ‘border management teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during joint operations at the external borders and rapid border interventions in Member States and third countries;	(17) ‘border management teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during joint operations at the external borders and rapid border interventions in Member States and third countries;
152	(18) ‘member of the teams’ means a member of the European Border and Coast Guard standing corps deployed through border management teams, migration management support teams and return teams;	(18) ‘member of the teams’ means a member of the European Border and Coast Guard standing corps deployed through border management teams, migration management support teams and return teams;	(18) ‘member of the teams’ means a member of the European Border and Coast Guard standing corps deployed through border management teams, migration management support teams and return teams;	(18) ‘member of the teams’ means a member of the European Border and Coast Guard standing corps deployed through border management teams, migration management support teams and return teams;
153	(19) ‘migration management support team’ means a team of experts which provide technical and operational reinforcement to Member States, including at hotspot areas or in controlled centres, composed of operational staff from the European Border and Coast Guard standing corps, experts deployed by the [the European Union Agency for Asylum], and from Europol, or other	(19) ‘migration management support team’ means a team of experts which provide technical and operational reinforcement to Member States, including at hotspot areas <del>or in controlled centres</del> , composed of operational staff from the European Border and Coast Guard standing corps, experts deployed by the [the European Union Agency for Asylum], and from Europol, <i>the</i>	(19) ‘migration management support team’ means a team of experts which provide technical and operational reinforcement to Member States, including at hotspot areas <del>or in controlled centres</del> , composed of operational staff from the European Border and Coast Guard standing corps, experts deployed by the [the European Union Agency for Asylum], and from Europol, <u>or and if</u>	(19) ‘migration management support team’ means a team of experts which provide technical and operational reinforcement to Member States, including at hotspot areas <del>or in controlled centres</del> , composed of operational staff from the European Border and Coast Guard standing corps, <del>the European Union Agency for Asylum]</del> <i>the European Asylum</i>



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	relevant Union agencies as well as from Member States;	<i>European Union Agency for Fundamental Rights</i> or other relevant Union agencies as well as from Member States;	<u>appropriate exports from</u> other relevant Union agencies as well as from Member States;	<i>Support Office</i> ; and from Europol, <i>and when relevant experts from European Union Agency for Fundamental rights and</i> <del>or</del> other relevant Union agencies as well as from Member States.
154	(20) ‘host Member State’ means a Member State in which a joint operation or a rapid border intervention, a return operation or a return intervention takes place, or from which it is launched, or in which a migration management support team is deployed;	(20) ‘host Member State’ means a Member State in which a joint operation or a rapid border intervention, a return operation or a return intervention takes place, or from which it is launched, or in which a migration management support team is deployed;	(20) ‘host Member State’ means a Member State in which a joint operation or a rapid border intervention, a return operation or a return intervention takes place, or from which it is launched, or in which a migration management support team is deployed;	(20) ‘host Member State’ means a Member State in which a joint operation or a rapid border intervention, a return operation or a return intervention takes place, or from which it is launched, or in which a migration management support team is deployed;
155	(21) ‘home Member State’ means the Member State from which a staff member is deployed or seconded to the operational staff of the European Border and Coast Guard standing corps;	(21) ‘home Member State’ means the Member State from which a staff member is deployed or seconded to the operational staff of the European Border and Coast Guard standing corps;	(21) ‘home Member State’ means the Member State from which a staff member is deployed or seconded to the operational staff of the European Border and Coast Guard standing corps;	(21) ‘home Member State’ means the Member State from which a staff member is deployed or seconded to the operational staff of the European Border and Coast Guard standing corps;
156	(22) ‘participating Member State’ means a Member State which participates in a joint operation, rapid border intervention, return operation, return intervention or in a deployment of a migration management support team, by providing technical equipment or operational staff of the European Border and Coast Guard standing	(22) ‘participating Member State’ means a Member State which participates in a joint operation, rapid border intervention, return operation, return intervention or in a deployment of a migration management support team, by providing technical equipment or operational staff of the European Border and Coast Guard standing	(22) ‘participating Member State’ means a Member State which participates in a joint operation, rapid border intervention, return operation, return intervention or in a deployment of a migration management support team, by providing technical equipment or operational staff of the European Border and Coast Guard standing	(22) ‘participating Member State’ means a Member State which participates in a joint operation, rapid border intervention, return operation, return intervention or in a deployment of a migration management support team, by providing technical equipment or operational staff of the European

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	corps, as well as a Member State which participates in return operations or return interventions by providing technical equipment or staff, but which is not a host Member State;	corps, as well as a Member State which participates in return operations or return interventions by providing technical equipment or staff, but which is not a host Member State;	corps, as well as a Member State which participates in return operations or return interventions by providing technical equipment or staff, but which is not a host Member State;	Border and Coast Guard standing corps, as well as a Member State which participates in return operations or return interventions by providing technical equipment or staff, but which is not a host Member State;
157	(23) ‘hotspot area’ means an area in which the host Member State, the Commission, relevant Union agencies and participating Member States cooperate, with the aim of managing an existing or potential disproportionate migratory challenge characterised by a significant increase in the number of migrants arriving at the external borders;	(23) ‘hotspot area’ means an area <b><i>created at the request of the host Member State</i></b> in which the host Member State, the Commission, relevant Union agencies and participating Member States cooperate, with the aim of managing an existing or potential disproportionate migratory challenge characterised by a significant increase in the number of migrants arriving at the external borders;	(23) ‘hotspot area’ means an area in which the host Member State, the Commission, relevant Union agencies and participating Member States cooperate, with the aim of managing an existing or potential disproportionate migratory challenge characterised by a significant increase in the number of migrants arriving at the external borders;	(23) ‘hotspot area’ means an area <b><i>created at the request of the host Member State</i></b> in which the host Member State, the Commission, relevant Union agencies and participating Member States cooperate, with the aim of managing an existing or potential disproportionate migratory challenge characterised by a significant increase in the number of migrants arriving at the external borders;  <a href="#">Linked to Art. 41</a>
158	(24) ‘controlled centre’ means a centre, established at the request of the Member State, where relevant Union agencies in support of the host Member State and with participating Member States, distinguish between third-country nationals in need of international protection and those who are not in need of such protection, as well as carry out security checks and where	(24) —‘controlled centre’ means a centre, established at the request of the Member State, where relevant Union agencies in support of the host Member State and with participating Member States, distinguish between third-country nationals in need of international protection and those who are not in need of such protection, as well as carry out security checks and where they apply	(24) <u>‘controlled centre’ means a centre, established at the request of the Member State, where relevant Union agencies in support of the host Member State and with participating Member States, distinguish between third-country nationals in need of international protection and those who are not in need of such protection, as well as carry out security checks and where they apply</u>	(24) <u>‘controlled centre’ means a centre, established at the request of the Member State, where relevant Union agencies in support of the host Member State and with participating Member States, distinguish between third-country nationals in need of international protection and those who are not in need of such protection, as well as carry out security checks and</u>

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	they apply rapid procedures for international protection and/or return;	<del>rapid procedures for international protection and/or return;</del>	<del>rapid procedures for international protection and/or return;]</del>	<del>where they apply rapid procedures for international protection and/or return;]</del>
159	(25) ‘return’ means return as defined in point 3 of Article 3 of Directive 2008/115/EC;	(25) ‘return’ means return as defined in point 3 of Article 3 of Directive 2008/115/EC;	(25) ‘return’ means return as defined in point 3 of Article 3 of Directive 2008/115/EC;	(25) ‘return’ means return as defined in point 3 of Article 3 of Directive 2008/115/EC;
160	(26) ‘return decision’ means return decision as defined in point 4 of Article 3 of Directive 2008/115/EC;	(26) ‘return decision’ means <del>return</del> <b><i>an administrative or judicial decision or act, stating or declaring the stay of a third-country national to be irregular and imposing or stating an obligation to return in accordance with Directive 2008/115/EC</i></b> as defined in point 4 of Article 3 of Directive 2008/115/EC;	(26) ‘return decision’ means return decision as defined in point 4 of Article 3 of Directive 2008/115/EC;	(26) ‘return decision’ means <del>return</del> <b><i>an administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return that respects Directive 2008/115/EC</i></b> as defined in point 4 of Article 3 of Directive 2008/115/EC;
161	(27) ‘returnee’ means an illegally staying third-country national who is the subject of a return decision or its equivalent in a third country;	(27) ‘returnee’ means an <del>illegally</del> <b><i>irregularly</i></b> staying third-country national who is the subject of a return decision <del>or its equivalent in a third country</del> <b><i>that is not under appeal;</i></b>	(27) ‘returnee’ means an illegally staying third-country national who is the subject of a return decision or its equivalent in a third country;	(27) ‘returnee’ means an <del>illegally</del> <b><i>irregularly</i></b> staying third-country national who is the subject of a return decision <del>or its equivalent in a third country</del> <b><i>which is enforceable;</i></b>
162	(28) ‘return operation’ means an operation that is organised or coordinated by the European Border and Coast Guard Agency and involves technical and operational reinforcement provided to one or more Member States or to a third country, under which returnees from	(28) ‘return operation’ means an operation that is organised or coordinated by the European Border and Coast Guard Agency and involves technical and operational reinforcement provided to one or more Member States <del>or to a third country</del> , under which returnees from	(28) ‘return operation’ means an operation that is organised or coordinated by the European Border and Coast Guard Agency and involves technical and operational reinforcement provided to one or more Member States or to a third country, under which returnees from	(28) ‘return operation’ means an operation that is organised or coordinated by the European Border and Coast Guard Agency and involves technical and operational reinforcement provided to one or more Member States <del>or to a third country</del> , under which

	Commission proposal	EP amendments	Council position	Compromise text proposals
	one or more Member States or from a third country are returned, either on a forced or voluntary basis, irrespective of the means of transport;	one or more Member States <del>or from a third country</del> are returned, either on a forced or voluntary basis, irrespective of the means of transport;	one or more Member States or from a third country are returned, either on a forced or voluntary basis, irrespective of the means of transport;	returnees from one or more Member States <del>or from a third country</del> are returned, either on a forced or voluntary basis, irrespective of the means of transport;  Subject to the results of the political trilogue
163	(29) ‘return intervention’ means an activity of the European Border and Coast Guard Agency providing Member States or third countries with enhanced technical and operational assistance consisting of the deployment of return teams and the organisation of return operations;	(29) ‘return intervention’ means an activity of the European Border and Coast Guard Agency providing Member States <del>or third countries</del> with enhanced technical and operational assistance consisting of the deployment of return teams and the organisation of return operations;	(29) ‘return intervention’ means an activity of the European Border and Coast Guard Agency providing Member States or third countries with enhanced technical and operational assistance consisting of the deployment of return teams and the organisation of return operations;	(29) ‘return intervention’ means an activity of the European Border and Coast Guard Agency providing Member States <del>or third countries</del> with enhanced technical and operational assistance consisting of the deployment of return teams and the organisation of return operations;  Also subject to the outcome of the final political trilogue
164	(30) ‘return teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during return operations, return interventions in Member States and third countries or other operational activities linked to the implementation of return-related tasks;	(30) ‘return teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during return operations, return interventions in Member States <del>and third countries</del> or other operational activities linked to the implementation of return-related tasks;	(30) ‘return teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during return operations, return interventions in Member States and third countries or other operational activities linked to the implementation of return-related tasks;	(30) ‘return teams’ means teams formed from the European Border and Coast Guard standing corps to be deployed during return operations, return interventions in Member States <del>and third countries</del> or other operational activities linked to the implementation of return-related tasks;  Subject to the results of the political trilogue

	Commission proposal	EP amendments	Council position	Compromise text proposals
165	(31) ‘immigration liaison officer’ means immigration liaison officer as defined in Article 1 of Council Regulation (EC) No 377/2004 <sup>3</sup> .	(31) ‘immigration liaison officer’ means immigration liaison officer as defined in Article 1 of Council Regulation (EC) No 377/2004 .	(31) ‘immigration liaison officer’ means immigration liaison officer as defined in Article 1 of Council Regulation (EC) No 377/2004 <sup>4</sup> .	(31) ‘immigration liaison officer’ means immigration liaison officer as defined in [ <i>new ILO regulation</i> ].
166	Article 3	Article 3	Article 3	Article 3
167	European Integrated Border Management	European Integrated Border Management	European Integrated Border Management	European Integrated Border Management
168	European Integrated Border Management shall consist of the following components:	European Integrated Border Management shall consist of the following <i>sectoral and horizontal</i> components. <i>The sectoral components are:</i>	<u>1.</u> European Integrated Border Management <u>is based on the four-tiers control model and</u> shall consist of the following components:	European Integrated Border Management shall consist of the following components <sup>5</sup> :
169	(a) border control, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention and detection of cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism, and measures related to the referral of persons who are in need of, or wish to apply for, international protection;	(a) border control, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention and detection of cross-border crime, <del>such as migrant smuggling, trafficking in human beings, and terrorism,</del> and measures related to the referral of persons who are in need of, or wish to apply for, international protection, <i>in full respect of human dignity</i> ;	(a) border control, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention and detection of cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism, and measures related to the referral of persons who are in need of, or wish to apply for, international protection;	(a) border control, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention and detection of cross-border crime <i>at the external borders such as focusing on migrant smuggling, trafficking in human beings, and terrorism, and mechanisms and procedures for measures related to the identification of vulnerable persons and unaccompanied minors, and for the identification</i>

<sup>3</sup> Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network (OJ L 64, 2.3.2004, p.1).

<sup>4</sup> Council Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network (OJ L 64, 2.3.2004, p.1).

<sup>5</sup> Four-tier access control model will be mentioned as a recital (text of Recital 3 of EBCG 1.0).

	Commission proposal	EP amendments	Council position	Compromise text proposals
				<i>of, the provision of information to and the</i> referral of persons who are in need of, or wish to apply for, international protection;
170		<i>(a a) establishment and maintenance of clear mechanisms and procedures, in cooperation with relevant authorities, for the identification of, provision of information and referral of persons who may be in need of international protection or for the referral of vulnerable persons and unaccompanied minors to the relevant referral mechanisms and authorities;</i>		Deleted  Moved missing parts to paragraph (a)
171	(b) search and rescue operations for persons in distress at sea launched and carried out in accordance with Regulation (EU) No 656/2014 and with international law, taking place in situations which may arise during border surveillance operations at sea;	b) search and rescue operations for persons in distress at sea <del>launched and</del> <b>carried out in accordance with international law, including those</b> carried out in accordance with Regulation (EU) No 656/2014 <del>and with international law, taking place in situations which may arise during border surveillance operations at sea;</del>	(b) search and rescue operations for persons in distress at sea launched and carried out in accordance with Regulation (EU) No 656/2014 and with international law, taking place in situations which may arise during border surveillance operations at sea;	b) <b>search and rescue operations for persons in distress at sea while conducting border surveillance carried out in accordance with international law, including those</b> carried out in accordance with Regulation (EU) No 656/2014;  To be discussed at political trilogue
172	(c) analysis of the risks for internal security and analysis of the threats that may affect the functioning or security of the external borders;	(c) analysis of the risks for internal security and analysis of the threats that may affect the functioning or security of the external borders;	(c) analysis of the risks for internal security and analysis of the threats that may affect the functioning or security of the external borders;	(c) analysis of the risks for internal security and analysis of the threats that may affect the functioning or security of the external borders;

	Commission proposal	EP amendments	Council position	Compromise text proposals
173	(d) information exchange and cooperation between Member States and the Agency;	(d) information exchange and cooperation between Member States and the Agency;	(d) information exchange and cooperation <u>in the areas covered by this regulation</u> between Member States <del>and</del> <u>as well as with</u> the Agency <u>including the support coordinated by the Agency</u> ;	(d) information exchange and cooperation <i><b>in the areas covered by this regulation</b></i> between Member States, <i><b>as well as between Member States and</b></i> the Agency <i><b>including the support coordinated by the Agency</b></i> ;
174	(e) inter-agency cooperation among the national authorities in each Member State which are responsible for border control or for other tasks carried out at the border, as well as between authorities responsible for return in each Member State, including the regular exchange of information through existing information exchange tools;	(e) inter-agency cooperation among the national authorities in each Member State which are responsible for border control or for other tasks carried out at the border, <i><b>including national and international bodies in charge of protecting fundamental rights</b></i> , as well as between authorities responsible for return in each Member State, including the regular exchange of information through existing information exchange tools;	(e) inter-agency cooperation among the national authorities in each Member State which are responsible for border control or for other tasks carried out at the border, as well as between authorities responsible for return in each Member State, including the regular exchange of information through existing information exchange tools;	(e) inter-agency cooperation among the national authorities in each Member State which are responsible for border control or for other tasks carried out at the border, as well as between authorities responsible for return in each Member State, including the regular exchange of information through existing information exchange tools. <i><b>Where appropriate, cooperation with national bodies in charge of protecting fundamental rights shall be included.</b></i>
175	(f) cooperation among the relevant Union institutions, bodies, offices and agencies in the areas covered by this Regulation, including through regular exchange of information;	(f) cooperation among the relevant Union institutions, bodies, offices and agencies in the areas covered by this Regulation, including <i><b>cross-border crime, including</b></i> through regular exchange of information;	(f) cooperation among the relevant Union institutions, bodies, offices and agencies in the areas covered by this Regulation, including through regular exchange of information;	(f) cooperation among the relevant Union institutions, bodies, offices and agencies in the areas covered by this Regulation, including through regular exchange of information;

	Commission proposal	EP amendments	Council position	Compromise text proposals
176	(g) cooperation with third countries in the areas covered by this Regulation;	(g) cooperation with third countries in the areas covered by this Regulation; <i><b>focusing in particular on neighbouring countries and on those third countries which have been identified through risk analysis as being countries of origin and/or transit for illegal immigration, as well as in the deployment of return operations and field visit;</b></i>	(g) cooperation with third countries in the areas covered by this Regulation, <u>focusing in particular on neighbouring countries and on those third countries which have been identified through risk analysis as being countries of origin and/or transit for illegal immigration;</u>	(g) cooperation with third countries in the areas covered by this Regulation, <i><b>focusing in particular on neighbouring third countries and on those third countries which have been identified through risk analysis as being countries of origin and/or transit for irregular migration;</b></i>
177	(h) technical and operational measures within the Schengen area which are related to border control and designed to address illegal immigration and to counter cross-border crime better;	(h) technical and operational measures within the <del>Schengen area</del> <b>Union</b> which are related to border control and designed to address <del>illegal irregular immigration</del> <b>migration</b> and to counter cross-border crime better;	(h) technical and operational measures within the Schengen area which are related to border control and designed to address illegal immigration and to counter cross-border crime better;	(h) technical and operational measures within the Schengen Area which are related to border control and designed to address <b>irregular migration</b> and to counter cross-border crime better;
178	(i) return of third-country nationals who are the subject of return decisions issued by a Member State;	(i) return of third-country nationals who are the subject of return decisions issued by a Member State;	(i) return of third-country nationals who are the subject of return decisions issued by a Member State;	(i) return of third-country nationals who are the subject of return decisions issued by a Member State;
179	(j) use of state-of-the-art technology including large-scale information systems;	(j) use of state-of-the-art technology including large-scale information systems;	(j) use of state-of-the-art technology including large-scale information systems;	(j) use of state-of-the-art technology including large-scale information systems;
180	(k) a quality control mechanism, in particular the Schengen evaluation mechanism, the vulnerability assessment and possible national mechanisms, to ensure the	(k) a quality control mechanism, in particular the Schengen evaluation mechanism, the vulnerability assessment and possible national mechanisms, to ensure the	(k) a quality control mechanism, in particular the Schengen evaluation mechanism, the vulnerability assessment and possible national mechanisms, to ensure the	(k) a quality control mechanism, in particular the Schengen evaluation mechanism, the vulnerability and possible national mechanisms, to ensure the



	Commission proposal	EP amendments	Council position	Compromise text proposals
	implementation of Union legislation in the area of border management;	implementation of Union legislation in the area of border management;	implementation of Union legislation in the area of border management;	implementation of Union legislation in the area of border management;
181		<i>(k a) Capacity and readiness , through the vulnerabilities assessment, in order to assess the capability of Member States to address current and future challenges and threats at the external borders, including disproportionate migratory pressure;</i>		Deleted  capacity and readiness included in Art. 33
182	(1) solidarity mechanisms, in particular Union funding instruments and other operational support measures.	(1) solidarity mechanisms, in particular Union funding instruments and other operational support measures.	(1) solidarity mechanisms, in particular Union funding instruments <del>and other operational support measures.</del>	(1) solidarity mechanisms, in particular Union funding instruments.
183		<i>Fundamental rights, education and training, and research and innovation shall be horizontal components that are to be present in the implementation of each of the sectoral components listed in the first subparagraph.</i>	<u>2. Fundamental rights, education and training, and research and innovation shall be horizontal components taken into account in the implementation of the European Integrated Border Management.</u>	<i>2. Fundamental rights, education and training, and research and innovation shall be overarching components in the implementation of the European Integrated Border Management.</i>
184	Article 4		Article 4	Article 4
185	European Border and Coast Guard	European Border and Coast Guard	European Border and Coast Guard	European Border and Coast Guard
186	The European Border and Coast Guard Agency ('the Agency') and	The European Border and Coast Guard Agency ('the Agency') and	The <del>European Border and Coast Guard Agency ('the Agency')</del> and	The <del>European Border and Coast Guard Agency ('the Agency')</del> and

	Commission proposal	EP amendments	Council position	Compromise text proposals
	the national authorities of Member States responsible for border management, including coast guards to the extent that they carry out border control tasks, as well as the authorities responsible for return, shall constitute the European Border and Coast Guard.	the national authorities of Member States responsible for border management, including coast guards to the extent that they carry out border control tasks, as well as the authorities responsible for return, shall constitute the European Border and Coast Guard.	<del>the</del> national authorities of Member States responsible for border management, including coast guards to the extent that they carry out border control tasks, as well as the authorities responsible for return, <u>and the European Border and Coast Guard Agency ('the Agency')</u> shall constitute the European Border and Coast Guard.	<del>the</del> national authorities of Member States responsible for border management, including coast guards to the extent that they carry out border control tasks, as well as the authorities responsible for return, <u>and the European Border and Coast Guard Agency ('the Agency')</u> shall constitute the European Border and Coast Guard.
187	Article 5		Article 5	Article 5
188	European Border and Coast Guard Agency	European Border and Coast Guard Agency	European Border and Coast Guard Agency	European Border and Coast Guard Agency
189	(1) The European Border and Coast Guard Agency, originally established by Regulation (EC) No 2007/2004, shall be governed by this Regulation.	(1) The European Border and Coast Guard Agency, originally established by Regulation (EC) No 2007/2004, shall be governed by this Regulation.	1. <del>The European Border and Coast Guard</del> Agency, originally established by Regulation (EC) No 2007/2004, shall be <u>governed by</u> based on this Regulation.	1. <del>The European Border and Coast Guard</del> Agency, originally established by Regulation (EC) No 2007/2004, shall be governed by this Regulation.
190	(2) The Agency shall include the European Border and Coast Guard standing corps of 10 000 operational staff as referred to in Article 55.	(2) The Agency shall include the European Border and Coast Guard standing corps <del>of 10 000 operational staff</del> as referred to in Article 55.	2. <u>Without prejudice to Article 59,</u> <del>The</del> Agency shall include the European Border and Coast Guard standing corps <u>having the capacity as defined in Annex I of up to of 10 000</u> operational staff as referred to in Article 55.	<b>Subject to the discussion to the standing corps.</b> <b>To be discussed in the political trilogue</b>
191	(3) To ensure a coherent European integrated border management, the Agency shall facilitate and render more effective	(3) To ensure a coherent European integrated border management, the Agency shall facilitate and render more effective	3. To ensure a coherent European integrated border management, the Agency shall facilitate and render more effective	3. To ensure a coherent European integrated border management, the Agency shall facilitate and render more effective

	Commission proposal	EP amendments	Council position	Compromise text proposals
	the application of existing and future Union measures relating to the management of the external borders and return, in particular the Schengen Borders Code established by Regulation (EU) 2016/399.	the application of existing and future Union measures relating to the management of the external borders and return, in particular the Schengen Borders Code established by Regulation (EU) 2016/399.	the application of <del>existing and future</del> Union measures relating to the management of the external borders <del>and return</del> , in particular the Schengen Borders Code established by Regulation (EU) 2016/399, <u>and return</u> .	the application of <del>existing and future</del> Union measures relating to the management of the external borders <del>and return</del> , in particular the Schengen Borders Code established by Regulation (EU) 2016/399, <u>and return</u> .
192	(4) The Agency shall contribute to the continuous and uniform application of Union law, including the Union acquis on fundamental rights, at all external borders. Its contribution shall include the exchange of good practices.	(4) The Agency shall contribute to the continuous and uniform application of Union law, including the Union acquis on fundamental rights, <i>and ensure the application of the Charter of Fundamental Rights of the European Union in all its activities ('the Charter')</i> at all external borders. Its contribution shall include the exchange of good practices.	4. The Agency shall contribute to the continuous and uniform application of Union law, including the Union acquis on fundamental rights, at <u>all</u> external borders. Its contribution shall include the exchange of good practices.	(4) The Agency shall contribute to the continuous and uniform application of Union law, including the Union acquis on fundamental rights, <i>in particular the Charter of Fundamental Rights of the European Union ('the Charter')</i> , at <del>all</del> external borders. Its contribution shall include the exchange of good practices.
193	Article 6		Article 6	Article 6
194	Accountability	Accountability	Accountability	Accountability
195	The Agency shall be accountable to the European Parliament and to the Council in accordance with this Regulation.	The Agency shall be accountable to the European Parliament and to the Council in accordance with this Regulation.	The Agency shall be accountable to the European Parliament and to the Council in accordance with this Regulation.	The Agency shall be accountable to the European Parliament and to the Council in accordance with this Regulation.
196	Article 7		Article 7	Article 7
197	Shared responsibility	Shared responsibility	Shared responsibility	Shared responsibility

	Commission proposal	EP amendments	Council position	Compromise text proposals
198	(1) The European Border and Coast Guard shall implement European Integrated Border Management as a shared responsibility of the Agency and of the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. Member States shall retain primary responsibility for the management of their sections of the external borders.	(1) The European Border and Coast Guard shall implement European Integrated Border Management as a shared responsibility of the Agency and of the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. Member States shall retain primary responsibility for the management of their sections of the external borders.	1. The European Border and Coast Guard shall implement European Integrated Border Management as a shared responsibility of the Agency and of the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. Member States shall retain primary responsibility for the management of their sections of the external borders.	1. The European Border and Coast Guard shall implement European Integrated Border Management as a shared responsibility of the Agency and of the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. Member States shall retain primary responsibility for the management of their sections of the external borders.
199	(2) The Agency shall provide technical and operational assistance in the implementation of measures relating to the enforcement of return decisions. Member States shall retain the responsibility for issuing return decisions and the measures pertaining to the detention of returnees in accordance with Directive 2008/115/EC.	(2) The Agency shall provide technical and operational assistance in the implementation of measures relating to the enforcement of return decisions, <b><i>in agreement with the Member States concerned.</i></b> Member States shall retain the responsibility for issuing return decisions and the measures pertaining to the detention of returnees in accordance with Directive 2008/115/EC.	2. The Agency shall provide technical and operational assistance in the implementation of measures relating to <del>the enforcement of</del> <u>returns decisions, upon request of the Member State concerned, or on initiative of the Agency and in agreement with and subject to the competence of the Member States concerned.</u> Member States shall retain the responsibility for issuing return decisions and <u>for adopting</u> the measures pertaining to the detention of returnees in accordance with Directive 2008/115/EC. <sup>6</sup>	2. The Agency shall provide technical and operational assistance in the implementation of measures relating to <del>the enforcement of</del> <u>returns decisions as referred to in Article 49, upon request of the Member State concerned, or on initiative of the Agency and in agreement with the Member States concerned.</u> Member States shall retain the <b><i>sole</i></b> responsibility for issuing return decisions and <b><i>for adopting</i></b> the measures pertaining to the detention of returnees in

<sup>6</sup> From partial general approach (Art. 49-1)

	Commission proposal	EP amendments	Council position	Compromise text proposals
				accordance with Directive 2008/115/EC.
200	(3) Member States shall ensure the management of their external borders and the enforcement of return decisions, in their own interests and in the common interest of all Member States in full compliance with Union law and in line with the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8, in close cooperation with the Agency.	(3) Member States shall ensure the management of their external borders and the enforcement of return decisions in their own interests and in the common interest of all Member States in full compliance with Union law, <b><i>including concerning the respect of fundamental rights</i></b> , and in line with the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8 <b><i>and the technical and operational strategy referred to in Article 8(5)</i></b> , in close cooperation with the Agency.	3. Member States shall ensure the management of their external borders and the enforcement of return decisions, in their own interests and in the common interest of all Member States in full compliance with Union law and in line with <u>Article 8 establishing the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8</u> , in close cooperation with the Agency.	3. Member States shall ensure the management of their external borders and the enforcement of return decisions, in their own interests and in the common interest of all Member States in full compliance with Union law, <b><i>including the respect of fundamental rights</i></b> , and in line with Article 8 establishing the multiannual strategic policy cycle for European Integrated Border Management <del>referred to in Article 8</del> , in close cooperation with the Agency.
201	(4) The Agency shall support the application of Union measures relating to the management of the external borders and the enforcement of return decisions by reinforcing, assessing and coordinating the actions of Member States, as well as providing direct technical and operational assistance, in the implementation of those measures and in return matters.	(4) The Agency shall support the application of Union measures relating to the management of the external borders and the enforcement of return decisions by reinforcing, assessing and coordinating the actions of Member States, as well as providing direct technical and operational assistance, in the implementation of those measures and in return matters. <b><i>The Agency shall not support any measures or be involved in any activities related to controls at internal borders. The Agency shall be fully responsible</i></b>	4. The Agency shall support the application of Union measures relating to the management of the external borders and the enforcement of return decisions by reinforcing, assessing and coordinating the actions of Member States, as well as providing <del>direct</del> technical and operational assistance, in the implementation of those measures and in return matters.	(4) The Agency shall support the application of Union measures relating to the management of the external borders and the enforcement of return decisions by reinforcing, assessing and coordinating the actions of Member States, as well as providing <del>direct</del> technical and operational assistance, in the implementation of those measures and in return matters. <b><i>The Agency shall not support any measures or be involved in any activities related to controls at internal</i></b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<i>and accountable for all its activities, and for any decisions it takes, under this Regulation.</i>		<i>borders. The Agency shall be fully responsible and accountable for any decisions it takes and for any activity for which it is solely responsible under this Regulation.</i>
202	(5) Member States may continue cooperation at an operational level with other Member States and/or third countries, where such cooperation is compatible with the tasks of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives. Member States shall report to the Agency on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. The executive director shall inform the management board on those matters on a regular basis and at least once a year.	(5) Member States may continue cooperation at an operational level with other Member States and/or third countries, where such cooperation is compatible <i>with a fundamental rights assessment to be carried out prior to any cooperation with a third country and</i> with the tasks of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives. Member States shall report to the Agency <i>and to the European Parliament</i> on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. The executive director shall inform the management board <i>and the fundamental rights officer</i> on those matters on a regular basis and at least once a year.	5. Member States may <del>cooperate</del> <i>continue cooperation</i> at an operational level with other Member States and/or third countries, where such cooperation is compatible with the tasks of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives. Member States shall report to the Agency on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. <u>Where necessary, this information shall be handled by the Agency in accordance with the need to know principle.</u> The executive director shall inform the management board on those matters on a regular basis and at least once a year.	5. Member States may cooperate <b>at an operational level</b> with other Member States and/or third countries, where such cooperation is compatible with the tasks of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives. Member States shall report to the Agency <b>[and to the European Parliament]</b> on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. The executive director shall inform the management board on those matters on a regular basis and at least once a year.
203	Article 8		Article 8	Article 8

	Commission proposal	EP amendments	Council position	Compromise text proposals
204	Multiannual strategic policy cycle for European Integrated Border Management	Multiannual strategic policy cycle for European Integrated Border Management	Multiannual strategic policy cycle for European Integrated Border Management	<b>Subject to political agreement</b> Multiannual strategic policy cycle for European Integrated Border Management
205	(1) The Commission and the European Border and Coast Guard shall ensure the effectiveness of European Integrated Border Management through a multiannual strategic policy cycle for the European Integrated Border Management.	(1) <del>The Commission and the European Border and Coast Guard shall ensure</del> The effectiveness of European Integrated Border Management <b>shall be ensured</b> through a multiannual strategic policy cycle <del>for the European Integrated Border Management</del> <b>to be adopted in accordance with the procedure laid down in paragraph 4. The effective implementation of that multiannual strategic policy cycle shall be the responsibility of the European Border and Coast Guard Agency in accordance with paragraph 5 and Member States in accordance with paragraph 6.</b>	1. The Commission and the European Border and Coast Guard shall ensure the effectiveness of European Integrated Border Management through a multiannual strategic policy cycle for the European Integrated Border Management.	1. The Commission and the European Border and Coast Guard shall ensure the effectiveness of European Integrated Border Management through a multiannual strategic policy cycle for the European Integrated Border Management <b>that is adopted in accordance with the procedure laid down in paragraph 4.</b>
206	(2) The multiannual strategic policy for the European Integrated Border Management shall define how the challenges in the area of border management and return are to be addressed in a coherent, integrated and systematic manner.	(2) The multiannual strategic policy for the European Integrated Border Management shall define how the challenges <b>related to European Integrated Border Management</b> <del>in the area of border management and return</del> are to be addressed in a coherent, integrated and systematic manner, <b>in line with Union law and</b>	2. The multiannual strategic policy for the European Integrated Border Management shall define how the challenges in the area of border management and return are to be addressed in a coherent, integrated and systematic manner.	2. The multiannual strategic policy for the European Integrated Border Management shall define how the challenges in the area of border management and return are to be addressed in a coherent, integrated and systematic manner. <b>It shall define the policy priorities and provide the strategic</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<i>with the United Nations Convention on the Law of the Sea, the International Convention for the Safety of Life at Sea, the International Convention on Maritime Search and Rescue, the United Nations Convention against Transnational Organized Crime and its Protocol against the Smuggling of Migrants by Land, Sea and Air, the Convention Relating to the Status of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the United Nations Convention relating to the Status of Stateless Persons and other relevant international instruments. It shall define the policy priorities and provide the strategic guidelines for a period of four years in relation to the sectoral and horizontal components set out in Article 3.</i>		<i>guidelines for a period of five years in relation to the components set out in Article 3.</i>
207	(3) The multiannual strategic policy cycle for the European Integrated Border Management shall consist of four stages as set out in paragraphs 4 to 7.	(3) The multiannual strategic policy cycle for the European Integrated Border Management shall consist of four stages as set out in paragraphs 4 to 7.	3. The multiannual strategic policy cycle for the European Integrated Border Management shall consist of four stages as set out in paragraphs 4 to 7.	3. The multiannual strategic policy cycle for the European Integrated Border Management shall consist of four stages as set out in paragraphs 4 to 7.
208	(4) Based on the strategic risk analysis for European Integrated Border Management referred to in	(4) <i>By ... [two months after the entry into force of this Regulation], the Commission shall present the</i>	4. Based on the strategic risk analysis for European Integrated Border Management referred to in	<b>Subject to discussion under delegated acts.</b>



	Commission proposal	EP amendments	Council position	Compromise text proposals
	<p>Article 30(2), the Commission shall be empowered to adopt delegated acts in accordance with Article 118 developing a multiannual strategic policy for European Integrated Border Management. That delegated act shall define policy priorities and provide the strategic guidelines for the following four years in relation to the components set out in Article 3.</p>	<p><i>European Parliament and the Council with a draft multiannual strategic policy for the first multiannual strategic policy cycle based on taking into consideration the strategic risk analysis for European Integrated Border Management referred to in Article 30(2), the results of the vulnerability assessments referred to in Article 33 and a risk analysis requested from agencies referred to in Article 69(1), where appropriate. Within two months of its presentation by the Commission, a meeting between the European Parliament, the Council and Commission shall be convened to discuss the draft multiannual strategic policy. Following that discussion, the Commission shall be empowered to adopt delegated acts in accordance with Article 118 developing a to supplement this Regulation by setting out the multiannual strategic policy for European Integrated Border Management. That delegated act shall define policy priorities and provide the strategic guidelines for the following four years in relation to the components set out in Article 3.</i></p>	<p>Article 30(2), <del>the Commission shall be empowered to adopt delegated acts in accordance with Article 118</del> the Council, based on a proposal from the Commission, shall adopt a <u>decision by means of implementing act</u> developing a multiannual strategic policy for European Integrated Border Management. That <del>delegated act</del> decision shall define policy priorities and provide the strategic guidelines for the following <del>four</del> five years in relation to the components set out in Article 3.</p>	<p><b>To be discussed during the political trilogue</b></p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
209	<p>(5) In order to implement the delegated act referred to in paragraph 4, the Agency shall, by decision of the management board, based on a proposal of the executive director, establish a technical and operational strategy for European integrated border management. The Agency shall take into account, where justified, the specific situation of the Member States, in particular their geographical location. This strategy shall be in line with Article 3 and the delegated act referred to in paragraph 4. It shall promote and support the implementation of European Integrated Border Management in all Member States.</p>	<p>(5) In order to implement the delegated act referred to in paragraph 4, the Agency shall, by decision of the management board, based on a proposal of the executive director, establish a technical and operational strategy for European integrated border management. The Agency shall take into account, where justified, the specific situation of the Member States, in particular their geographical location. This strategy shall be in line with Article 3 and the delegated act referred to in paragraph 4. It shall promote and support the implementation of European Integrated Border Management in all Member States.</p>	<p>5. In order to implement the <del>decision delegated act</del> referred to in paragraph 4, the Agency shall, by decision of the management board, based on a proposal of the executive director, <u>prepared in close cooperation with the Member States and the Commission,</u> establish a technical and operational strategy for European integrated border management. The Agency shall take into account, where justified, the specific situation of the Member States, in particular their geographical location. This strategy shall be in line with Article 3 and the <del>decision delegated act</del> referred to in paragraph 4. It shall promote and support the implementation of European Integrated Border Management in all Member States.</p>	<p>5. In order to implement the <del>delegated act</del> referred to in paragraph 4, the Agency shall, by decision of the management board, based on a proposal of the executive director, <b><i>prepared in close cooperation with the Member States and the Commission,</i></b> establish a technical and operational strategy for European integrated border management. The Agency shall take into account, where justified, the specific situation of the Member States, in particular their geographical location. This strategy shall be in line with Article 3 and the <del>delegated act</del> referred to in paragraph 4. It shall promote and support the implementation of European Integrated Border Management in all Member States.</p>
210	<p>(6) In order to implement the delegated act referred to in paragraph 4, the Member States shall establish their national strategies for integrated border management through close cooperation between all national authorities responsible for the management of borders and return. Those national strategies shall be in line with Article 3, the</p>	<p>(6) In order to implement the delegated act referred to in paragraph 4, the Member States shall establish their national strategies for integrated border management through close cooperation between all national authorities responsible for the management of borders and return. Those national strategies shall be in line with Article 3, the delegated act</p>	<p>6. In order to implement the <del>decision delegated act</del> referred to in paragraph 4, the Member States shall establish their national strategies for <u>European</u> integrated border management through close cooperation between all national authorities responsible for the management of <u>external</u> borders and return. Those national strategies shall</p>	<p>6. In order to implement the <del>delegated act</del> referred to in paragraph 4, the Member States shall establish their national strategies for <u>European</u> integrated border management through close cooperation between all national authorities responsible for the management of <u>external</u> borders and return. Those national</p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
	delegated act referred to in paragraph 4 and the technical and operational strategy referred to in paragraph 5.	referred to in paragraph 4 and the technical and operational strategy referred to in paragraph 5. <b>Member States shall make their national strategies public and communicate those to the European Parliament, the Council, the Commission and to the Agency.</b>	be in line with Article 3, the <del>delegated act</del> <u>decision</u> referred to in paragraph 4 and the technical and operational strategy referred to in paragraph 5.	strategies shall be in line with Article 3, the <del>delegated act</del> referred to in paragraph 4 and the technical and operational strategy referred to in paragraph 5. <b>Option a</b> <i>Without prejudice to the obligations under Regulation (EU) No 1053/2013 of 7 October 2013 establishing the Schengen Evaluation Mechanism, Member States shall transmit their national strategies to the Commission that shall transmit them further to the European Parliament, to the Council and to the Agency.</i>  <b>Option b</b> <i>Without prejudice to the obligations under Regulation (EU) No 1053/2013 of 7 October 2013 establishing the Schengen Evaluation Mechanism, Member States shall transmit their national strategies to the Commission once they are established or amended. The Commission shall share summaries of the national strategies as prepared by the Member States with the European Parliament, the Council and the</i>

	Commission proposal	EP amendments	Council position	Compromise text proposals
				<p><i>Agency in accordance with the applicable security rules.</i></p> <p><b>Option c</b>  <i>The Member States shall transmit the public versions of their national strategies to the European Parliament, the Council, the Commission and the Agency.</i></p> <p><b>Option d</b>  Delete paragraph</p>
211	<p>(7) Forty-two months after the adoption of the delegated act referred to in paragraph 4, the Commission shall carry out, with the support of the Agency, a thorough evaluation of its implementation. The results of the evaluation shall be taken into account for the preparation of the following cycle.</p>	<p>(7) Forty-two months after the adoption of the delegated act referred to in paragraph 4, the Commission shall carry out, <del>with the support of the Agency,</del> a thorough evaluation of its implementation. The results of the evaluation shall be taken into account for the preparation of the following cycle. <b><i>The Commission shall communicate the results of the evaluation to the European Parliament and to the Council. Member States and the Agency shall provide the Commission with the necessary information in a timely manner so that it can produce the overall evaluation.</i></b></p>	<p>7. <del>Forty-two months</del>Four years after the adoption of the <del>delegated act</del> <u>decision</u> referred to in paragraph 4, the Commission shall carry out, with the support of the Agency, a thorough evaluation of its implementation. The results of the evaluation shall be taken into account for the preparation of the following cycle.</p>	<p>7. <del>Forty-two months</del>Four years after the adoption of the <del>delegated</del> act referred to in paragraph 4, the Commission shall carry out, <del>with the support of the Agency,</del> a thorough evaluation of its implementation. The results of the evaluation shall be taken into account for the preparation of the following cycle. <b><i>Member States and the Agency shall provide the Commission with the necessary information in a timely manner so that it can produce the overall evaluation. The Commission shall communicate the results of the evaluation to the European Parliament and to the Council.</i></b></p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
				For political trilogue
212	(8) Where the situation at the external borders or in the area of return requires a change of the policy priorities, the Commission shall amend the multiannual strategic policy for European Integrated Border Management in accordance with the procedure set out in paragraph 4. Also the strategies mentioned in paragraph 5 and 6 shall be adapted where needed.	(8) <i>During the period of validity of the multiannual strategic policy referred to in paragraph 4</i> , where the <del>situation</del> <i>challenges</i> at the external borders or in the area of return <del>requires a change of the policy priorities, the Commission shall amend</del> <i>evolve to such a degree that it becomes necessary to adapt</i> the multiannual strategic policy <del>for European Integrated Border Management</del> , <i>the Commission is empowered to adopt a delegated act</i> in accordance with the procedure set out in paragraph 4. Also <i>Article 118 to amend that multiannual strategic policy. The Agency's technical and operational strategy and the Member States' national</i> strategies mentioned in paragraph 5 and 6 shall <i>then</i> be adapted where needed <i>necessary</i> .	8. Where the situation at the external borders or in the area of return requires a change of the policy priorities, the Commission shall <u>propose to amend</u> the multiannual strategic policy for European Integrated Border Management in accordance with the procedure set out in paragraph 4. Also the strategies mentioned in paragraph 5 and 6 shall be adapted where needed.	(8) Where the situation at the external borders or in the area of return requires a change of the policy priorities, the Commission shall amend the multiannual strategic policy for European Integrated Border Management <i>or relevant parts thereof</i> in accordance with the procedure set out in paragraph 4. <del>Also</del> <i>The Agency's technical and operational strategy and the Member States' national</i> strategies mentioned in paragraph 5 and 6 shall <i>then</i> be adapted where needed <i>necessary</i> .
213	Article 9	Article 9	Article 9	Article 9
214	Integrated planning	Integrated planning	Integrated planning	Integrated planning
215	(1) On the basis of the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8, the European Border and Coast Guard shall establish an integrated	(1) On the basis of the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8, the European Border and Coast Guard shall establish an integrated	<u>1.</u> On the basis of the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8, the the European Border and Coast Guard shall establish an integrated	<u>1.</u> On the basis of the multiannual strategic policy cycle for European Integrated Border Management referred to in Article 8, the European Border and Coast Guard shall establish an integrated

	Commission proposal	EP amendments	Council position	Compromise text proposals
	planning for border management and returns.	planning for <i>European Integrated Border Management</i> border management and returns.	planning for border management and returns, including,:	planning for border management and returns, including,:
216	(2) Integrated planning shall include operational planning, contingency planning and capability development planning and shall be established in accordance with Article 67.	(2) Integrated planning shall include operational planning, contingency planning and capability development planning and shall be established in accordance with Article 67.	<del>2.1. Integrated planning shall include</del> operational planning, contingency planning and capability development planning and shall be established in accordance with <del>paragraphs 2, 3 and 4</del> Article 67.	<del>2.1. Integrated planning shall include</del> operational planning, contingency planning and capability development planning and shall be established in accordance with <del>paragraphs 2, 3 and 4</del> Article 67.
217	(3) Each plan of the integrated planning shall contain the scenario against which it is developed. Scenarios shall be derived from risk analysis and shall reflect the possible evolution of the situation at the external borders and in the area of illegal migration and the challenges identified in the multiannual strategic policy cycle for European Integrated Border Management.	(3) Each plan of the integrated planning shall contain the scenario against which it is developed. Scenarios shall be derived from risk analysis and shall reflect the possible evolution of the situation at the external borders <del>and in the area of illegal migration,</del> <i>the developments in each of the components of European Integrated Border Management as set out in Article 3,</i> and the challenges identified in the multiannual strategic policy cycle for European Integrated Border Management.	<del>3. Each plan of the integrated planning shall contain the scenario against which it is developed. Scenarios shall be derived from risk analysis and shall reflect the possible evolution of the situation at the external borders and in the area of illegal migration and the challenges identified in the multiannual strategic policy cycle for European Integrated Border Management.</del>	<del>3. Each plan of the integrated planning shall contain the scenario against which it is developed. Scenarios shall be derived from risk analysis and shall reflect the possible evolution of the situation at the external borders and in the area of illegal migration and the challenges identified in the multiannual strategic policy cycle for European Integrated Border Management.</del>
218	(4) The Agency's management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard in	(4) The Agency's management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard in accordance with 67	<del>4. The Agency's management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard in accordance with 67</del>	<del>4. The Agency's management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard</del>

	Commission proposal	EP amendments	Council position	Compromise text proposals
	accordance with 67 (6). Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy referred to in Article 8 (5).	(6). Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy referred to in Article 8 (5).	<del>(6). Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy referred to in Article 8 (5).</del>	<del>in accordance with 67 (6). Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy referred to in Article 8 (5).</del>
219			2. <sup>7</sup> Member States and the Agency shall establish operational plans for border management and returns. The operational plans of Member States related to border sections with high and critical impact levels shall be <u>coordinated established in cooperation</u> with neighbouring Member States and with the Agency <u>with a view to implementing the necessary cross-border measures<sup>8</sup> and foreseeing support by the Agency</u> . For the activities of the Agency, operational planning for the following year shall be defined in annex to the single programming document referred to in Article 100 and for each specific operational activity through the operational plan referred to in Article 39 and Article 75(3). <u>The operational plans or part thereof may be classified as appropriate in</u>	2. Member States and the Agency shall establish operational plans for border management and returns. The operational plans of Member States related to border sections with high [and critical impact] level[s] shall be <u>coordinated established in cooperation</u> with neighboring Member States and with the Agency <u>with a view to implementing the necessary cross-border measures<sup>[6]</sup> and foreseeing support by the Agency</u> . For the activities of the Agency, operational planning for the following year shall be defined in annex to the single programming document referred to in Article 100 and for each specific operational activity through the operational plan referred to in Article 39 and Article 75(3). <u>The operational plans or part thereof may be</u>

<sup>7</sup> Text moved from Article 67.

<sup>8</sup> Wording taken from Article 36(3) of EUROSUR Regulation.

	Commission proposal	EP amendments	Council position	Compromise text proposals
			compliance with Commission Decisions (EU, Euratom) 2015/443 and 2015/444.	classified as appropriate in compliance with Commission Decisions (EU, Euratom) 2015/443 and 2015/444.
220			3. Member States shall adopt a contingency plan for the management of their borders and return. In line with the national integrated border management strategy, the contingency plans shall describe all the necessary measures and resources for the possible reinforcement of capabilities including logistics and support both at national level and from the Agency.	3. Member States shall adopt a contingency plan for the management of their borders and return. In line with the national integrated border management strategy, the contingency plans shall describe all the necessary measures and resources for the possible reinforcement of capabilities including logistics and support both at national level and from the Agency. <i>OK Commission</i>
221			The corresponding scenarios and the part of the contingency plans requiring additional support from the European Border and Coast Guard shall be jointly prepared by each Member State and the Agency in close coordination with neighbouring Member States.	<del>The corresponding scenarios and</del> the part of the contingency plans requiring additional support from the European Border and Coast Guard shall be jointly prepared by each Member State and the Agency in close coordination with neighbouring Member States. <i>OK Commission</i>
222			4. Member States shall adopt a capability development plan for border management and return in line with their national integrated border management strategy. The capability development plan shall describe <del>the</del>	4. Member States shall adopt a capability development plan for border management and return in line with their national integrated border management strategy. The capability development plan shall



	Commission proposal	EP amendments	Council position	Compromise text proposals
			<del>scenario envisaged and the related</del> medium to long-term evolution of the national capabilities for border management and return.	describe <del>the scenario envisaged and the related</del> medium to long-term evolution of the national capabilities for border management and return. <i>OK Commission</i>
223			The national capability development plan shall address in particular the recruitment and training policy of the border guards and return specialists, the acquisition and maintenance of equipment and the necessary research and development activities and the corresponding financial aspects.	The national capability development plan shall address <b>the developments of each components of European Integrated Border Management</b> in particular the recruitment and training policy of the border guards and return specialists, the acquisition and maintenance of equipment and the necessary research and development activities and the corresponding financial aspects. <i>OK Commission</i>
224			4a <u>The methodology and the procedure to establish the plans referred to in paragraphs 3 and 4 shall be adopted by the Agency's Management Board, after consultation with the Member States, on a proposal by the Executive Director.</u>	<del>4a. Each plan of the integrated planning</del> <b>The plans referred to in paragraphs 3 and 4</b> shall contain the scenario against which it is developed. Scenarios shall be derived from risk analysis and shall reflect the possible evolution of the situation at the external borders and in the area of illegal migration, and the challenges identified in the multiannual strategic policy cycle for European Integrated Border Management. .

	Commission proposal	EP amendments	Council position	Compromise text proposals
				<i>OK Commission</i>
225				<p><u>4b The methodology and the procedure to establish the plans referred to in paragraphs 3 and 4 shall be adopted by the Agency's Management Board, after consultation with the Member States, on a proposal by the Executive Director.</u></p> <p><i>OK Commission</i></p>
226			<p>5. The Agency shall establish a synthesis of the national capability development plans and a multiannual strategy for the acquisition of the Agency's equipment referred to in Article 63 and the multiannual planning of profiles for the European Border and Coast Guard standing corps.</p>	<p>5. The Agency shall establish a synthesis of the national capability development plans and a multiannual strategy for the acquisition of the Agency's equipment referred to in Article 63 and the multiannual planning of profiles for the European Border and Coast Guard standing corps.</p>
227			<p>The Agency shall share this synthesis with the Member States and the Commission with a view to identify possible synergies and opportunities for cooperation in the various areas covered by the capability development plans, including joint procurements. Based on the identified synergies, the Agency may invite the Member States to participate in follow up actions for cooperation.</p>	<p>The Agency shall share this synthesis with the Member States and the Commission with a view to identify possible synergies and opportunities for cooperation in the various areas covered by the capability development plans, including joint procurements. Based on the identified synergies, the Agency may invite the Member States to participate in follow up actions for cooperation.</p> <p><i>OK Commission</i></p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
228			<p>6. <u>The Agency’s management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard. The capability development roadmap referred to in Article 9(4) shall be proposed by the Executive Director on the basis of the synthesis of the national capability development plans taking into account, inter alia, the results of the risk analysis and vulnerability assessments carried out in accordance with Article 33 and the Agency’s own multiannual plans. Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy.</u></p>	<p>6. <u>The Agency’s management board shall meet at least once a year to discuss and approve the capability roadmap of the European Border and Coast Guard. The capability development roadmap referred to in Article 9(4) shall be proposed by the Executive Director on the basis of the synthesis of the national capability development plans taking into account, inter alia, the results of the risk analysis and vulnerability assessments carried out in accordance with Article 33 and the Agency’s own multiannual plans. Once the capability roadmap is approved by the management board, it shall be annexed to the technical and operational strategy.</u> <i>OK Commission</i></p>
229			<p>7. <u>The methodology and the procedure to establish the scenarios referred to in paragraph 2 and the plans referred to in paragraphs 3, 4 and 5 shall be adopted by the Agency’s Management Board, after consultation with the Member States, on a proposal by the Executive Director.</u></p>	<p>7. <u>The methodology and the procedure to establish the scenarios referred to in paragraph 2 and the plans referred to in paragraphs 3, 4 and 5 shall be adopted by the Agency’s Management Board, after consultation with the Member States, on a proposal by the Executive Director.</u> <i>OK Commission</i></p>
230	CHAPTER II		CHAPTER II	CHAPTER II

	Commission proposal	EP amendments	Council position	Compromise text proposals
231	Functioning of the European Border and Coast Guard		Functioning of the European Border and Coast Guard	Functioning of the European Border and Coast Guard
232	Section 1		Section 1	Section 1
233	Tasks of the European Border and Coast Guard Agency		Tasks of the European Border and Coast Guard Agency	Tasks of the European Border and Coast Guard Agency
234	Article 10		Article 10	Article 10
235	Tasks of the European border and coast guard agency	<i>Tasks of the European <b>Border and Coast Guard Agency</b> border and coast guard agency</i>	Tasks of the European border and coast guard agency	Tasks of the European <i><b>Border and Coast Guard Agency</b></i> border and coast guard agency
236	(1) The Agency shall perform the following tasks with a view to contributing to an efficient, high and uniform level of border control and return:	(1) The Agency, <i>while avoiding unnecessary duplication of operational work of the Member States, shall support the implementation of the European Integrated Border Management and</i> shall perform the following tasks with a view to contributing to an efficient, high and uniform level of border control, <i>to facilitating the movement of bona fide travellers, to detecting and preventing cross-border crime in relation to internal security, to migration management and to</i> return:	1. The Agency shall perform the following tasks with a view to contributing to an efficient, high and uniform level of border control and return:	(1) The Agency shall perform the following tasks <del>with a view to contributing to an efficient, high and uniform level of border control and return:</del>
237	1. monitor migratory flows and carry out risk analysis as regards all aspects of integrated border management;	1. monitor migratory flows and carry out risk analysis as regards all aspects of integrated border management;	(1) monitor migratory flows and carry out risk analysis as regards all aspects of integrated border management;	(1) monitor migratory flows and carry out risk analysis as regards all aspects of integrated border management;

	Commission proposal	EP amendments	Council position	Compromise text proposals
238	2. monitor the operational needs of Member States related to the implementation of returns, including by collecting operational data;	2. monitor the operational needs of Member States related to the implementation of returns, including by collecting operational data;	(2) monitor the operational needs of Member States related to the implementation of returns, including by collecting operational data;	(2) monitor the operational needs of Member States related to the implementation of returns, including by collecting operational data;
239	3. carry out a vulnerability assessment including the assessment of the capacity and readiness of Member States to face threats and challenges at the external borders;	3. carry out a vulnerability assessment including the assessment of the capacity and readiness of Member States to face threats and challenges at the external borders;	(3) carry out a vulnerability assessment including the assessment of the capacity and readiness of Member States to face threats and challenges at the external borders;	(3) carry out a vulnerability assessment including the assessment of the capacity and readiness of Member States to face threats and challenges at the external borders;
240	4. monitor the management of the external borders through liaison officers of the Agency in Member States;	4. monitor the management of the external borders through liaison officers of the Agency in Member States;	(4) monitor the management of the external borders through liaison officers of the Agency in Member States;	(4) monitor the management of the external borders through liaison officers of the Agency in Member States;
241		<i>4 a. monitor the compliance with fundamental rights at the external borders and in return operations by means of the fundamental rights officer and independent return monitors in cooperation with the European Union Agency for Fundamental Rights;</i>		<i>(4 a) monitor the compliance with fundamental rights in all of its activities and at the external borders and in return operations,</i> [
242	5. support the development and operation of the EUROSUR framework;	5. support the development and operation of the EUROSUR framework;	(5) support the development and operation of the EUROSUR framework;	(5) support the development and operation of the EUROSUR framework;
243	6. assist Member States in circumstances requiring increased	6. assist Member States in circumstances requiring increased	(6) assist Member States in circumstances requiring increased	(6) assist Member States in circumstances requiring increased

	Commission proposal	EP amendments	Council position	Compromise text proposals
	technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;
244	7. assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate challenges, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	7. assist Member States, <i>upon their request</i> , in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate challenges, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	(7) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate challenges, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;	(7) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate challenges, taking into account that some situations may involve humanitarian emergencies and rescue at sea in accordance with Union and international law;
245	8. provide technical and operational assistance to Member States and third countries in accordance with Regulation (EU) No 656/2014 and international law, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;	8. provide technical and operational assistance to Member States and third countries <i>in support of search and rescue operations for persons in distress at sea</i> in accordance with <i>international law, including those carried out under</i> Regulation (EU) No 656/2014 <del>and international law, and in support, in</del>	(8) provide technical and operational assistance to Member States and third countries in accordance with Regulation (EU) No 656/2014 and international law, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;	(8) provide technical and operational assistance to Member States and third countries in accordance with Regulation (EU) No 656/2014 and international law, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<del>accordance with international law, of in search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;</del>		<b>Triologue</b>
246	9. deploy the European Border and Coast Guard standing corps in the framework of border management teams, migration management support teams and return teams during joint operations and in rapid border interventions, return operations and return interventions;	9. <del>deploy</del> <b>set up</b> the European Border and Coast Guard standing corps, <b>including the strengthening of the rapid reaction pool as provided for in this Regulation, and deploy it</b> in the framework of border management teams, migration management support teams and return teams during joint operations and in rapid border interventions, return operations and return interventions;	(9) deploy the European Border and Coast Guard standing corps in the framework of border management teams, migration management support teams and return teams during joint operations and in rapid border interventions, return operations and return interventions;	(9) deploy the European Border and Coast Guard standing corps established by this Regulation in the framework of border management teams, migration management support teams and return teams during joint operations and in rapid border interventions, return operations and return interventions;
247	10. set up a technical equipment pool, including a rapid reaction equipment pool, to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, as well as in return operations and return interventions;	10. set up a technical equipment pool, including a rapid reaction equipment pool, to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, as well as in return operations and return interventions;	(10) set up a technical equipment pool, including a rapid reaction equipment pool, to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, as well as in return operations and return interventions;	(10) set up a technical equipment pool, including a rapid reaction equipment pool, to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, as well as in return operations and return interventions;
248	11. develop and manage its own human and technical capabilities to contribute to the European Border and Coast Guard standing corps and	11. develop and manage its own human and technical capabilities to contribute to the European Border and Coast Guard standing corps and	(11) develop and manage its own human and technical capabilities to contribute to the European Border and Coast Guard standing corps and	(11) develop and manage, <b>with the support of an internal quality control mechanism</b> , its own human and technical capabilities to

	Commission proposal	EP amendments	Council position	Compromise text proposals
	the technical equipment pool, including the recruitment and training of the members of its staff acting as team members;	the technical equipment pool, including the recruitment and training of the members of its staff acting as team members;	the technical equipment pool, including the recruitment and training of the members of its staff acting as team members;	contribute to the European Border and Coast Guard standing corps and the technical equipment pool, including the recruitment and training of the members of its staff acting as team members;
249		<i>11a. create an internal quality control mechanism in order to ascertain the level of training, special expertise and professionalism possessed by the Agency's staff, in particular, the statutory staff involved in border control and return;</i>		
250	12. within the framework of the migration management support teams at hotspot areas or in controlled centres;	12. within the framework of the migration management support teams at hotspot areas <del>or in controlled centres</del> <i>deploy operational staff and technical equipment to provide assistance in screening, debriefing, identification and fingerprinting;</i>	(12) within the framework of the migration management support teams at hotspot areas <del>or in controlled centres</del> .	(12) within the framework of the migration management support teams at hotspot areas <del>or in controlled centres</del> ,
251	13. deploy operational staff and technical equipment to provide assistance in screening, debriefing, identification and fingerprinting;	<del>13. deploy operational staff and technical equipment to provide assistance in screening, debriefing, identification and fingerprinting;</del>	<del>;</del> (13) deploy operational staff and technical equipment to provide assistance in screening, debriefing, identification and fingerprinting, <u>and</u> ;	(13) <del>;</del> deploy operational staff and technical equipment to provide assistance in screening, debriefing, identification and fingerprinting, <u>and</u> ;
252	14. establish a procedure for referring and providing initial information to persons who are in need of, or wish	14. establish a procedure for referring and providing initial information to persons who are in	<del>-(14)</del> - establish a procedure for referring and providing initial information to persons who are in	(14) - establish a procedure for referring and providing initial information to persons who are in



	Commission proposal	EP amendments	Council position	Compromise text proposals
	to apply for, international protection, in cooperation with the [European Union Agency for Asylum] and competent national authorities;	need of, or wish to apply for, international protection, <b>including a procedure for the identification of vulnerable groups</b> , in cooperation with the [European Union Agency for Asylum] and competent national authorities;	need of, or wish to apply for, international protection, in cooperation with the [European Union Agency for Asylum] and competent national authorities;	need of, or wish to apply for, international protection, <b>including a procedure for the identification of vulnerable groups</b> , in cooperation with the <b>European Asylum Support Office</b> and competent national authorities;
253	15. provide assistance in all stages of the return process and with the coordination and organisation of return operations, as well as return interventions;	15. provide assistance, <b>and monitor compliance with fundamental rights</b> , <del>in</del> <b>at</b> all stages of the return process <b>without entering into the merits of return decisions which remain the sole responsibility of the Member States</b> and <b>assist</b> with the coordination <del>and</del> and organisation of return operations, <del>as well as</del> <b>and provide technical and operational support to implement the obligation to return returnees, as well as technical and operational support to return operations and interventions;</b>	(15) provide assistance in all stages of the return process and with the coordination and organisation of return operations, as well as return interventions;	(15) provide assistance in all stages of the return process <b>without entering into the merits of return decisions which remain the sole responsibility of the Member States</b> and <b>assist</b> with the coordination and organisation of return operations, <del>as well as</del> <b>and provide technical and operational support to implement the obligation to return returnees, as well as technical and operational support to return operations and interventions, also in circumstances requiring increased assistance;</b>
254	16. assist Member States in circumstances requiring increased technical and operational assistance to implement the obligation to return irregular migrants, including, coordination or organisation of return operations;	<del>16. assist Member States in circumstances requiring increased technical and operational assistance to implement the obligation to return irregular migrants, including, coordination or organisation of return operations;</del>	(16) assist Member States in circumstances requiring increased technical and operational assistance to implement the obligation to return irregular migrants, including, coordination or organisation of return operations;	Merged with Paragraph 15

	Commission proposal	EP amendments	Council position	Compromise text proposals
255	17. set up a pool of forced-return monitors;	17. set up a pool of forced-return monitors <i>in cooperation with the European Union Agency for Fundamental Rights, and pools of forced-return escorts and return specialists</i> ;	(17) set up a pool of forced-return monitors;	(17) set up a pool of forced-return monitors;
256	18. deploy return teams during return interventions;	18. deploy return teams during return interventions;	(18) deploy return teams during return interventions;	(18) deploy return teams during return interventions;
257	19. within the respective mandates of the agencies concerned, cooperate with Europol and Eurojust and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime and terrorism;	19. within the respective mandates of the agencies concerned, cooperate with Europol and Eurojust and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against <del>organised</del> cross-border crime <del>and terrorism</del> ;	(19) within the respective mandates of the agencies concerned, cooperate with Europol and Eurojust and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime and terrorism;	19) within the respective mandates of the agencies concerned, cooperate with Europol and Eurojust and provide support to Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against <del>organised</del> cross-border crime and terrorism;
258	20. cooperate with the European Union Agency for Asylum in particular to facilitate measures where third country nationals, whose application for international protection has been rejected by means of a final decision, are subject to return;	20. cooperate with the [European Union Agency for Asylum] <del>in particular to facilitate measures where third country nationals, whose application for international protection has been rejected by means of a final decision, are subject to return</del> ;	(20) cooperate with the European Union Agency for Asylum in particular to facilitate measures where third country nationals, whose application for international protection has been rejected by means of a final decision, are subject to return;	20) cooperate with <del>the European Union Agency for Asylum</del> <i>the European Asylum Support Office within their respective mandates</i> , in particular to facilitate measures where third country nationals, whose application for international protection has been rejected by means of a final decision, are subject to return;

	Commission proposal	EP amendments	Council position	Compromise text proposals
259		<i>20 a. cooperate with the European Union Agency for Fundamental Rights, in order to ensure the continuous and uniform application of the Union acquis on fundamental rights in all its activities;</i>		<i>(20 a) within its respective mandate, cooperate with the European Union Agency for Fundamental Rights, in order to ensure the continuous and uniform application of the Union acquis on fundamental rights;</i>
260	21. cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, within their respective mandates, to support the national authorities carrying out the coast guard functions set out in Article 70, by providing services, information, equipment and training, as well as by coordinating multipurpose operations;	21. cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, within their respective mandates, to support the national authorities carrying out the coast guard functions set out in Article 70, <b>including the saving of lives of migrants and refugees</b> , by providing services, information, equipment and training, as well as by coordinating multipurpose operations;	(21) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, within their respective mandates, to support the national authorities carrying out the coast guard functions set out in Article 70, by providing services, information, equipment and training, as well as by coordinating multipurpose operations;	(21) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, within their respective mandates, to support the national authorities carrying out the coast guard functions set out in Article 70, <b>including the saving of lives</b> by providing services, information, equipment and training, as well as by coordinating multipurpose operations;
261	22. cooperate with third countries in the areas covered by the Regulation, including through the possible operational deployment of border management teams and return teams in third countries;	22. cooperate with third countries in the areas covered by the Regulation, including through the possible operational deployment of border management teams <b>and return teams</b> in third countries;	(22) cooperate with third countries in the areas covered by the Regulation, including through the possible operational deployment of border management teams and return teams in third countries;	(22) cooperate with third countries in the areas covered by the Regulation, including through the possible operational deployment of border management teams <b>and return teams</b> in third countries;
262	23. support third countries in the coordination or organisation of return	<del>23. support third countries in the coordination or organisation of return</del>	(23) support third countries in the coordination or organisation of return	<b>(23) support third countries in the coordination or organisation of</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
	activities to other third countries, including the sharing of personal data for return purposes;	<del>activities to other third countries, including the sharing of personal data for return purposes;</del>	activities to other third countries, including the sharing of personal data for return purposes;	return activities to other third countries, including the sharing of personal data for return purposes;  Linked with third countries cooperation
263	24. assist Member States and third countries in the context of technical and operational cooperation between them in the matters covered by this Regulation;	24. assist Member States and third countries in the context of technical and operational cooperation between them in the matters covered by this Regulation;	(24) assist Member States and third countries in the context of technical and operational cooperation between them in the matters covered by this Regulation;	(24) assist Member States and third countries in the context of technical and operational cooperation between them in the matters covered by this Regulation;
264	25. assist Member States and third countries in training of national border guards, other relevant staff and experts on return, including the establishment of common training standards;	25. assist Member States and third countries in training of national border guards, other relevant staff and experts on return, including <b>through</b> the establishment of common training standards <b>and programmes which shall include fundamental rights</b> ;	(25) assist Member States and third countries in training of national border guards, other relevant staff and experts on return, including the establishment of common training standards;	(25) assist Member States and third countries in training of national border guards, other relevant staff and experts on return, including <b>through</b> the establishment of common training standards and programmes, <b>including on fundamental rights</b> .
265	26. participate in the development and management of research and innovation activities relevant for the control and surveillance of the external borders, including the use of advanced surveillance technology, and develop pilot projects regarding matters covered by this Regulation;	26. participate in the development and management of research and innovation activities relevant for the <b>control management and surveillance</b> of the external borders, including the use of advanced surveillance technology, and develop pilot projects <b>where necessary for the implementation of activities, provided for covered by in</b> this Regulation;	(26) participate in the development and management of research and innovation activities relevant for the control <del>and surveillance</del> of the external borders, including the use of advanced surveillance technology, and develop pilot projects regarding matters covered by this Regulation;	(26) participate in the development and management of research and innovation activities relevant for the control <del>and surveillance</del> of the external borders, including the use of advanced surveillance technology, and develop <b>its own</b> pilot projects <del>regarding matters covered by</del> <b>where necessary for the</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
				<i>implementation of activities, provided for by in this Regulation;</i>
266			<u>(26b) develop technical standards for information exchange.</u>	<i>(26b) develop technical standards for information exchange.</i>
267	27. support the development of technical standards of equipment in the area of border control and return including for interconnection of systems and networks;	27. support the development of technical standards of equipment in the area of border <del>control</del> <b>management</b> and return including for interconnection of systems and networks;	(27) support the development of technical standards of equipment in the area of border control and return including for interconnection of systems and networks <u>and of common minimum standards for external border surveillance as appropriate in accordance with the responsibility of the Member States and the Commission;</u>	(27) support the development of technical standards of equipment in the area of border control and return including for interconnection of systems and networks <i>and of common minimum standards for external border surveillance as appropriate in accordance with the responsibility of the Member States and the Commission;</i>
268	28. establish and maintain the communication network referred to in Article 14;	28. establish and maintain the communication network referred to in Article 14;	(28) establish and maintain the communication network referred to in Article 14;	(28) establish and maintain the communication network referred to in Article 14;
269	29. develop and operate, in accordance with [Regulation (EC) No 45/2001], information systems that enable swift and reliable exchanges of information regarding emerging risks in the management of the external borders, illegal immigration and return, in close cooperation with the Commission, Union bodies, offices and agencies as	29. develop and operate, in accordance with <del>[Regulation (EC) No 45/2001]</del> <b>Regulation (EU) 2018/1725</b> , information systems that enable swift and reliable exchanges of information regarding emerging risks in the management of the external borders, <del>illegal</del> <b>irregular</b> immigration and return, in close cooperation with the Commission,	(29) develop and operate, in accordance with <del>[Regulation EU 2017/1725 (EC) No 45/2001]</del> , information systems that enable swift and reliable exchanges of information regarding emerging risks in the management of the external borders, illegal immigration and return, in close cooperation with the Commission, Union bodies, offices	(29) develop and operate, in accordance with <del>{Regulation EU 2017/1725 (EC) No 45/2001}</del> , information systems that enable swift and reliable exchanges of information regarding emerging risks in the management of the external borders, illegal immigration and return, in close cooperation with the Commission,

	Commission proposal	EP amendments	Council position	Compromise text proposals
	well as the European Migration Network established by Decision 2008/381/EC;	Union bodies, offices and agencies as well as the European Migration Network established by Decision 2008/381/EC;	and agencies as well as the European Migration Network established by Decision 2008/381/EC;	Union bodies, offices and agencies as well as the European Migration Network established by Decision 2008/381/EC;
270	30. provide, as appropriate, the necessary assistance for the development of a common information-sharing environment, including interoperability of systems;	30. provide, as appropriate, the necessary assistance <i>in the framework of integrated maritime surveillance</i> for the development of a common information sharing environment, including interoperability of systems;	(30) provide, as appropriate, the necessary assistance for the development of a common information-sharing environment, including interoperability of systems;	(30) provide, as appropriate, the necessary assistance for the development of a common information-sharing environment, including interoperability of systems;
271		<i>30 a. adopt and promote the highest standards for border management practises, allowing for transparency and public scrutiny and ensuring respect, protection and promotion of fundamental rights and rule of law;</i>		<i>30 a. Follow high standards for border management, allowing for transparency and public scrutiny and in full respect of the applicable legal framework ensuring respect, protection and promotion of fundamental rights;</i>
272	31. manage and operate the False and Authentic Documents Online system referred to in Article 80;	31. manage and operate the False and Authentic Documents Online system referred to in Article 80;	(31) manage and operate the False and Authentic Documents Online system referred to in Article 80 <u>and to support the Member States by providing support for facilitating detection of document fraud;</u>	Linked to art 80
273	32. fulfil the tasks and obligations entrusted to the Agency referred to in [Regulation establishing a European Travel Information and Authorisation	32. fulfil the tasks and obligations entrusted to the Agency referred to in <i>Regulation (EU) 2018/1240 of the European</i>	(32) fulfil the tasks and obligations entrusted to the Agency referred to in <u>Regulation EU 2018/1240</u> establishing a European	32. fulfil the tasks and obligations entrusted to the Agency referred to in <i>Regulation (EU) 2018/1240 of the European</i>

	Commission proposal	EP amendments	Council position	Compromise text proposals
	System (ETIAS)] and ensure the setting up and operation of the ETIAS Central Unit in accordance with Article 7 of [Regulation establishing a European Travel Information and Authorisation System (ETIAS)].	<b>Parliament and of the Council</b> <sup>9</sup> [ <del>Regulation establishing a European Travel Information and Authorisation System (ETIAS)]</del> and ensure the setting up and operation of the ETIAS Central Unit in accordance with Article 7 of <b>that Regulation</b> [ <del>Regulation establishing a European Travel Information and Authorisation System (ETIAS)]</del> .	Travel Information and Authorisation System (ETIAS)] and ensure the setting up and operation of the ETIAS Central Unit in accordance with Article 7 of <u>that</u> [ <del>Regulation establishing a European Travel Information and Authorisation System (ETIAS)]</del> .	<b>Parliament and of the Council</b> <sup>10</sup> [Regulation establishing a European Travel Information and Authorisation System (ETIAS)] and ensure the setting up and operation of the ETIAS Central Unit in accordance with Article 7 of <b>that Regulation</b> [ <del>Regulation establishing a European Travel Information and Authorisation System (ETIAS)]</del> .
274		<i>32 a. assist Member States in the prevention and detection of cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism at the external borders and at the pre-frontier area;</i>		Covered in line 236
275		<i>32 b. assist Member States in the facilitation of the crossing of the external borders by bona fide (legitimate) travellers.</i>		<i>32 b. assist Member States in the facilitation of the crossing of the external borders.</i>
276	(2) The Agency shall communicate on its own initiative on matters falling within its mandate. It	(2) The Agency shall communicate <del>on its own initiative</del> on matters falling within its mandate. It	2. The Agency shall communicate on its own initiative on matters falling within its mandate. It	(2) The Agency shall communicate <del>on its own initiative</del> on matters falling within its mandate. It shall

<sup>9</sup> Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

<sup>10</sup> Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 (OJ L 236, 19.9.2018, p. 1).

	Commission proposal	EP amendments	Council position	Compromise text proposals
	shall provide the public with accurate and comprehensive information about its activities.	shall provide the public with accurate, <i>detailed, timely</i> and comprehensive information about its activities <i>and analyses</i> .	shall provide the public with accurate and comprehensive information about its activities.	provide the public with accurate, <i>detailed, timely</i> and comprehensive information about its activities.
277	Communication activities shall not be detrimental to the tasks referred to in paragraph 1 of this Article, in particular by revealing operational information, which, if made public, would jeopardise attainment of the objective of operations. Communication activities shall be carried out without prejudice to Article 91 and in accordance with relevant communication and dissemination plans adopted by the management board and in close cooperation, where appropriate, with other agencies.	Communication activities shall not be detrimental to the tasks referred to in paragraph 1 of this Article, in particular by revealing operational information, which, if made public, would jeopardise attainment of the objective of operations. Communication activities shall be carried out without prejudice to Article 91 and in accordance with relevant communication and dissemination plans adopted by the management board and in close cooperation, where appropriate, with other agencies.	Communication activities shall not be detrimental to the tasks referred to in paragraph 1 of this Article, in particular by revealing operational information, which, if made public, would jeopardise attainment of the objective of operations. Communication activities shall be carried out without prejudice to Article 91 and in accordance with relevant communication and dissemination plans adopted by the management board and in close cooperation, where appropriate, with other agencies.	Communication activities shall not be detrimental to the tasks referred to in paragraph 1 of this Article, in particular by revealing operational information, which, if made public, would jeopardise attainment of the objective of operations. Communication activities shall be carried out without prejudice to Article 91 and in accordance with relevant communication and dissemination plans adopted by the management board and in close cooperation, where appropriate, with other agencies.
278	Section 2		Section 2	Section 2
279	Information exchange and cooperation		Information exchange and cooperation	Information exchange and cooperation
280	Article 11		Article 11	Article 11
281	Duty to cooperate in good faith	Duty to cooperate in good faith	Duty to cooperate in good faith	Duty to cooperate in good faith
282	The Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall be subject to a duty to	The Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall be subject to a duty to	The Agency and the national authorities <u>of the Member States</u> <del>which are</del> responsible for border management <del>and return</del> , including coast guards to the extent that they carry out border control tasks, <u>as well</u>	The Agency and the national authorities <u>of the Member States</u> <del>which are</del> responsible for border management <del>and return</del> , including coast guards to the extent that they carry out border control tasks, <u>as</u>



	Commission proposal	EP amendments	Council position	Compromise text proposals
	cooperate in good faith and an obligation to exchange information.	cooperate in good faith and an obligation to exchange information.	as the authorities responsible for <u>return</u> , shall be subject to a duty to cooperate in good faith and an obligation to exchange information.	well as the authorities of the <u>Member States responsible for return</u> , shall be subject to a duty to cooperate in good faith and an obligation to exchange information.
283	Article 12		Article 12	Article 12
284	Obligation to exchange information	Obligation to exchange information	Obligation to exchange information	Obligation to exchange information
285	1. In order to perform the tasks conferred on them by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment, as well as to provide technical and operational assistance in the field of return, the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall, in accordance with this Regulation and other relevant Union and national law regarding the exchange of information, share in a timely and accurate manner all necessary information.	1. In order to perform the tasks conferred on them by this Regulation, <del>in particular for the Agency to monitor the migratory flows towards and within the Union,</del> to carry out risk analysis and to perform the vulnerability assessment, as well as to provide technical and operational assistance in the field of return, the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall, in accordance with this Regulation and other relevant Union and national law regarding the exchange of information, share in a timely and accurate manner all necessary information.	1. In order to perform the tasks conferred on them by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment, as well as to provide technical and operational assistance in the field of return, the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall, in accordance with this Regulation and other relevant Union and national law regarding the exchange of information, share in a timely and accurate manner all necessary information.	1. In order to perform the tasks conferred on them by this Regulation, <del>in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment, as well as to provide technical and operational assistance in the field of return,</del> the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks, shall, in accordance with this Regulation and other relevant Union and national law regarding the exchange of information, share in a timely and accurate manner all necessary information.

	Commission proposal	EP amendments	Council position	Compromise text proposals
286	2. The Agency shall take appropriate measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States and, where appropriate, the relevant Union agencies.	2. The Agency shall take appropriate measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States and, where appropriate, <b><i>information relevant for the performance of its tasks with the relevant Union agencies, in accordance with relevant data protection law.</i></b>	2. The Agency shall take appropriate measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States and, where appropriate, the relevant Union agencies.	2. The Agency shall take appropriate measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States. <del><b><i>and, where appropriate, the relevant Union agencies.</i></b></del> <b><i>Where the information is relevant for the performance of its tasks, the Agency shall exchange information with other relevant Union Agencies, for the purpose of risk analysis, collection of statistical data, assessment of the situation in third countries, training and the support to Member States on contingency planning. For the purpose of exchange of information as referred to in paragraphs 1 and 2 the necessary tools and structures shall be developed between the Agencies.</i></b>
287	3. The Agency and the [European Union Agency for Asylum] shall exchange information for the purpose of risk analysis, collection of statistical data, assessment of the situation in third countries, training and the support to Member States on contingency planning. For those purposes, the necessary tools and	3. <del>The Agency and the [European Union Agency for Asylum] shall exchange information for the purpose of risk analysis, collection of statistical data, assessment of the situation in third countries, training and the support to Member States on contingency planning.</del> <b><i>For the purpose of exchange of information as referred</i></b>	3. The Agency and the [European Union Agency for Asylum] <u>and the Agency and other relevant Union agencies where appropriate,</u> shall exchange information for the purpose of risk analysis, collection of statistical data, assessment of the situation in third countries, training and the support to Member States on contingency	Para 2 and 3 are merged

	Commission proposal	EP amendments	Council position	Compromise text proposals
	structures shall be developed between the Agencies.	<del>to in paragraphs 1 and 2 those purposes,</del> the necessary tools and structures shall be developed between the Agencies	planning. For those purposes, the necessary tools and structures shall be developed between the <u>relevant Agencies</u> .	
288	4. The Agency shall take all necessary measures to facilitate the exchange of information relevant for its tasks with Ireland and the United Kingdom where that information relates to the activities in which it participate in accordance with Article 71 and Article 98(5).	4. The Agency shall take all necessary measures to facilitate the exchange of information relevant for its tasks with Ireland and the United Kingdom where that information relates to the activities in which it participate in accordance with Article 71 and Article 98(5).	4. The Agency shall take all necessary measures to facilitate the exchange of information relevant for its tasks with Ireland and the United Kingdom where that information relates to the activities in which it participate in accordance with Article 71 and Article 98(5).	4. The Agency shall take all necessary measures to facilitate the exchange of information relevant for its tasks with Ireland and the United Kingdom where that information relates to the activities in which it participate in accordance with Article 71 and Article 98(5).
289			Article 13	Article 13
290		National contact point	National contact point	National contact point
291	Member States shall appoint a national contact point for communication with the Agency on all matters pertaining to the activities of the Agency. The national contact point shall be reachable at all times and ensure the timely dissemination of all information from the Agency to all the relevant authorities within the Member State concerned, in particular the members of the management board and the National Coordination Centre.	Member States shall appoint a national contact point for communication with the Agency on all matters pertaining to the activities of the Agency. The national contact point shall be <del>reachable at all times and ensure the timely</del> <b>appointed for administrative purposes to facilitate routine communication between the Agency and the Member States. For the purpose of ensuring the dissemination of urgent and operational</b> <del>all information from the Agency to all the relevant authorities within the Member State concerned, in particular the members of the management board and, the National</del>	<u>1.</u> Member States shall appoint a national contact point for communication with the Agency on all matters pertaining to the activities of the Agency, <u>without prejudice to the role of the National Coordination Centres as defined in Article 21.</u> The national contact point shall be reachable at all times and ensure the timely dissemination of all information from the Agency to all the relevant authorities within the Member State concerned, in particular the members of the management board and the National Coordination Centre.	<u>1.</u> Member States shall appoint a national contact point for communication with the Agency on all matters pertaining to the activities of the Agency, <u>without prejudice to the role of the National Coordination Centres as defined in Article 21.</u> The national contact point shall be reachable at all times and ensure the timely dissemination of all information from the Agency to all the relevant authorities within the Member State concerned, in particular the members of the management board and the National Coordination Centre.

	Commission proposal	EP amendments	Council position	Compromise text proposals
		Coordination Centre <i>Centres shall act as points of contact.</i>		
292			<u>2. Member States may designate up to two staff members of representing their national contact point to be deployed to the Agency as liaison officers. The liaison officers may facilitate communication between the national contact point and the Agency, including, if necessary, the attendance of relevant meetings.</u>	<b>2. Member States may designate up to two staff members of representing their national contact point to be deployed to the Agency as liaison officers. The liaison officers may facilitate communication between the national contact point and the Agency, including, if necessary, the attendance of relevant meetings.</b>
293			<u>3. The Agency shall provide the necessary premises within the building of the Agency and adequate support for the liaison officers to perform their duties. All other costs that arise in connection with the deployment of liaison officers shall be covered by the Member State. The Management Board shall specify the rules and conditions of the deployment, as well as the adequate support.</u>	<b>3. The Agency shall provide the necessary premises within the building of the Agency and adequate support for the liaison officers to perform their duties. All other costs that arise in connection with the deployment of liaison officers shall be covered by the Member State. The Management Board shall specify the rules and conditions of the deployment, as well as the adequate support.</b>
294	Article 14		Article 14	Article 14
295	Communication network	Communication network	Communication network	Communication network

	Commission proposal	EP amendments	Council position	Compromise text proposals
296	1. The Agency shall establish and maintain a communication network in order to provide communication and analytical tools and allow for the exchange of sensitive non-classified and classified information in a secure manner and in near real time with, and among, the national coordination centres. The network shall be operational twenty-four hours a day and seven days a week and shall allow for:	1. The Agency shall establish and maintain a communication network in order to provide communication and analytical tools and allow for the exchange of sensitive non-classified and classified information in a secure manner and in near real time with, and among, the national coordination centres. The network shall <b><i>comply with all Union data protection law throughout its life cycle. The network shall</i></b> be operational twenty-four hours a day and seven days a week and shall allow for:	1. The Agency shall establish and maintain a communication network in order to provide communication and analytical tools and allow for the exchange of sensitive non-classified and classified information in a secure manner and in near real time with, and among, the national coordination centres. The network shall be operational twenty-four hours a day and seven days a week and shall allow for:	1. The Agency shall establish and maintain a communication network in order to provide communication and analytical tools and allow for the exchange of sensitive non-classified and classified information in a secure manner and in near real time with, and among, the national coordination centres. <b><i>Any system or application using the Communication Network shall comply with all Union data protection law throughout its life cycle.</i></b> The network shall be operational twenty-four hours a day and seven days a week and shall allow for:
297	(a) bilateral and multilateral information exchange in near-real-time;	(a) bilateral and multilateral information exchange in near-real-time;	(a) bilateral and multilateral information exchange in near-real-time;	(a) bilateral and multilateral information exchange in near-real-time;
298	(b) audio and video conferencing;	(b) audio and video conferencing;	(b) audio and video conferencing;	(b) audio and video conferencing;
299	(c) secure handling, storing, transmission and processing of sensitive non-classified information;	(c) secure handling, storing, transmission and processing of sensitive non-classified information;	(c) secure handling, storing, transmission and processing of sensitive non-classified information;	(c) secure handling, storing, transmission and processing of sensitive non-classified information;
300	(d) secure handling, storing, transmission and processing of EU classified information up to the level of CONFIDENTIEL UE/EU CONFIDENTIEL or equivalent	(d) secure handling, storing, transmission and processing of EU classified information up to the level of CONFIDENTIEL UE/EU CONFIDENTIEL or equivalent	(d) secure handling, storing, transmission and processing of EU classified information up to the level of CONFIDENTIEL UE/EU CONFIDENTIAL or equivalent	(d) secure handling, storing, transmission and processing of EU classified information up to the level of CONFIDENTIEL UE/EU CONFIDENTIAL or equivalent

	Commission proposal	EP amendments	Council position	Compromise text proposals
	national classification levels, ensuring that classified information is handled, stored, transmitted and processed in a separate and duly accredited part of the communication network.	national classification levels, ensuring that classified information is handled, stored, transmitted and processed in a separate and duly accredited part of the communication network.	national classification levels, ensuring that classified information is handled, stored, transmitted and processed in a separate and duly accredited part of the communication network.	national classification levels, ensuring that classified information is handled, stored, transmitted and processed in a separate and duly accredited part of the communication network.
301	2. The Agency shall provide technical support and ensure that the communication network is permanently available and can support the communication and information system managed by the Agency.	2. The Agency shall provide technical support and ensure that the communication network is permanently available and can support the communication and information system managed by the Agency.	2. The Agency shall provide technical support and ensure that the communication network is permanently available and can support the communication and information system managed by the Agency.	2. The Agency shall provide technical support and ensure that the communication network is permanently available and can support the communication and information system managed by the Agency.
302	Article 15		Article 15	Article 15
303	Information exchange systems and applications managed by the Agency	Information exchange systems and applications managed by the Agency	Information exchange systems and applications managed by the Agency	Information exchange systems and applications managed by the Agency
304	1. The Agency may take all necessary measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States and, where appropriate, third parties and third countries as referred to in Article 69 and Article 71.	1. The Agency may take all necessary measures to facilitate the exchange of information relevant to its tasks with <i>the European Parliament</i> , the Commission and the Member States and, where appropriate, <i>the international organisations, the Union institutions, bodies, offices and agencies referred to in Article 69</i> <del>third parties</del> and third countries as referred to in Article <del>69 and 71</del> 72.	1. The Agency may take all necessary measures to facilitate the exchange of information relevant to its tasks with the Commission and the Member States and, where appropriate, third parties and third countries as referred to in Article 69 and Article 71.	1. The Agency may take all necessary measures to facilitate the exchange of information relevant to its tasks with <i>the European Parliament</i> , the Commission and the Member States and, where appropriate, <i>the international organisations, the Union institutions, bodies, offices and agencies referred to in Article 69</i> <del>third parties</del> and third countries as referred to in Article <del>69 and 71</del> 72.

	Commission proposal	EP amendments	Council position	Compromise text proposals
305	2. The Agency shall develop, deploy and operate an information system capable of exchanging classified and sensitive non-classified information with those actors, and of exchanging personal data referred to in Article 80 and Articles 87 to 91 in accordance with Commission Decision (EU, Euratom) 2015/444 <sup>11</sup> , Commission Decision 2015/443 <sup>12</sup> and [Regulation (EC) No 45/2001].	2. The Agency shall develop, deploy and operate an information system capable of exchanging classified and sensitive non-classified information with those actors, and of exchanging personal data referred to in Article 80 and Articles 87 to 91 in accordance with Commission Decision (EU, Euratom) 2015/444, Commission Decision 2015/443 and <del>[Regulation (EC) No 45/2001]</del> <b>Regulation (EU) 2018/1725.</b>	2. The Agency shall develop, deploy and operate an information system capable of exchanging classified and sensitive non-classified information with those actors, and of exchanging personal data referred to in <del>Article 80 and</del> Articles 87 to 91 in accordance with Commission Decision (EU, Euratom) 2015/444 <sup>13</sup> , Commission Decision 2015/443 <sup>14</sup> and <del>[Regulation EU 2018/1725(EE) No 45/2001]</del> .	2. The Agency shall develop, deploy and operate an information system capable of exchanging classified and sensitive non-classified information with those actors, and of exchanging personal data referred to in <del>Article 80 and</del> Articles 87 to 91 in accordance with Commission Decision (EU, Euratom) 2015/444 <sup>15</sup> , Commission Decision 2015/443 <sup>16</sup> and <del>[Regulation EU 2018/1725(EE) No 45/2001]</del> .
306	3. The Agency shall deploy the information systems referred to in paragraph 2 on the Communication Network referred to in Article 14 as appropriate.	3. The Agency shall deploy the information systems referred to in paragraph 2 on the Communication Network referred to in Article 14 as appropriate.	3. The Agency shall deploy the information systems referred to in paragraph 2 on the Communication Network referred to in Article 14 as appropriate.	3. The Agency shall deploy the information systems referred to in paragraph 2 on the Communication Network referred to in Article 14 as appropriate.
307	4. In relation to return, the Agency shall develop and operate a central return management system for processing all information necessary	4. In relation to return, the Agency shall operate <b>and maintain the Integrated Return Management Application (IRMA) as</b> <del>develop and</del>	4. In relation to return, the Agency shall develop and operate a central return management system <u>in accordance with Article 50(1)</u> <del>for</del>	4. In relation to return, the Agency shall operate <b>and maintain an integrated return management platform in accordance with</b>

<sup>11</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

<sup>12</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>13</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

<sup>14</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>15</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

<sup>16</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

	Commission proposal	EP amendments	Council position	Compromise text proposals
	for the Agency to provide operational assistance in accordance with Article 49 automatically communicated by the Member States' national systems, including operational return data.	<del>operate a central</del> <b>a platform</b> <del>return management system</del> for processing all information necessary for the Agency to provide operational assistance in accordance with Article 49 automatically communicated by the Member States' national systems, including operational return data.	<del>processing all information necessary for the Agency to provide operational assistance in accordance with Article 49 automatically communicated by the Member States' national systems, including operational return data.</del>	<b>Article 50(1) develop and operate a central return management system for processing all information necessary for the Agency to provide operational assistance in accordance with Article 49 automatically communicated by the Member States' national systems, including operational return data.</b>
308	Article 16		Article 16	Article 16
309	Technical standards for information exchange	Technical standards for information exchange	Technical standards for information exchange	Technical standards for information exchange
310	The Agency shall develop technical standards:	The Agency shall develop technical standards:	The Agency shall develop technical standards <u>in cooperation with the Member States:</u>	The Agency shall develop technical standards <u>in cooperation with the Member States:</u>
311	(a) to interconnect the communication network with national networks used for establishing the national situational pictures and other relevant information systems for the purpose of this Regulation;	(a) to interconnect the communication network with national networks used for establishing the national situational pictures and other relevant information systems for the purpose of this Regulation;	(a) to interconnect the communication network with national networks used for establishing the national situational pictures and other relevant information systems for the purpose of this Regulation;	(a) to interconnect the communication network with national networks used for establishing the national situational pictures and other relevant information systems for the purpose of this Regulation;
312	(b) to develop and interface relevant information exchange systems and software applications of the Agency and of the Member States for the purpose of this Regulation;	(b) to develop and interface relevant information exchange systems and software applications of the Agency and of the Member States for the purpose of this Regulation;	(b) to develop and interface relevant information exchange systems and software applications of the Agency and of the Member States for the purpose of this Regulation;	(b) to develop and interface relevant information exchange systems and software applications of the Agency and of the Member States for the purpose of this Regulation;
313	(c) to broadcast the situational pictures and, as	(c) to broadcast the situational pictures and, as	(c) to broadcast the situational pictures and, as appropriate, specific	(c) to broadcast the situational pictures and, as appropriate,



	Commission proposal	EP amendments	Council position	Compromise text proposals
	appropriate, specific situational pictures and to ensure communication between relevant units and centres of national authorities and with the teams deployed by the Agency by using various means of communication such as satellite communications and radio networks;	appropriate, specific situational pictures and to ensure communication between relevant units and centres of national authorities and with the teams deployed by the Agency by using various means of communication such as satellite communications and radio networks;	situational pictures and to ensure communication between relevant units and centres of <u>responsible national authorities of the Member States</u> and with the teams deployed by the Agency by using various means of communication such as satellite communications and radio networks;	specific situational pictures and to ensure communication between relevant units and centres of <u>responsible national authorities of the Member States</u> and with the teams deployed by the Agency by using various means of communication such as satellite communications and radio networks;
<b>314</b>	(d) to report the position of own assets making the best possible use of the technological development of the satellite navigation system established under the Galileo programme in accordance with Regulation (EU) No 1285/2013. of the European Parliament and of the Council <sup>17</sup> .	(d) to report the position of own assets making the best possible use of the technological development of the satellite navigation system established under the Galileo programme in accordance with Regulation (EU) No 1285/2013. of the European Parliament and of the Council <sup>18</sup> .	(d) to report the position of own assets making the best possible use of the technological development of the satellite navigation system established under the Galileo programme in accordance with Regulation (EU) No 1285/2013. of the European Parliament and of the Council <sup>19</sup> .	(d) to report the position of own assets making the best possible use of the technological development of the satellite navigation system established under the Galileo programme in accordance with Regulation (EU) No 1285/2013. of the European Parliament and of the Council .
<b>315</b>	Article 17		Article 17	Article 17

<sup>17</sup> Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council (OJ L 347, 20.12.2013, p. 1).

<sup>18</sup> Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council (OJ L 347, 20.12.2013, p. 1).

<sup>19</sup> Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council (OJ L 347, 20.12.2013, p. 1).

	Commission proposal	EP amendments	Council position	Compromise text proposals
316	Information assurance	Information assurance	Information assurance	Information assurance
317	Member States shall ensure via their national coordination centre that their national authorities, agencies and other bodies using the communication network and the information exchange systems of the Agency:	Member States shall ensure via their national coordination centre that their national authorities, agencies and other bodies using the communication network and the information exchange systems of the Agency:	Member States shall ensure via their national coordination centre <u>and under the supervision of the competent national authorities</u> that their national authorities, agencies and other bodies <u>when</u> using the communication network and the information exchange systems of the Agency:	Member States shall ensure via their national coordination centre <u>and under the supervision of the competent national authorities</u> that their national authorities, agencies and other bodies <u>when</u> using the communication network and the information exchange systems of the Agency:
318	(a) have proper access to the relevant systems and networks;	(a) have proper <i>and continuous</i> access to the relevant systems and networks;	(a) have proper access to the relevant systems and networks <u>from, or connected to, the Agency</u> ;	(a) have proper proper <i>and continuous</i> access to the relevant systems and networks <u>from, or connected to, the Agency</u> ;
319	(b) implement the technical standards referred to in Article 16;	(b) implement the technical standards referred to in Article 16;	(b) <del>implement</del> <u>comply with</u> the <u>relevant</u> technical standards referred to in Article 16;	(b) <del>implement</del> <u>comply with</u> the <u>relevant</u> technical standards referred to in Article 16;
320	(c) apply equivalent security rules and standards as those applied by the Agency for the handling of classified information;	(c) apply equivalent security rules and standards as those applied by the Agency for the handling of classified information;	(c) apply equivalent security rules and standards as those applied by the Agency for the handling of classified information;	(c) apply equivalent security rules and standards as those applied by the Agency for the handling of classified information;
321	(d) exchange, process and store sensitive non-classified and classified information in compliance with Commission Decision 2015/443/EU.	(d) exchange, process and store sensitive non-classified and classified information in compliance with Commission Decision 2015/443/EU.	(d) exchange, process and store sensitive non-classified and classified information in compliance with Commission Decision 2015/4443/EU.	(d) exchange, process and store sensitive non-classified and classified information in compliance with Commission Decision 2015/4434/EU.
322	Section 3		Section 3	Section 3

	Commission proposal	EP amendments	Council position	Compromise text proposals
323	EUROSUR		EUROSUR	EUROSUR
324	Article 18		Article 18	Article 18
325	EUROSUR	EUROSUR	EUROSUR	EUROSUR
326	This Regulation establishes EUROSUR as an integrated framework for the exchange of information and for cooperation within the European Border and Coast Guard in order to improve situational awareness and to increase the reaction capability for border management of the Union for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.	This Regulation establishes EUROSUR as an integrated framework for the exchange of information and for cooperation within the European Border and Coast Guard in order to improve situational awareness and to increase the reaction capability for <i>the purpose of</i> border management of the Union for the purpose of detecting, preventing, <i>including the detection, prevention</i> and combating of <i>irregular illegal immigration</i> and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.	This Regulation establishes EUROSUR as an integrated framework for the exchange of information and for <u>operational</u> cooperation within the European Border and Coast Guard in order to improve situational awareness and to increase the reaction capability for <u>the management of external borders border management</u> of the Union for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.	This Regulation establishes EUROSUR as an integrated framework for the exchange of information and for <u>operational</u> cooperation within the European Border and Coast Guard in order to improve situational awareness and to increase the reaction capability for <i>the purpose of</i> border management Union for the purpose of detecting, preventing, <i>including the detection, prevention</i> and combating of <i>irregular illegal immigration</i> and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.
327	Article 19		Article 19	Article 19
328	Scope of EUROSUR	Scope of EUROSUR	Scope of EUROSUR	Scope of EUROSUR
329	(1) EUROSUR shall apply to border checks at authorised border crossing points, and to the surveillance of external land, sea and air borders, including the monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the	(1) EUROSUR shall apply to border checks at authorised border crossing points, and to the surveillance of external land, sea and air borders, including the monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the	1. EUROSUR shall apply to border checks at authorised border crossing points, and to the surveillance of external land, sea and air borders, including the monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the	1. EUROSUR shall apply to border checks at authorised border crossing points, and to the surveillance of external land, sea and air borders, including the monitoring, detection, identification, tracking, prevention and interception of unauthorised

	Commission proposal	EP amendments	Council position	Compromise text proposals
	purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.	purpose of detecting, preventing and combating <del>illegal immigration</del> <b>irregular migration</b> and cross-border crime and contributing to ensuring the protection and saving the lives of migrants. <b>Member States may provide EUROSUR with information on the phenomenon of secondary movements within the Union in terms of migratory trends, volume and routes with the aim of improving situational awareness.</b>	purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.	border crossings for the purpose of detecting, preventing and combating <b>illegal</b> immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants.
330	(2) EUROSUR shall not apply to any legal or administrative measure taken once the responsible authorities of a Member State have intercepted cross-border criminal activities or unauthorised crossings by persons of the external borders.	(2) EUROSUR shall not apply to any legal or administrative measure taken once the responsible authorities of a Member State have intercepted cross-border criminal activities or unauthorised crossings by persons of the external borders.	2. EUROSUR shall not apply to any legal or administrative measure taken once the responsible authorities of a Member State have intercepted cross-border criminal activities or unauthorised crossings by persons of the external borders.	2. EUROSUR shall not apply to any legal or administrative measure taken once the responsible authorities of a Member State have intercepted cross-border criminal activities or unauthorised crossings by persons of the external borders.
331	Article 20		Article 20	Article 20
332	EUROSUR components	EUROSUR components	EUROSUR components	EUROSUR components
333	(1) For the exchange of information and for the cooperation in the field of border control, Member States and the Agency shall use the EUROSUR framework, consisting of the following components:	(1) For the exchange of information and for the cooperation in the field of border control, Member States and the Agency shall use the EUROSUR framework, consisting of the following components:	1. For the exchange of information and for the cooperation in the field of border control, <u>and taking into account existing information exchange and cooperation mechanisms</u> , Member States and the Agency shall use the EUROSUR framework, consisting of the following components:	1. For the exchange of information and for the cooperation in the field of border control, <u>and taking into account existing information exchange and cooperation mechanisms</u> , Member States and the Agency shall use the EUROSUR framework, consisting of the following components:

	Commission proposal	EP amendments	Council position	Compromise text proposals
334	(a) national coordination centres;	(a) national coordination centres;	(a) national coordination centres;	(a) national coordination centres;
335	(b) national situational pictures;	(b) national situational pictures;	(b) national situational pictures;	(b) national situational pictures;
336	(c) a European situational picture including external border sections with corresponding impact levels;	(c) a European situational picture including external border sections with corresponding impact levels;	(c) a European situational picture including external border sections with corresponding impact levels;	(c) a European situational picture including external border sections with corresponding impact levels;
337	(d) specific situational pictures;	(d) specific situational pictures;	(d) specific situational pictures;	(d) specific situational pictures;
338	(e) EUROSUR Fusion Services as referred to in Article 29;	(e) EUROSUR Fusion Services as referred to in Article 29;	(e) EUROSUR Fusion Services as referred to in Article 29;	(e) EUROSUR Fusion Services as referred to in Article 29;
339	(f) integrated planning in line with Article 9 and Article 67.	(f) integrated planning in line with Article 9 and Article 67.	(f) integrated planning in line with Article 9 and Article 67.	(f) integrated planning in line with Article 9 and Article 67.
340	(2) The national coordination centres shall provide the Agency, via the communication network and relevant systems, with information, from their national situational pictures and as appropriate from specific situational pictures, which is required for the establishment and maintenance of the European situational picture.	(2) The national coordination centres shall provide the Agency, via the communication network and relevant systems, with information, from their national situational pictures and as appropriate from specific situational pictures, which is required for the establishment and maintenance of the European situational picture.	2. The national coordination centres shall provide the Agency, via the communication network and relevant systems, with information, from their national situational pictures and as appropriate from specific situational pictures, which is required for the establishment and maintenance of the European situational picture.	2. The national coordination centres shall provide the Agency, via the communication network and relevant systems, with information, from their national situational pictures and as appropriate from specific situational pictures, which is required for the establishment and maintenance of the European situational picture.
341	(3) The Agency shall give the national coordination centres, via the communication network,	(3) The Agency shall give the national coordination centres, via the communication network,	3. The Agency shall give the national coordination centres, via the communication network, unlimited	3. The Agency shall give the national coordination centres, via the communication network,

	Commission proposal	EP amendments	Council position	Compromise text proposals
	unlimited access twenty-four hours a day and seven days a week, to specific situational pictures and to the European situational picture.	unlimited access twenty-four hours a day and seven days a week, to specific situational pictures and to the European situational picture.	access twenty-four hours a day and seven days a week, to specific situational pictures and to the European situational picture.	unlimited access twenty-four hours a day and seven days a week, to specific situational pictures and to the European situational picture.
342	Article 21		Article 21 <sup>20</sup>	Article 21
343	National coordination centre	National coordination centre	National coordination centre	National coordination centre
344	(1) Each Member State shall designate, operate and maintain a national coordination centre which shall coordinate, and exchange information among all authorities with a responsibility for external border control at national level, as well as with the other national coordination centres and the Agency. Each Member State shall notify the establishment of its national coordination centre to the Commission, which shall forthwith inform the other Member States and the Agency thereof.	(1) Each Member State shall designate, operate and maintain a national coordination centre which shall coordinate, and exchange information among all authorities with a responsibility for external border control at national level, as well as with the other national coordination centres and the Agency. Each Member State shall notify the establishment of its national coordination centre to the Commission, which shall forthwith inform the other Member States and the Agency thereof.	1. Each Member State shall designate, operate and maintain a national coordination centre which shall coordinate, and exchange information among all authorities with a responsibility for external border control at national level, as well as with the other national coordination centres and the Agency. Each Member State shall notify the establishment of its national coordination centre to the Commission, which shall forthwith inform the other Member States and the Agency thereof.	1. Each Member State shall designate, operate and maintain a national coordination centre which shall coordinate, and exchange information among all authorities with a responsibility for external border control at national level, as well as with the other national coordination centres and the Agency. Each Member State shall notify the establishment of its national coordination centre to the Commission, which shall forthwith inform the other Member States and the Agency thereof.
345	(2) Without prejudice to Article 13 and within the framework of EUROSUR, the national coordination centre shall be the single point of contact for the exchange of information and for the cooperation with other national coordination centres and with the Agency.	(2) Without prejudice to Article 13 and within the framework of EUROSUR, the national coordination centre shall be the single point of contact for the exchange of information and for the cooperation with other national coordination centres and with the Agency.	2. Without prejudice to Article 13 and within the framework of EUROSUR, the national coordination centre shall be the single point of contact for the exchange of information and for the cooperation with other national coordination centres and with the Agency.	2. Without prejudice to Article 13 and within the framework of EUROSUR, the national coordination centre shall be the single point of contact for the exchange of information and for the cooperation with other national coordination centres and with the Agency.

<sup>20</sup> New recital (23a) added.

	Commission proposal	EP amendments	Council position	Compromise text proposals
346	(3) The national coordination centre shall:	(3) The national coordination centre shall:	3. The national coordination centre shall:	3. The national coordination centre shall:
347	(a) ensure the timely exchange of information and timely cooperation between all national authorities with a responsibility for external border control, as well as with other national coordination centres and the Agency;	(a) ensure the timely exchange of information and timely cooperation between all national authorities with a responsibility for external border control, as well as with other national coordination centres and the Agency;	(a) ensure the timely exchange of information and timely cooperation between all national authorities with a responsibility for external border control, as well as with other national coordination centres and the Agency;	(a) ensure the timely exchange of information and timely cooperation between all national authorities with a responsibility for external border control, as well as with other national coordination centres and the Agency;
348	(b) ensure the timely exchange of information with search and rescue, law enforcement, asylum and immigration authorities and manage the dissemination of relevant information at national level;	(b) ensure the timely exchange of information with search and rescue, law enforcement, asylum and immigration authorities and manage the dissemination of relevant information at national level;	(b) ensure the timely exchange of information with search and rescue, law enforcement, asylum and immigration authorities and manage the dissemination of relevant information at national level;	(b) ensure the timely exchange of information with search and rescue, law enforcement, asylum and immigration authorities and manage the dissemination of relevant information at national level;
349	(c) contribute to an effective and efficient management of resources and personnel;	(c) contribute to an effective and efficient management of resources and personnel;	(c) contribute to an effective and efficient management of resources and personnel;	(c) contribute to an effective and efficient management of resources and personnel;
350	(d) establish and maintain the national situational picture in accordance with Article 26;	(d) establish and maintain the national situational picture in accordance with Article 26;	(d) establish and maintain the national situational picture in accordance with Article 26;	(d) establish and maintain the national situational picture in accordance with Article 26;
351	(e) support and coordinate the planning and implementation of national border control activities;	(e) support and coordinate the planning and implementation of national border control activities;	(e) support <del>and the</del> <u>coordination</u> , <del>the</del> planning and implementation of national border control activities;	(e) support <del>and the</del> <u>coordination</u> , <del>the</del> planning and implementation of national border control activities;
352	(f) coordinate the national border control system, in accordance with national law;	(f) coordinate the national border control system, in accordance with national law;	(f) coordinate the national border control system, in accordance with national law;	(f) coordinate the national border control system, in accordance with national law;

	Commission proposal	EP amendments	Council position	Compromise text proposals
353	(g) contribute to regularly measuring the effects of national border control activities for the purposes of this Regulation;	(g) contribute to regularly measuring the effects of national border control activities for the purposes of this Regulation;	(g) contribute to regularly measuring the effects of national border control activities for the purposes of this Regulation;	(g) contribute to regularly measuring the effects of national border control activities for the purposes of this Regulation;
354	(h) coordinate operational measures with other Member States and third countries, without prejudice to the competences of the Agency and of the other Member States;	(h) coordinate operational measures with other Member States and third countries, without prejudice to the competences of the Agency and of the other Member States;	(h) coordinate operational measures with other Member States and third countries, without prejudice to the competences of the Agency and of the other Member States;	(h) coordinate operational measures with other Member States and third countries, without prejudice to the competences of the Agency and of the other Member States;
355	(i) exchange relevant information with the national immigration liaison officers when acting, with a view to contributing to the European Situational Picture and supporting border control operations;	(i) exchange relevant information with the national immigration liaison officers when acting, with a view to contributing to the European Situational Picture and supporting border control operations;	(i) exchange relevant information with the national immigration liaison officers, <u>if designated, when acting, through appropriate channels established at national level</u> , with a view to contributing to the European Situational Picture and supporting border control operations;	(i) exchange relevant information with the national immigration liaison officers, <u>if designated, when acting, through appropriate structures established at national level</u> , with a view to contributing to the European Situational Picture and supporting border control operations;
356	(j) coordinate the user access and security for national and Agency's information systems.	(j) coordinate the user access and security for national and Agency's information systems.	(j) <u>under the supervision of the competent national authorities, contribute to the information assurance</u> <del>coordinate the user access and security</del> for national and Agency's information systems.	(j) <u>under the supervision of the competent national authorities, contribute to the information assurance</u> <del>coordinate the user access and security</del> for national and Agency's information systems.
357	(4) The national coordination centre shall operate twenty-four hours a day and seven days a week.	(4) The national coordination centre shall operate twenty-four hours a day and seven days a week.	<del>4.1. The national coordination centre shall operate twenty four hours a day and seven days a week.</del>	<del>4.1. The national coordination centre shall operate twenty four hours a day and seven days a week.</del>
358	Article 22		Article 22	



	Commission proposal	EP amendments	Council position	Compromise text proposals
359	Allocation of tasks to other authorities in the Member States	Allocation of tasks to other authorities in the Member States	<del>Allocation of tasks to other authorities in the Member States</del>	<i>Deleted</i>
360	(1) Member States may charge regional, local, functional or other authorities which are in a position to take operational decisions, with ensuring situational awareness and reaction capability in their respective areas of competence, including the tasks and competences referred to in points (c), (e) and (f) of Article 21(3).	(1) Member States may charge regional, local, functional or other authorities which are in a position to take operational decisions, with ensuring situational awareness and reaction capability in their respective areas of competence, including the tasks and competences referred to in points (c), (e) and (f) of Article 21(3).	<del>1.4.</del> Member States may charge regional, local, functional or other authorities which are in a position to take operational decisions, with ensuring situational awareness and reaction capability in their respective areas of competence, including the tasks and competences referred to in points (c), (e) and (f) of Article 21(3).	<del>1.4.</del> Member States may charge regional, local, functional or other authorities which are in a position to take operational decisions, with ensuring situational awareness and reaction capability in their respective areas of competence, including the tasks and competences referred to in points (c), (e) and (f) of Article 21(3).
361	(2) The decision of Member States to allocate tasks in accordance with paragraph 1 shall not affect the national coordination centre in its ability to cooperate and exchange information with other national coordination centres and the Agency.	(2) The decision of Member States to allocate tasks in accordance with paragraph 1 shall not affect the national coordination centre in its ability to cooperate and exchange information with other national coordination centres and the Agency.	<del>2.5.</del> The decision of Member States to allocate tasks in accordance with paragraph 1 shall not affect the national coordination centre in its ability to cooperate and exchange information with other national coordination centres and the Agency.	<del>2.5.</del> The decision of Member States to allocate tasks in accordance with paragraph 1 shall not affect the national coordination centre in its ability to cooperate and exchange information with other national coordination centres and the Agency.
362	(3) In pre-defined cases, as determined at national level, the national coordination centre may authorise an authority referred to in paragraph 1 to communicate and exchange information with the regional authorities or the national coordination centre of another Member State or the competent authorities of a third country on	(3) In pre-defined cases, as determined at national level, the national coordination centre may authorise an authority referred to in paragraph 1 to communicate and exchange information with the regional authorities or the national coordination centre of another Member State or the competent authorities of a third country on	<del>6.</del> In pre-defined cases, as determined at national level, the national coordination centre may authorise an authority referred to in paragraph 1 to communicate and exchange information with the regional authorities or the national coordination centre of another Member State or the competent authorities of a third country on	<del>6.</del> In pre-defined cases, as determined at national level, the national coordination centre may authorise an authority referred to in paragraph 1 to communicate and exchange information with the regional authorities or the national coordination centre of another Member State or the competent authorities of a third country on

	Commission proposal	EP amendments	Council position	Compromise text proposals
	condition that such authority regularly informs its own national coordination centre of such communication and information exchange.	condition that such authority regularly informs its own national coordination centre of such communication and information exchange.	condition that such authority regularly informs its own national coordination centre of such communication and information exchange.	condition that such authority regularly informs its own national coordination centre of such communication and information exchange.
<b>363</b>			<u>7. The national coordination centre shall operate twenty-four hours a day and seven days a week.</u>	<u>7. The national coordination centre shall operate twenty-four hours a day and seven days a week.</u>
<b>364</b>	Article 23	Article 23	Article 23	Article 23
<b>365</b>	EUROSUR Handbook	EUROSUR Handbook	EUROSUR Handbook	EUROSUR Handbook
<b>366</b>	(1) The Commission assisted by a Committee in accordance with the procedure referred to in Article 117(2) shall, in close cooperation with the Agency and any other relevant Union body, office or agency adopt and make available a practical handbook for the implementation and management of EUROSUR (the ‘Handbook’). The Handbook shall provide technical and operational guidelines, recommendations and best practices, including on cooperation with third countries. The Commission shall adopt the Handbook in the form of a recommendation.	(1) The Commission assisted by a Committee in accordance with the procedure referred to in Article 117(2) shall, in close cooperation with the Agency and any other relevant Union body, office or agency adopt and make available a practical handbook for the implementation and management of EUROSUR (the ‘Handbook’). The Handbook shall provide technical and operational guidelines, recommendations and best practices, including on cooperation with third countries. The Commission shall adopt the Handbook in the form of a recommendation.	1. The Commission assisted by a Committee in accordance with the procedure referred to in Article 117(2) shall, in close cooperation with the Agency and any other relevant Union body, office or agency adopt and make available a practical handbook for the implementation and management of EUROSUR (the ‘Handbook’). The Handbook shall provide technical and operational guidelines, recommendations and best practices, including on cooperation with third countries. The Commission shall adopt the Handbook in the form of a recommendation.	1. The Commission assisted by a Committee in accordance with the procedure referred to in Article 117(2) shall, in close cooperation with the Agency and any other relevant Union body, office or agency adopt and make available a practical handbook for the implementation and management of EUROSUR (the ‘Handbook’). The Handbook shall provide technical and operational guidelines, recommendations and best practices, including on cooperation with third countries. The Commission shall adopt the Handbook in the form of a recommendation.
<b>367</b>	(2) The Commission may decide, after consultation with	(2) The Commission may decide, after consultation with	2. The Commission may decide, after consultation with	2. The Commission may decide, after consultation with

	Commission proposal	EP amendments	Council position	Compromise text proposals
	Member States and the Agency, to classify parts of the Handbook as RESTREINT UE/EU RESTRICTED in compliance with the rules laid down in the Rules of Procedure of the Commission.	Member States and the Agency, to classify parts of the Handbook as RESTREINT UE/EU RESTRICTED in compliance with the rules laid down in the Rules of Procedure of the Commission.	Member States and the Agency, to classify parts of the Handbook as RESTREINT UE/EU RESTRICTED in compliance with the rules laid down in the Rules of Procedure of the Commission.	Member States and the Agency, to classify parts of the Handbook as RESTREINT UE/EU RESTRICTED in compliance with the rules laid down in the Rules of Procedure of the Commission.
368	Article 24		Article 24	Article 24
369	Monitoring of EUROSUR	Monitoring of EUROSUR	Monitoring of EUROSUR	Monitoring of EUROSUR
370	(1) The Agency and the Member States shall ensure that procedures are in place to monitor the technical and operational functioning of EUROSUR against the objectives of achieving an adequate situational awareness and reaction capability at the external borders.	(1) The Agency and the Member States shall ensure that procedures are in place to monitor the technical and operational functioning of EUROSUR against the objectives of achieving an adequate situational awareness and reaction capability at the external borders.	1. The Agency and the Member States shall ensure that procedures are in place to monitor the technical and operational functioning of EUROSUR against the objectives of achieving an adequate situational awareness and reaction capability at the external borders.	1. The Agency and the Member States shall ensure that procedures are in place to monitor the technical and operational functioning of EUROSUR against the objectives of achieving an adequate situational awareness and reaction capability at the external borders.
371	(2) The Agency shall constantly monitor the quality of the service offered by the communication network and the quality of the data shared in the EUROSUR situational picture.	(2) The Agency shall constantly <i>and continuously</i> monitor the quality of the service offered by the communication network and the quality of the data shared in the EUROSUR situational picture.	2. The Agency shall constantly monitor the quality of the service offered by the communication network and the quality of the data shared in the EUROSUR situational picture.	(2) The Agency shall constantly <i>and continuously</i> monitor the quality of the service offered by the communication network and the quality of the data shared in the EUROSUR situational picture.
372	(3) The Agency shall transmit the quality control information to the relevant users as part of the EUROSUR Fusion Services. Such information shall be	(3) The Agency shall transmit the quality control information to the relevant users as part of the EUROSUR Fusion Services. Such information shall be	3. The Agency shall transmit the quality control information to the <u>national coordination centres and the relevant command and control structures used for the Agency's operations</u> <del>users</del> as part of the	3. The Agency shall transmit the quality control information to the <u>national coordination centres and the relevant command and control structures used for the Agency's operations</u> <del>users</del> as part

	Commission proposal	EP amendments	Council position	Compromise text proposals
	classified RESTREINT UE/EU RESTRICTED	classified RESTREINT UE/EU RESTRICTED	EUROSUR Fusion Services. Such information shall be classified RESTREINT UE/EU RESTRICTED	of the EUROSUR Fusion Services. Such information shall be classified RESTREINT UE/EU RESTRICTED
373	Section 4		Section 4	Section 4
374	Situational awareness		Situational awareness	Situational awareness
375	Article 25		Article 25	Article 25
376	Situational pictures	Situational pictures	Situational pictures	Situational pictures
377	(1) The national situational pictures, the European situational picture and the specific situational pictures shall be produced through the collection, evaluation, collation, analysis, interpretation, generation, visualisation and dissemination of information.	(1) The national situational pictures, the European situational picture and the specific situational pictures shall be produced through the collection, evaluation, collation, analysis, interpretation, generation, visualisation and dissemination of information <i>where this information is available to Member States</i> .	1. The national situational pictures, the European situational picture and the specific situational pictures shall be produced through the collection, evaluation, collation, analysis, interpretation, generation, visualisation and dissemination of information.	(1) The national situational pictures, the European situational picture and the specific situational pictures shall be produced through the collection, evaluation, collation, analysis, interpretation, generation, visualisation and dissemination of information.
378	The situational pictures referred to in paragraph 1 shall consist of the following layers:	The situational pictures referred to in paragraph 1 shall consist of the following layers:	The situational pictures referred to in paragraph 1 shall consist of the following <u>information</u> layers:	The situational pictures referred to in paragraph 1 shall consist of the following <u>information</u> layers:
379	(a) an events layer including all events related to unauthorised border crossings, cross-border crime, and the detection of unauthorised secondary movements;	(a) an events layer including all events <i>and incidents</i> related to unauthorised border crossings, <i>and</i> cross-border crime, <del>and the detection of</del> <i>Member States may also provide information on</i> -unauthorised	(a) an events layer including <del>all</del> events related to unauthorised border crossings, cross-border crime, and <u>when available</u> the detection of unauthorised secondary movements <sup>21</sup> ;	(a) an events layer including <del>all</del> events <i>and incidents</i> related to unauthorised border crossings, <i>and</i> cross-border crime, <del>and the detection of</del> <i>and when available information on</i> unauthorised secondary

<sup>21</sup> New recital (28a) added.

	Commission proposal	EP amendments	Council position	Compromise text proposals
		secondary movements <i>in terms of trends, volumes and routes</i> ;		movements <i>for the purpose of understanding trends, volumes and routes</i> ;
380	(b) an operational layer containing information on operations including the deployment plan, area of operation, patrol schedules and communication codes and the position, time, status and type of assets participating as foreseen in the operational plan;	(b) an operational layer containing information on operations including the deployment plan, area of operation, patrol schedules and communication codes and the position, time, status and type of assets participating as foreseen in the operational plan;	(b) an operational layer containing information on operations including the deployment plan, area of operation, <del>patrol schedules and communication codes</del> and the position, time, status and type of assets participating as foreseen in the operational plan;	(b) an operational layer containing information on operations including the deployment plan, area of operation, <b>capacity available for that specific border section</b> <del>patrol schedules and communication codes</del> and the position, time, status and type of assets participating as foreseen in the operational plan;
381	(c) an analysis layer containing analysed information which is relevant for the purposes of this Regulation and, in particular, for the attribution of the impact levels to the external border sections including imagery and geo-data, key developments and indicators, analytical reports, and other relevant supporting information.	(c) an analysis layer containing analysed information which is relevant for the purposes of this Regulation and, in particular, for the attribution of the impact levels to the external border sections including imagery and geo-data, key developments and indicators, analytical reports, and other relevant supporting information.	(c) an analysis layer containing analysed information which is relevant for the purposes of this Regulation and, in particular, for the attribution of the impact levels to the external border sections including imagery and geo-data, key developments and indicators, analytical reports, and other relevant supporting information.	(c) an analysis layer containing analysed information which is relevant for the purposes of this Regulation and, in particular, for the attribution of the impact levels to the external border sections including imagery and geo-data, key developments and indicators, analytical reports, and other relevant supporting information.
382	(2) The situational pictures referred to in paragraph 1 shall allow identifying and tracing events, operations and corresponding analysis relating to situations where human lives are at risk.	(2) The situational pictures referred to in paragraph 1 shall allow identifying and tracing events, operations and corresponding analysis relating to situations where human lives are at risk.	2. The situational pictures referred to in paragraph 1 shall allow identifying and tracing events, operations and corresponding analysis relating to situations where human lives are at risk.	2. The situational pictures referred to in paragraph 1 shall allow identifying and tracing events, operations and corresponding analysis relating to situations where human lives are at risk.

	Commission proposal	EP amendments	Council position	Compromise text proposals
383	(3) The events, operational and analysis layers of the situational pictures referred to in paragraph 1 shall be structured in the same manner.	(3) The events, operational and analysis layers of the situational pictures referred to in paragraph 1 shall be structured in the same manner.	<del>3. The events, operational and analysis layers of the situational pictures referred to in paragraph 1 shall be structured in the same manner.</del>	3. The events, operational and analysis layers of the situational pictures referred to in paragraph 1 shall be structured in the same manner.
384	(4) The details of the information layers of the situational pictures and the rules for the establishment of specific situational pictures shall be laid down in an implementing act adopted by the Commission in accordance with the procedure referred to in Article 117(3).	(4) The details of the information layers of the situational pictures and the rules for the establishment of specific situational pictures shall be laid down in an implementing act adopted by the Commission in accordance with the procedure referred to in Article 117(3).	4. The details of the information layers of the situational pictures and the rules for the establishment of specific situational pictures shall be laid down in an implementing act adopted by the Commission in accordance with the procedure referred to in Article 117(3).	4. The details of the information layers of the situational pictures and the rules for the establishment of specific situational pictures shall be laid down in an implementing act adopted by the Commission in accordance with the procedure referred to in Article 117(3).
385	The implementing act shall specify the type of information to be provided, the entities responsible for collecting, processing, archiving and transmitting specific information, the maximum delays for reporting, the data security and data protection rules and related quality control mechanisms.	The implementing act shall specify the type of information to be provided, the entities responsible for collecting, processing, archiving and transmitting specific information, the maximum delays for reporting, the data security and data protection rules and related quality control mechanisms.	The implementing act shall specify the type of information to be provided, the entities responsible for collecting, processing, archiving and transmitting specific information, the maximum delays for reporting, the data security and data protection rules and related quality control mechanisms.	The implementing act shall specify the type of information to be provided, the entities responsible for collecting, processing, archiving and transmitting specific information, the maximum delays for reporting, the data security and data protection rules and related quality control mechanisms.
386	Article 26		Article 26	Article 26
387	National situational picture	National situational picture	National situational picture	National situational picture
388	(1) The national coordination centre shall establish and maintain a national situational picture, in order to provide all authorities with responsibilities for	(1) The national coordination centre shall establish and maintain a national situational picture, in order to provide all authorities with responsibilities for	1. The national coordination centre shall establish and maintain a national situational picture, in order to provide all authorities with responsibilities for border control	1. The national coordination centre shall establish and maintain a national situational picture, in order to provide all authorities with responsibilities for border control

	<b>Commission proposal</b>	<b>EP amendments</b>	<b>Council position</b>	<b>Compromise text proposals</b>
	border control with effective, accurate and timely information.	border control with effective, accurate and timely information.	with effective, accurate and timely information.	with effective, accurate and timely information.
<b>389</b>	(2) The national situational picture shall be composed of information collected from the following sources:	(2) The national situational picture shall be composed of information collected from the following sources:	2. The national situational picture shall be composed of information collected from the following sources:	2. The national situational picture shall be composed of information collected from the following sources:
<b>390</b>	(a) the national border surveillance system in accordance with national law;	(a) the national border surveillance system in accordance with national law;	(a) the national border surveillance system in accordance with national law;	(a) the national border surveillance system in accordance with national law;
<b>391</b>	(b) stationary and mobile sensors operated by national authorities with a responsibility for external border surveillance;	(b) stationary and mobile sensors operated by national authorities with a responsibility for external border surveillance;	(b) stationary and mobile sensors operated by national authorities with a responsibility for external border surveillance;	(b) stationary and mobile sensors operated by national authorities with a responsibility for external border surveillance;
<b>392</b>	(c) patrols on border surveillance and other monitoring missions;	(c) patrols on border surveillance and other monitoring missions;	(c) patrols on border surveillance and other monitoring missions;	(c) patrols on border surveillance and other monitoring missions;
<b>393</b>	(d) local, regional and other coordination centres;	(d) local, regional and other coordination centres;	(d) local, regional and other coordination centres;	(d) local, regional and other coordination centres;
<b>394</b>	(e) other relevant national authorities and systems, including immigration liaison officers, operational centres and contact points;	(e) other relevant national authorities and systems, including immigration liaison officers, operational centres and contact points;	(e) other relevant national authorities and systems, including immigration liaison officers, operational centres and contact points;	(e) other relevant national authorities and systems, including immigration liaison officers, operational centres and contact points;
<b>395</b>	(f) border checks;	(f) border checks;	(f) border checks;	(f) border checks;
<b>396</b>	(g) the Agency;	(g) the Agency;	(g) the Agency;	(g) the Agency;
<b>397</b>	(h) national coordination centres in other Member States;	(h) national coordination centres in other Member States;	(h) national coordination centres in other Member States;	(h) national coordination centres in other Member States;

	Commission proposal	EP amendments	Council position	Compromise text proposals
398	(i) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks referred to in Article 75	(i) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks referred to in Article 75	(i) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks referred to in Article 75	(i) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks referred to in Article 75
399	(j) ship reporting systems in accordance with their respective legal bases;	(j) ship reporting systems in accordance with their respective legal bases;	(j) ship reporting systems in accordance with their respective legal bases;	(j) ship reporting systems in accordance with their respective legal bases;
400	(k) other relevant European and international organisations;	(k) other relevant European and international organisations;	(k) other relevant European and international organisations;	(k) other relevant European and international organisations;
401	(l) other sources.	(l) other sources.	(l) other sources.	(l) other sources.
402	(3) The national coordination centre shall attribute a single indicative impact level, ranging from ‘low’ and ‘medium’ to ‘high’ and ‘critical’, to each incident in the events layer of the national situational picture. All incidents shall be shared with the Agency.	(3) The national coordination centre shall attribute a single indicative impact level, ranging from ‘low’ and ‘medium’ to ‘high’ and ‘critical’, to each incident in the events layer of the national situational picture. All incidents shall be shared with the Agency.	3. The national coordination centre shall attribute a single indicative impact level, ranging from ‘low’ and ‘medium’ to ‘high’ and ‘ <del>very high</del> critical’, to each incident in the events layer of the national situational picture. All incidents shall be shared with the Agency.	3. The national coordination centre shall attribute a single indicative impact level, ranging from ‘low’ and ‘medium’ to ‘high’ and ‘ <b>very high</b> critical’, to each incident in the events layer of the national situational picture. All incidents shall be shared with the Agency.
403	(4) The national coordination centre may decide, at the request of the national authority responsible, to restrict access to information related to military assets on a need-to-know basis.	(4) The national coordination centre may decide, at the request of the national authority responsible, to restrict access to information related to military assets on a need-to-know basis.	4. The national coordination centre may decide, at the request of the national authority responsible, to restrict access to information related to <u>national security including</u> military assets on a need-to-know basis.	4. The national coordination centre may decide, at the request of the national authority responsible, to restrict access to information related to <b>national security, including</b> military assets on a need-to-know basis.
404	(5) The national coordination centres of neighbouring Member States shall share with each	(5) The national coordination centres of neighbouring Member States shall share with each	5. The national coordination centres of neighbouring Member States <del>shall</del> may share with each	5. The national coordination centres of neighbouring Member States <del>shall</del> <b>may</b> share with each



	<b>Commission proposal</b>	<b>EP amendments</b>	<b>Council position</b>	<b>Compromise text proposals</b>
	other, directly and in near-real-time, the situational picture of neighbouring external border sections including the positions, status and type of own assets operating in the neighbouring external border sections.	other, directly and in near-real-time, the situational picture of neighbouring external border sections including the positions, status and type of own assets operating in the neighbouring external border sections.	other, directly and in near-real-time, the situational picture of neighbouring external border sections including the positions, status and type of own assets operating in the neighbouring external border sections.	other, directly and in near-real-time, the situational picture of neighbouring external border sections including the positions, status and type of own assets operating in the neighbouring external border sections.
<b>405</b>	Article 27		Article 27	Article 27
<b>406</b>	European situational picture	European situational picture	European situational picture	European situational picture
<b>407</b>	(1) The Agency shall establish and maintain a European situational picture in order to provide the national coordination centres and the Commission with effective, accurate and timely information and analysis, covering the external borders, the pre-frontier area and unauthorised secondary movements.	(1) The Agency shall establish and maintain a European situational picture in order to provide the national coordination centres and the Commission with effective, accurate and timely information and analysis, covering the external borders, the pre-frontier area and unauthorised secondary movements.	1. The Agency shall establish and maintain a European situational picture in order to provide the national coordination centres and the Commission with effective, accurate and timely information and analysis, covering the external borders, the pre-frontier area and unauthorised secondary movements.	1. The Agency shall establish and maintain a European situational picture in order to provide the national coordination centres and the Commission with effective, accurate and timely information and analysis, covering the external borders, the pre-frontier area and unauthorised secondary movements.
<b>408</b>	(2) The European situational picture shall be composed of information collected from the following sources:	(2) The European situational picture shall be composed of information collected from the following sources:	2. The European situational picture shall be composed of information collected from the following sources:	2. The European situational picture shall be composed of information collected from the following sources:
<b>409</b>	(a) national coordination centres, and national situational pictures, to the extent required by this Article and information and reports received from immigration liaison officers;	(a) national coordination centres, and national situational pictures, to the extent required by this Article and information and reports received from immigration liaison officers;	(a) national coordination centres, and national situational pictures, to the extent required by this Article and information and reports received from immigration liaison officers;	(a) national coordination centres, and national situational pictures, to the extent required by this Article and information and reports received from immigration liaison officers;

	Commission proposal	EP amendments	Council position	Compromise text proposals
410	(b) the Agency, information and reports provided by its liaison officers in accordance with Articles 32 and 77;	(b) the Agency, information and reports provided by its liaison officers in accordance with Articles 32 and 77;	(b) the Agency, information and reports provided by its liaison officers in accordance with Articles 32 and <del>77</del> 6;	(b) the Agency, information and reports provided by its liaison officers in accordance with Articles 32 and <del>77</del> 6;
411	(c) Union delegations and missions and operations of the Common Security and Defence Policy;	(c) Union delegations and missions <del>and operations of the Common Security and Defence Policy</del> ;	(c) Union delegations and missions and operations of the Common Security and Defence Policy;	(c) Union delegations and missions and <b>operations of the Common Security and Defence Policy as provided for in Article 69(1)(k)</b> ;
412	(d) other relevant Union bodies, offices and agencies and international organisations as referred to in Article 69;	(d) other relevant Union bodies, offices and agencies and international organisations as referred to in Article 69;	(d) other relevant Union bodies, offices and agencies and international organisations as referred to in Article 69;	(d) other relevant Union bodies, offices and agencies and international organisations as referred to in Article 69;
413	(e) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks as referred to in Article 73, and working arrangements as referred to in Article 74(1);	(e) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks as referred to in Article 73, and working arrangements as referred to in Article 74(1);	(e) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks as referred to in Article 73, and working arrangements as referred to in Article 74(1);	(e) authorities of third countries, on the basis of bilateral or multilateral agreements and regional networks as referred to in Article 73, and working arrangements as referred to in Article 74(1);
414	(f) other sources.	(f) other sources.	(f) other sources.	(f) other sources.
415	(3) The events layer of the European situational picture shall include information relating to:	(3) The events layer of the European situational picture shall include information relating to:	3. The events layer of the European situational picture shall include information relating to:	3. The events layer of the European situational picture shall include information relating to:
416	(a) incidents and other events contained in the events layer of the national situational picture;	(a) incidents and other events contained in the events layer of the national situational picture;	(a) incidents and other events contained in the events layer of the national situational picture;	(a) incidents and other events contained in the events layer of the national situational picture;

	Commission proposal	EP amendments	Council position	Compromise text proposals
417	(b) incidents and other events contained in the common pre-frontier intelligence picture;	(b) incidents and other events contained in the common pre-frontier intelligence picture;	(b) incidents and other events contained in the <del>common pre-frontier intelligence</del> specific situational pictures as provided for in Article 28;	(b) incidents and other events contained in the <del>common pre-frontier intelligence</del> specific situational pictures as provided for in Article 28
418	(c) incidents in the operational area of a joint operation, or rapid intervention coordinated by the Agency, or in a hotspot or controlled centre.	(c) incidents in the operational area of a joint operation, or rapid intervention coordinated by the Agency, or in a hotspot <del>or controlled centre</del> .	(c) incidents in the operational area of a joint operation, or rapid intervention coordinated by the Agency, or in a hotspot <del>or controlled centre</del> .	(c) incidents in the operational area of a joint operation, or rapid intervention coordinated by the Agency, or in a hotspot <del>or controlled centre</del> .
419	(4) The operational layer of the European situational picture shall contain information on the joint operations, and rapid interventions coordinated by the Agency and on hotspots and controlled centres, including the mission statement, location, status, duration, information on the Member States and other actors involved, daily and weekly situational reports, statistical data and information packages for the media.	(4) The operational layer of the European situational picture shall contain information on the joint operations, and rapid interventions coordinated by the Agency and on hotspots <del>and controlled centres</del> , including the mission statement, location, status, duration, information on the Member States and other actors involved, daily and weekly situational reports, statistical data and information packages for the media.	4. The operational layer of the European situational picture shall contain information on the joint operations, and rapid interventions coordinated by the Agency and on hotspots <del>and controlled centres</del> , including the mission statement, location, status, duration, information on the Member States and other actors involved, daily and weekly situational reports, statistical data and information packages for the media.	4. The operational layer of the European situational picture shall contain information on the joint operations, and rapid interventions coordinated by the Agency and on hotspots <del>and controlled centres</del> , including the mission statement, location, status, duration, information on the Member States and other actors involved, daily and weekly situational reports, statistical data and information packages for the media.
420	(5) The information on own assets in the operational layer of the European situational picture may be classified as RESTREINT UE/EU RESTRICTED as appropriate.	(5) The information on own assets in the operational layer of the European situational picture may be classified as RESTREINT UE/EU RESTRICTED as appropriate.	5. The information on own assets in the operational layer of the European situational picture may be classified as RESTREINT UE/EU RESTRICTED as appropriate.	5. The information on own assets in the operational layer of the European situational picture may be classified as RESTREINT UE/EU RESTRICTED as appropriate.

	Commission proposal	EP amendments	Council position	Compromise text proposals
421	(6) In the European situational picture, the Agency shall take into account the impact level that was assigned to a specific incident in the national situational picture by the national coordination centre and for any incident in the pre-frontier area, the Agency shall assign a single indicative impact level and shall inform the national coordination centres.	(6) In the European situational picture, the Agency shall take into account the impact level that was assigned to a specific incident in the national situational picture by the national coordination centre and for any incident in the pre-frontier area, the Agency shall assign a single indicative impact level and shall inform the national coordination centres.	6. In the European situational picture, the Agency shall take into account the impact level that was assigned to a specific incident in the national situational picture by the national coordination centre, <del>and Ffor</del> any incident in the pre-frontier area, the Agency shall assign a single indicative impact level and shall inform the national coordination centres.	6. In the European situational picture, the Agency shall take into account the impact level that was assigned to a specific incident in the national situational picture by the national coordination centre, <del>and Ffor</del> any incident in the pre-frontier area, the Agency shall assign a single indicative impact level and shall inform the national coordination centres.
422	Article 28		Article 28	Article 28
423	Specific situational pictures	Specific situational pictures	Specific situational pictures	Specific situational pictures
424	(1) The Agency and the Member States may establish and maintain specific situational pictures in order to support specific operational activities at the external borders or to share information with third parties referred to in Article 69 or third countries as provided for in Article 76 or with both.	(1) The Agency and the Member States may establish and maintain specific situational pictures in order to support specific operational activities at the external borders or to share information with <del>third parties</del> <b>the international organisations, Union institutions, bodies, offices and agencies</b> referred to in Article 69 or third countries as provided for in Article 76 <del>or with both</del> .	1. The Agency and the Member States may establish and maintain specific situational pictures in order to support specific operational activities at the external borders or to share information with third parties referred to in Article 69 or third countries as provided for in Article 76 or with both.	(1) The Agency and the Member States may establish and maintain specific situational pictures in order to support specific operational activities at the external borders or to share information with <del>third parties</del> <b>the international organisations, Union institutions, bodies, offices and agencies</b> referred to in Article 69 or third countries as provided for in Article 76 <del>or with both</del> .
425	(2) The specific situational pictures shall be composed of a sub-set of information of the national and European situational pictures.	(2) The specific situational pictures shall be composed of a sub-set of information of the national and European situational pictures.	2. The specific situational pictures shall be composed of a sub-set of information of the national and European situational pictures.	2. The specific situational pictures shall be composed of a sub-set of information of the national and European situational pictures.

	Commission proposal	EP amendments	Council position	Compromise text proposals
426	(3) The modalities for establishing and sharing the specific situational pictures shall be described in the operational plan for the operational activities concerned and in the bilateral or multilateral agreement when the specific situational picture is established in the framework of a bilateral or multilateral cooperation with third countries.	(3) The modalities for establishing and sharing the specific situational pictures shall be described in the operational plan for the operational activities concerned and in the bilateral or multilateral agreement when the specific situational picture is established in the framework of a bilateral or multilateral cooperation with third countries.	3. The modalities for establishing and sharing the specific situational pictures shall be described in the operational plan for the operational activities concerned and in the bilateral or multilateral agreement when the specific situational picture is established in the framework of a bilateral or multilateral cooperation with third countries. <u>The principle of originators' consent shall apply.</u>	3. The modalities for establishing and sharing the specific situational pictures shall be described in the operational plan for the operational activities concerned and in the bilateral or multilateral agreement when the specific situational picture is established in the framework of a bilateral or multilateral cooperation with third countries. <u>The principle of originators' consent shall apply.</u>
427	Article 29		Article 29	Article 29
428	EUROSUR Fusion Services	EUROSUR Fusion Services	EUROSUR Fusion Services	EUROSUR Fusion Services
429	(1) The Agency shall coordinate the EUROSUR Fusion Services in order to supply the national coordination centres, the Commission and itself with information on the external borders and on the pre-frontier area on a regular, reliable and cost-efficient basis.	(1) The Agency shall coordinate the EUROSUR Fusion Services in order to supply the national coordination centres, the Commission and itself with information on the external borders and on the pre-frontier area on a regular, reliable and cost-efficient basis.	1. The Agency shall coordinate the EUROSUR Fusion Services in order to supply the national coordination centres, the Commission and itself with information on the external borders and on the pre-frontier area on a regular, reliable and cost-efficient basis.	1. The Agency shall coordinate the EUROSUR Fusion Services in order to supply the national coordination centres, the Commission and itself with information on the external borders and on the pre-frontier area on a regular, reliable and cost-efficient basis.
430	(2) The Agency shall provide a national coordination centre, at its request, with information on the external borders of the requesting Member State and on the pre-frontier area which may be derived from:	(2) The Agency shall provide a national coordination centre, at its request, with information on the external borders of the requesting Member State and on the pre-frontier area which may be derived from:	2. The Agency shall provide a national coordination centre, at its request, with information on the external borders of the requesting Member State and on the pre-frontier area which may be derived from:	2. The Agency shall provide a national coordination centre, at its request, with information on the external borders of the requesting Member State and on the pre-frontier area which may be derived from:

	Commission proposal	EP amendments	Council position	Compromise text proposals
431	(a) selective monitoring of designated third-country ports and coasts which have been identified through risk analysis and information as being embarkation or transit points for vessels or other craft used for illegal immigration or cross-border crime;	(a) selective monitoring of designated third-country ports and coasts which have been identified through risk analysis and information as being embarkation or transit points for vessels or other craft used for <del>illegal immigration</del> <b>irregular migration</b> or cross-border crime;	(a) selective monitoring of designated third-country ports and coasts which have been identified through risk analysis and information as being embarkation or transit points for vessels or other craft used for illegal immigration or cross-border crime;	(a) selective monitoring of designated third-country ports and coasts which have been identified through risk analysis and information as being embarkation or transit points for vessels or other craft used for <b>illegal</b> immigration or cross-border crime;
432	(b) tracking of vessels or other craft over high seas which are suspected of, or have been identified as, being used for illegal immigration or cross-border crime;	(b) tracking of vessels or other craft over high seas which are suspected of, or have been identified as, being used for <del>illegal immigration</del> <b>irregular migration</b> <del>or, for carrying persons in distress at sea requiring the launching of a search and rescue operation,</del> or for cross-border crime;	(b) tracking of vessels or other craft over high seas <u>and aircraft</u> which are suspected of, or have been identified as, being used for illegal immigration or cross-border crime;	(b) tracking of vessels or other craft over high seas <u>and aircraft</u> which are suspected of, or have been identified as, being used for <b>illegal immigration</b> or cross-border crime, <b>including in the case of persons in distress at sea with a view to transmitting this information to the relevant competent authorities for search and rescue operations;</b>
433	(c) monitoring of designated areas in the maritime domain in order to detect, identify and track vessels and other craft being used for, or suspected of being used for, illegal immigration or cross-border crime;	(c) monitoring of designated areas in the maritime domain in order to detect, identify and track vessels and other craft being used for, or suspected of being used for, <del>illegal immigration</del> <b>irregular migration</b> <del>or, for carrying persons in distress at sea requiring the launching of a search and rescue operation,</del> or for cross-border crime;	(c) monitoring of designated areas in the maritime domain in order to detect, identify and track vessels and other craft being used for, or suspected of being used for, illegal immigration or cross-border crime;	(c) monitoring of designated areas in the maritime domain in order to detect, identify and track vessels and other craft being used for, or suspected of being used for, <b>illegal immigration</b> or cross-border crime, <b>including in the case of persons in distress at sea with a view to transmitting this information to the relevant competent authorities for search and rescue operations;</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
434		<i>(ca) monitoring of designated areas of air borders in order to detect, identify and track aircraft and other forms of equipment being used for, or suspected of being used for irregular migration or cross-border crime</i>		<i>(ca) monitoring of designated areas of air borders in order to detect, identify and track aircraft and other forms of equipment being used for, or suspected of being used for irregular migration or cross-border crime</i>
435	(d) environmental assessment of designated areas in the maritime domain and at the external land and air borders in order to optimise monitoring and patrolling activities;	(d) environmental assessment of designated areas in the maritime domain and at the external land and air borders in order to optimise <i>search and rescue</i> , monitoring and patrolling activities;	(d) environmental assessment of designated areas in the maritime domain and at the external land and air borders in order to optimise monitoring and patrolling activities;	(d) environmental assessment of designated areas in the maritime domain and at the external land and air borders in order to optimise monitoring and patrolling activities;
436	(e) selective monitoring of designated pre-frontier areas at the external borders which have been identified through risk analysis and information as being potential departure or transit areas for illegal immigration or cross-border crime;	(e) selective monitoring of designated pre-frontier areas at the external borders which have been identified through risk analysis and information as being potential departure or transit areas for <del>illegal immigration</del> <i>irregular migration</i> or cross-border crime;	(e) selective monitoring of designated pre-frontier areas at the external borders which have been identified through risk analysis and information as being potential departure or transit areas for illegal immigration or cross-border crime;	(e) selective monitoring of designated pre-frontier areas at the external borders which have been identified through risk analysis and information as being potential departure or transit areas for <b>illegal immigration</b> or cross-border crime;
437	(f) monitoring of migratory flows towards and within the Union;	(f) monitoring <i>trends, volume and routes</i> of migratory flows towards and within the Union;	(f) monitoring of migratory flows towards and within the Union;	(f) monitoring <i>trends, volume and routes</i> of migratory flows towards and within the Union;
438	(g) media monitoring, open source intelligence and analysis of internet activities in line with Directive (EU) 2016/680 of the European Parliament and of the	(g) media monitoring, open source intelligence and analysis of internet activities in line with Directive (EU) 2016/680 <del>of the European Parliament and of the Council</del> <i>or with Regulation (EU)</i>	(g) media monitoring, open source intelligence and analysis of internet activities in line with Directive (EU) 2016/680 of the European Parliament and of the	(g) media monitoring, open source intelligence and analysis of internet activities in line with Directive (EU) 2016/680 <del>of the European Parliament and of the Council</del> <i>or with Regulation (EU)</i>

	Commission proposal	EP amendments	Council position	Compromise text proposals
	Council <sup>22</sup> for preventing illegal immigration or cross-border crime;	<i>2016/679 as applicable</i> for preventing <del>illegal immigration</del> <i>irregular migration</i> or cross-border crime;	Council <sup>23</sup> for preventing illegal immigration or cross-border crime;	<i>2016/679 as applicable</i> , for preventing <del>illegal immigration</del> <i>irregular migration</i> or cross-border crime;
439	(h) analysis of large-scale information systems for the purpose of detecting changing routes and methods used for illegal immigration and cross-border crime.	(h) analysis of large-scale information systems for the purpose of detecting changing routes and methods used for <del>illegal immigration</del> <i>irregular migration</i> and cross-border crime.	(h) analysis of <u>information derived from</u> large-scale information systems for the purpose of detecting changing routes and methods used for illegal immigration and cross-border crime.	(h) analysis of <u>information derived from</u> large-scale information systems for the purpose of detecting changing routes and methods used for <del>illegal</del> <i>immigration</i> and cross-border crime.
440	(3) The Agency may refuse a request from a national coordination centre for technical, financial or operational reasons. The Agency shall notify the national coordination centre in due time of the reasons for such a refusal.	(3) The Agency may refuse a request from a national coordination centre for technical, financial or operational reasons. The Agency shall notify the national coordination centre in due time of the reasons for such a refusal.	3. The Agency may refuse a request from a national coordination centre for technical, financial or operational reasons. The Agency shall notify the national coordination centre in due time of the reasons for such a refusal.	3. The Agency may refuse a request from a national coordination centre for technical, financial or operational reasons. The Agency shall notify the national coordination centre in due time of the reasons for such a refusal.
441	(4) The Agency may use on its own initiative the surveillance tools referred to in paragraph 2 for collecting information on the pre-	(4) The Agency may use on its own initiative the surveillance tools referred to in paragraph 2 for collecting information on the pre-	4. The Agency may use on its own initiative the surveillance tools referred to in paragraph 2 for collecting information on the pre-	4. The Agency may use on its own initiative the surveillance tools referred to in paragraph 2 for collecting information on the pre-

<sup>22</sup> Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

<sup>23</sup> Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).



	Commission proposal	EP amendments	Council position	Compromise text proposals
	frontier area, which is relevant for the European situational picture.	frontier area, which is relevant for the European situational picture.	frontier area, which is relevant for the European situational picture.	frontier area, which is relevant for the European situational picture.
442	Section 5		Section 5	
443	RISK ANALYSIS		RISK ANALYSIS	
444	Article 30		Article 30	
445			Risk analysis	
446	<p>1. The Agency shall monitor migratory flows towards and within the Union, trends and other possible challenges at the external borders of the Union and with regard to return. For this purpose, the Agency shall, by a decision of the management board based on a proposal of the executive director, establish a common integrated risk analysis model, which shall be applied by the Agency and the Member States. The common integrated risk analysis model shall be updated based on the outcome of the evaluation of the multiannual Strategic policy cycle for European Integrated Border Management referred to in Article 8 (7). The Agency shall also carry out the vulnerability assessment in accordance with Article 33.</p>	<p>1. The Agency shall monitor migratory flows towards <i>the Union</i> and, <i>where provided by Member States with such information, migratory trends, volume and routes</i> within the Union, <i>as well as</i> trends and other possible challenges at the external borders of the Union and with regard to return. For this purpose, the Agency shall, by a decision of the management board based on a proposal of the executive director, establish a common integrated risk analysis model, which shall be applied by the Agency and the Member States. The common integrated risk analysis model shall be <i>established and</i> updated based on the outcome of the evaluation of the multiannual Strategic policy cycle for European Integrated Border Management referred to in Article 8 (7). The Agency shall also carry out the vulnerability assessment in accordance with Article 33.</p>	<p>1. The Agency shall monitor migratory flows towards and within the Union, trends and other possible challenges at the external borders of the Union and with regard to return. For this purpose, the Agency shall, by a decision of the management board based on a proposal of the executive director, establish a common integrated risk analysis model, which shall be applied by the Agency and the Member States. The common integrated risk analysis model shall be updated, <u>if needed</u>, based on the outcome of the evaluation of the multiannual Strategic policy cycle for European Integrated Border Management referred to in Article 8 (7). <del>The Agency shall also carry out the vulnerability assessment in accordance with Article 33.</del></p>	<p>1. The Agency shall monitor migratory flows towards <i>the Union</i> and, <i>in terms of migratory trends, volume and routes</i> within the Union, <i>as well as</i> trends and other possible challenges at the external borders of the Union and with regard to return. For this purpose, the Agency shall, by a decision of the management board based on a proposal of the executive director, establish a common integrated risk analysis model, which shall be applied by the Agency and the Member States. The common integrated risk analysis model shall be <i>established and</i> updated, <i>if needed</i>, based on the outcome of the evaluation of the multiannual Strategic policy cycle for European Integrated Border Management referred to in Article 8 (7). <del>The Agency shall also carry out the vulnerability assessment in accordance with Article 33.</del></p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
447	<p>2. The Agency shall prepare general annual risk analyses, which shall be submitted to the European Parliament, to the Council and to the Commission in accordance with Article 91, and tailored risk analyses for operational activities. Every two years, the Agency shall prepare and submit to the European Parliament, to the Council and to the Commission a strategic risk analysis for European Integrated Border Management which shall be taken into account for the preparation of the multiannual Strategic policy cycle for European Integrated Border Management.</p>	<p>2. The Agency shall prepare general annual risk analyses, which shall be submitted to the European Parliament, to the Council and to the Commission in accordance with Article 91, and tailored risk analyses for operational activities. Every two years, the Agency shall prepare and submit to the European Parliament, to the Council and to the Commission a strategic risk analysis for European Integrated Border Management which shall be taken into account for the preparation of the multiannual Strategic policy cycle for European Integrated Border Management.</p>	<p>2. The Agency shall prepare general annual risk analyses, which shall be submitted to the European Parliament, to the Council and to the Commission in accordance with Article 91, and tailored risk analyses for operational activities. Every two years, the Agency, <u>in close consultation with the Member States,</u> shall prepare and submit to the European Parliament, to the Council and to the Commission a strategic risk analysis for European Integrated Border Management which shall be taken into account for the preparation of the multiannual Strategic policy cycle for European Integrated Border Management.</p>	<p>2. The Agency shall prepare general annual risk analyses, which shall be submitted to the European Parliament, to the Council and to the Commission in accordance with Article 91, and tailored risk analyses for operational activities. Every two years, the Agency, <b><i>in close consultation with the Member States,</i></b> shall prepare and submit to the European Parliament, to the Council and to the Commission a strategic risk analysis for European Integrated Border Management which shall be taken into account for the preparation of the multiannual Strategic policy cycle for European Integrated Border Management. <b><i>In the results of such risk analyses, personal data shall be anonymised.</i></b></p>
448	<p>3. The risk analyses referred to in paragraph 2 prepared by the Agency shall cover all aspects relevant to European Integrated Border Management with a view to developing a pre-warning mechanism.</p>	<p>3. The risk analyses referred to in paragraph 2 prepared by the Agency shall cover all <b><i>components</i></b> <del>aspects relevant to</del> <b><i>of the</i></b> European Integrated Border Management with a view to developing a pre-warning mechanism.</p>	<p>3. The risk analyses referred to in paragraph 2 prepared by the Agency, <u>on the basis of information received also from the Member States,</u> shall cover all aspects relevant to European Integrated Border Management with a view to developing a pre-warning mechanism.</p>	<p>3. The risk analyses referred to in paragraph 2 prepared by the Agency, <b><i>on the basis of information received also from the Member States,</i></b> shall cover all aspects relevant to European Integrated Border Management with a view to developing a pre-warning mechanism.</p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
449		<i>3 a. The Agency shall develop and make public its methodology and criteria for the risk analysis.</i>		<i>3 a. The Agency shall publish comprehensive information about the common integrated risk analysis model.</i>
450	4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly, or upon the request of the Agency, provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information from the analysis layer of the national situational picture as provided for in Article 26.	4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible <del>risks threats</del> at the external borders and in the field of return. Member States shall regularly, or upon the request of the Agency, provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information from the analysis layer of the national situational picture as provided for in Article 26.	4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly, or upon the request of the Agency, provide it with all relevant information such as statistical and operational data collected in relation to <del>the implementation of the Schengen acquis</del> European Integrated Border Management and in accordance with Article 98(2)(e) as well as information from the analysis layer of the national situational picture as provided for in Article 26.	4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly, or upon the request of the Agency, provide it with all relevant information such as statistical and operational data collected in relation to <del>the implementation of the Schengen acquis</del> European Integrated Border Management and in accordance with Article 98(2)(e) as well as information from the analysis layer of the national situational picture as provided for in Article 26.
451	5. The results of the risk analysis shall be submitted in a timely and accurate manner to the management board.	5. The results of the risk analysis shall be submitted in a timely and accurate manner to the management board.	5. The results of the risk analysis shall be submitted <del>in a timely and accurate manner</del> to the management board <u>and shared with the competent authorities of the Member States in a timely and accurate manner.</u>	5. The results of the risk analysis shall be submitted <del>in a timely and accurate manner</del> to the management board <u>and shared with the competent authorities of the Member States in a timely and accurate manner.</u>
452		<i>5 a. In the results of risk analyses, data shall be anonymised.</i>		In para 2

	Commission proposal	EP amendments	Council position	Compromise text proposals
453	6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders and their activities with regard to return.	6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders and their activities with regard to return.	6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders and their activities with regard to return.	6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders and their activities with regard to return.
454	7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of common core curricula for the training of border guards and of staff involved in return-related tasks.	7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of common core curricula for the training of border guards and of staff involved in return-related tasks.	7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of common core curricula for the training <del>of border guards and of staff involved in return-related tasks.</del>	7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of common core curricula for the training <i><b>of border guards and of staff involved in return-related tasks.</b></i>
455	Section 6		Section 6	
456	Prevention and responsiveness		Prevention and responsiveness	
457	Article 31		Article 31	
458	Determination of external border sections	Determination of external border sections	Determination of external border sections	
459	For the purposes of this Regulation, each Member State shall divide its external land and sea and, if relevant, air borders into border sections, and shall notify them to the Agency.	For the purposes of this Regulation, each Member State shall divide its external land and sea and, if relevant, air borders into border sections, and shall notify them to the Agency.	For the purposes of this Regulation, each Member State shall divide its external land and sea and, if relevant, air borders into border sections, and shall notify them to the Agency.	For the purposes of this Regulation, each Member State shall divide its external land and sea and, if relevant, air borders into border sections, and shall notify them to the Agency.
460	Any change of the border sections by a Member State shall be coordinated with the Agency to ensure a continuity of risk analysis by the Agency.	Any change of the border sections by a Member State shall be coordinated with the Agency to ensure a continuity of risk analysis by the Agency.	Any change of the border sections by a Member State shall be <del>coordinated</del> <u>with notified to the Agency in a timely manner</u> to ensure a continuity of risk analysis by the Agency.	Any change of the border sections by a Member State shall be <del>coordinated with</del> <u>notified to the Agency in a timely manner</u> to

	Commission proposal	EP amendments	Council position	Compromise text proposals
				ensure a continuity of risk analysis by the Agency.
461	Article 32		Article 32	Article 32
462	Agency's Liaison officers in Member States	Agency's Liaison officers in Member States	Agency's Liaison officers in Member States	Agency's Liaison officers in Member States
463	1. The Agency shall ensure regular monitoring of all Member States' management of the external borders and return through liaison officers of the Agency.	1. The Agency shall ensure regular monitoring of all Member States' <del>implementation management of the European Integrated Border Management</del> the external borders and return through liaison officers of the Agency.	1. The Agency shall ensure regular monitoring of all Member States' management of the external borders and return through liaison officers of the Agency.	1. The Agency shall ensure regular monitoring of all Member States' management of the external borders and return through liaison officers of the Agency.
464	The Agency may decide that a liaison officer covers up to four Member States which are geographically close to each other.	The Agency may decide that a liaison officer covers up to four Member States which are geographically close to each other.	The Agency may decide that a liaison officer covers up to four Member States which are geographically close to each other.	The Agency may decide that a liaison officer covers up to four Member States which are geographically close to each other.
465	2. The executive director shall appoint experts from the statutory staff of the Agency to be deployed as liaison officers. The executive director shall, based on risk analysis and in consultation with the Member States concerned, make a proposal on the nature and terms of the deployment, the Member State or region to which a liaison officer may be deployed and possible tasks not covered by paragraph 3. The proposal from the executive director shall be subject to approval by the management board. The executive	2. The executive director shall appoint experts from the statutory staff of the Agency to be deployed as liaison officers. The executive director shall, based on risk analysis and in consultation with the Member States concerned, make a proposal on the nature and terms of the deployment, the Member State or region to which a liaison officer may be deployed and possible tasks not covered by paragraph 3. The proposal from the executive director shall be subject to approval by the management board. The executive	2. The executive director shall appoint experts from the statutory staff of the Agency to be deployed as liaison officers. The executive director shall, based on risk analysis and in consultation with the Member States concerned, make a proposal on the nature and terms of the deployment, the Member State or region to which a liaison officer may be deployed and possible tasks not covered by paragraph 3. The proposal from the executive director shall be subject to approval by the management board. The executive	2. The executive director shall appoint experts from the statutory staff of the Agency to be deployed as liaison officers. The executive director shall, based on risk analysis and in consultation with the Member States concerned, make a proposal on the nature and terms of the deployment, the Member State or region to which a liaison officer may be deployed and possible tasks not covered by paragraph 3. The proposal from the executive director shall be subject to approval by the management

	Commission proposal	EP amendments	Council position	Compromise text proposals
	director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.	director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.	director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.	board. The executive director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.
466	3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:	3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:	3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:	3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:
467	(a) act as an interface between the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks;	(a) act as an interface between the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks;	(a) act as an interface between the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks;	(a) act as an interface between the Agency and the national authorities responsible for border management and return, including coast guards to the extent that they carry out border control tasks;
468	(b) support the collection of information required by the Agency for the monitoring of illegal immigration and risk analyses referred to in Article 30;	(b) support the collection of information required by the Agency for the monitoring of <del>illegal immigration</del> <b>irregular migration</b> and risk analyses referred to in Article 30;	(b) support the collection of information required by the Agency for the monitoring of illegal immigration and risk analyses referred to in Article 30;	(b) support the collection of information required by the Agency for the monitoring of <b>illegal immigration</b> and risk analyses referred to in Article 30;
469	(c) support the collection of information referred to in Article 33	(c) support the collection of information referred to in Article 33	(c) support the collection of information referred to in Article 33	(c) support the collection of information referred to in Article 33 and required by the Agency, to

	Commission proposal	EP amendments	Council position	Compromise text proposals
	and required by the Agency, to carry out the vulnerability assessment;	and required by the Agency, to carry out the vulnerability assessment;	and required by the Agency, to carry out the vulnerability assessment;	carry out the vulnerability assessment <i>and prepare a report for this purpose as referred to in paragraph 6;</i>
470	(d) monitor the measures taken by the Member State at border sections to which a high or critical impact level has been attributed in accordance with Article 35;	(d) monitor the measures taken by the Member State at border sections to which a high or <del>critical</del> impact level has been attributed in accordance with Article 35;	(d) monitor the measures taken by the Member State at border sections to which a high or critical impact level has been attributed in accordance with Article 35;	(d) monitor the measures taken by the Member State at border sections to which a high or critical impact level has been attributed in accordance with Article 35;
471	(e) contribute to promoting the application of the Union acquis relating to the management of the external borders and return, including with regard to respect for fundamental rights;	(e) contribute to promoting the application of the Union acquis relating to the management of the external borders and return, including with regard to respect for fundamental rights;	(e) contribute to promoting the application of the Union acquis relating to the management of the external borders and return, including with regard to respect for fundamental rights;	(e) contribute to promoting the application of the Union acquis relating to the management of the external borders and return, including with regard to respect for fundamental rights;
472		<i>(e a) report to the executive director and the fundamental rights officer on any concerns about or violations of fundamental rights in relation to the management of external borders and return and on the follow-up of any complaints involving one or more Member States;</i>		deleted
473		<i>(e b) cooperate with the fundamental rights officer, where necessary, with a view to contributing to the promotion of respect for fundamental rights in the work of the Agency in line with subparagraph (e);</i>		<i>(e b) cooperate with the fundamental rights officer, where necessary, with a view to contributing to the promotion of respect for fundamental rights in the work of the Agency in line with subparagraph (e);</i>

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474	(f) where possible assist the Member States in preparing their contingency plans concerning border management;	(f) where possible assist the Member States in preparing their contingency plans concerning border management;	(f) where possible assist the Member States in preparing their contingency plans concerning border management;	(f) where possible assist the Member States in preparing their contingency plans concerning border management;
475	(g) facilitate the communication between the Member State and the Agency, share relevant information from the Agency with the Member State, including information about ongoing operations;	(g) facilitate the communication between the Member State and the Agency, share relevant information from the Agency with the Member State, including information about ongoing operations;	(g) facilitate the communication between the Member State and the Agency, share relevant information from the Agency with the Member State, including information about ongoing operations;	(g) facilitate the communication between the Member State and the Agency, share relevant information from the Agency with the Member State, including information about ongoing operations;
476	(h) report regularly to the executive director on the situation at the external borders and the capacity of the Member State concerned to deal effectively with the situation at the external borders; report also on the execution of return operations towards relevant third countries;	(h) report regularly to the executive director on the situation at the external borders and the capacity of the Member State concerned to deal effectively with the situation at the external borders; report also on the execution of return operations towards relevant third countries;	(h) report regularly to the executive director on the situation at the external borders and the capacity of the Member State concerned to deal effectively with the situation at the external borders; report also on the execution of return operations towards relevant third countries;	(h) report regularly <i>and directly</i> to the executive director on the situation at the external borders and the capacity of the Member State concerned to deal effectively with the situation at the external borders; report also on the execution of return operations towards relevant third countries;
477	(i) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders as referred to in Article 43 ;	(i) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders as referred to in Article 43 ;	(i) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders as referred to in Article 43-;	(i) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders as referred to in Article 43 ;
478	(j) monitor the measures taken by the Member State with regard to return and support the collection of information required by the Agency to carry out activities referred to in Article 49.	(j) monitor the measures taken by the Member State <i>and facilitate the communication between the Member State and the Agency</i> with regard to return and support the collection of information required by	(j) monitor the measures taken by the Member State with regard to return and support the collection of information required by the Agency to carry out activities referred to in Article 49.	(j) monitor the measures taken by the Member State with regard to return and support the collection of information required by the Agency to carry out activities referred to in Article 49.



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		the Agency to carry out activities referred to in Article 49.		EP am in point (g)
479	4. If the liaison officer's reports referred to in point (h) of paragraph 3 raise concerns about one or more aspects relevant for the Member State concerned, the latter will be informed without delay by the executive director.	4. If the liaison officer's reports referred to in point (h) of paragraph 3 raise concerns about one or more aspects relevant for the Member State concerned, the latter will be informed without delay by the executive director.	4. If the <u>reporting by the</u> liaison officer's <del>reports</del> referred to in point (h) of paragraph 3 raises concerns about one or more aspects relevant for the Member State concerned, the latter will be informed without delay by the executive director.	4. If the <b>reporting by the</b> liaison officer's <del>reports</del> referred to in point (h) of paragraph 3 raises concerns about one or more aspects relevant for the Member State concerned, the latter will be informed without delay by the executive director.
480		<b><i>4 a. If the liaison officer's reports referred to in point (f) of paragraph 3 raise concerns about fundamental rights compliance for the Member State concerned, the EU Ombudsman and the EU Fundamental Rights Agency will be informed without delay by Fundamental Rights Officer.</i></b>		Covered in para 3 (eb)
481	5. For the purposes of paragraph 3, the liaison officer shall, in compliance with the national and Union security and data protection rules:	5. For the purposes of paragraph 3, the liaison officer shall, in compliance with the national and Union security and data protection rules:	5. For the purposes of paragraph 3, the liaison officer shall, in compliance with the national and Union security and data protection rules:	5. For the purposes of paragraph 3, the liaison officer shall, in compliance with the national and Union security and data protection rules:
482	(a) receive information from the national coordination centre and the national situational picture established in accordance with Article 26;	(a) receive information from the national coordination centre and the national situational picture established in accordance with Article 26;	(a) receive information from the national coordination centre and the national situational picture established in accordance with Article 26;	(a) receive information from the national coordination centre and the national situational picture established in accordance with Article 26;

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483	(b) keep regular contacts with national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, whilst informing a point of contact designated by the Member State concerned.	(b) keep regular contacts with national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, whilst informing a point of contact designated by the Member State concerned.	(b) keep regular contacts with national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, whilst informing <u>a point of contact the national contact point referred to Article 13 designated by the Member State concerned.</u>	(b) keep regular contacts with national authorities which are responsible for border management and return, including coast guards to the extent that they carry out border control tasks, whilst informing <b><i>a point of contact the national contact point referred to Article 13 designated by the Member State concerned.</i></b>
484	6. The report of the liaison officer shall form part of the vulnerability assessment as referred to in Article 33. The report shall be transmitted to the Member State concerned.	6. The report of the liaison officer shall form part of the vulnerability assessment as referred to in Article 33. <del>The report shall be transmitted to the Member State concerned.</del>	6. The report of the liaison officer shall form part of the vulnerability assessment as referred to in Article 33. The report shall be transmitted to the Member State concerned.	6. The report of the liaison officer shall form part of the vulnerability assessment as referred to in Article 33. The report shall be transmitted to the Member State concerned.
485	7. In carrying out their duties, the liaison officers shall take instructions only from the Agency.	7. In carrying out their duties, the liaison officers shall take instructions only from the Agency.	7. In carrying out their duties, the liaison officers shall take instructions only from the Agency.	7. In carrying out their duties, the liaison officers shall take instructions only from the Agency.
486	Article 33		Article 33	Article 33
487	Vulnerability assessment	Vulnerability assessment	Vulnerability assessment	Vulnerability assessment
488	1. The Agency shall, by decision of the management board, based on a proposal of the executive director, establish a common vulnerability assessment methodology. That methodology shall include objective criteria against which the Agency shall carry out the vulnerability assessment, the frequency of such assessments, how consecutive	1. The Agency shall, by decision of the management board, based on a proposal of the executive director, establish a common vulnerability assessment methodology. That methodology shall include objective criteria against which the Agency shall carry out the vulnerability assessment, the frequency of such assessments, how consecutive	1. The Agency shall, by decision of the management board, based on a proposal of the executive director <u>prepared in close cooperation with the Member States and the Commission</u> , establish a common vulnerability assessment methodology. That methodology shall include objective criteria against which the Agency shall carry	1. The Agency shall, by decision of the management board, based on a proposal of the executive director <b><i>prepared in close cooperation with the Member States and the Commission</i></b> , establish a common vulnerability assessment methodology. That methodology shall include objective criteria

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	vulnerability assessments are to be carried out, and the modalities for an effective system for monitoring the implementation of the recommendations.	vulnerability assessments are to be carried out, and the modalities for an effective system for monitoring the implementation of the recommendations.	out the vulnerability assessment, the frequency of such assessments, how consecutive vulnerability assessments are to be carried out, and the modalities for an effective system for monitoring the implementation of the recommendations.	against which the Agency shall carry out the vulnerability assessment, the frequency of such assessments, how consecutive vulnerability assessments are to be carried out, and the modalities for an effective system for monitoring the implementation of the recommendations.
489	2. The Agency shall monitor and assess the availability of the technical equipment, systems, capabilities, resources, infrastructure, adequately skilled and trained staff of Member States necessary for border control as defined in Article 3(1)(a). In this context, the Agency shall assess the capability development plans referred to in Article 67 (4) as regards their feasibility and implementation. For future planning it shall do so as a preventive measure on the basis of a risk analysis prepared in accordance with Article 30 (2). The Agency shall carry out such monitoring and assessment at least once a year, unless the executive director, based on risk assessments or a previous vulnerability assessment, decides otherwise.	2. The Agency shall monitor and assess the availability of the technical equipment, systems, capabilities, resources, infrastructure, adequately skilled and trained staff of Member States necessary for border control as defined in Article 3(1)(a) <b><i>in full respect of fundamental rights</i></b> . In this context, the Agency shall assess the capability development plans referred to in Article 67 (4) as regards their feasibility and implementation. For future planning it shall do so as a preventive measure on the basis of a risk analysis prepared in accordance with Article 30 (2). The Agency shall carry out such monitoring and assessment at least once a year, unless the executive director, based on risk assessments or a previous vulnerability assessment, decides otherwise. <b><i>In any event, each Member State shall be subject to</i></b>	2. The Agency shall monitor and assess the availability of the technical equipment, systems, capabilities, resources, infrastructure, adequately skilled and trained staff of Member States necessary for border control as defined in Article 3(1)(a). In this context, the Agency shall assess the capability development plans referred to in Article <del>9 67</del> (4) as regards <del>their feasibility and implementation</del> <u>border control taking into account that some national capabilities may be partially used for other goals than border control</u> . For future planning it shall do so as a preventive measure on the basis of a risk analysis prepared in accordance with Article 30 (2). The Agency shall carry out such monitoring and assessment at least once a year, unless the executive director, based on risk assessments or a previous	2. The Agency shall monitor and assess the availability of the technical equipment, systems, capabilities, resources, infrastructure, adequately skilled and trained staff of Member States necessary for border control as defined in Article 3(1)(a). In this context, the Agency shall assess the capability development plans referred to in Article <del>9 67</del> (4) as regards <del>their feasibility and implementation</del> <b><i>the capacity to perform border control activities taking into account that some national capabilities may be partially used for other goals than border control</i></b> . For future planning it shall do so as a preventive measure on the basis of a risk analysis prepared in accordance with Article 30 (2). The Agency shall carry out such monitoring and assessment at least once a year,

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		<i>monitoring and assessment at least once every three years.</i>	vulnerability assessment, decides otherwise.	unless the executive director, based on risk assessments or a previous vulnerability assessment, decides otherwise. <b><i>In any event, each Member State shall be subject to monitoring and assessment at least once every three years.</i></b>
490		<b><i>2 a. The vulnerability assessment shall be based on objective indicators. The management board shall decide on the indicators.</i></b>		Covered in para 1
491		<b><i>2 b. The objective indicators referred to in paragraph 2a shall include, inter alia, an assessment of the respect for fundamental rights. The methodology for that aspect of the vulnerability assessment shall be established in consultation with the fundamental rights officer and the consultative forum, as well as other relevant Union agencies, such as the [European Union Agency for Asylum] and the European Union Agency for Fundamental Rights.</i></b>		delete
492	3. Without prejudice to Articles 9 and 67, Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and to the extent possible, the financial resources available at national level to carry out	3. Without prejudice to Articles 9 and 67, Member States shall, at the request of the Agency, provide <b><i>non national classified-non sensitive information necessary for the vulnerability assessment in particular</i></b> as regards <b><i>the state of</i></b>	3. Without prejudice to Articles 9 <del>and 67</del> , Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and to the extent possible, the financial resources available at national level to carry out	3. Without prejudice to Articles 9 <del>and 67</del> , Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and to the extent possible, the financial resources available at national level

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	border control. Member States shall also provide information on their contingency plans on border management at the Agency's request.	<i>functioning of all procedures at the border in accordance with Chapter II of Directive 2013/32/EU of the European Parliament and of the Council</i> , technical equipment, staff and to the extent possible, the financial resources available at national level to carry out border control. Member States shall also provide <i>non national classified-non sensitive</i> information on their contingency plans on border management at the Agency's request.	border control. Member States shall also provide information on their contingency plans on border management at the Agency's request.	to carry out border control. Member States shall also provide information on their contingency plans on border management at the Agency's request.
493	4. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and challenges at the external borders; to identify, especially for those Member States facing specific and disproportionate challenges, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area; and to assess their capacity to contribute to the European Border and Coast Guard standing corps and Technical Equipment Pool, including the Rapid Reaction Equipment Pool. That assessment is without prejudice	4. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face <del>upcoming challenges</del> <i>situational risk</i> , including present and future threats and challenges at the external borders; to identify, especially for those Member States facing specific and disproportionate challenges, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area; and to assess their capacity to contribute to the European Border and Coast Guard standing corps and Technical Equipment Pool, including the Rapid Reaction Equipment Pool. That	4. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and challenges at the external borders; to identify, especially for those Member States facing specific and disproportionate challenges, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area; and to assess their capacity to contribute to the European Border and Coast Guard standing corps and Technical Equipment Pool, including the Rapid Reaction Equipment Pool; <u>and to assess the capacity of Member States to host and lead European</u>	4. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face <i>present and</i> upcoming challenges; <del>including present and future threats and challenges</del> at the external borders; to identify, especially for those Member States facing specific and disproportionate challenges, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area; and to assess their capacity to contribute to the European Border and Coast Guard standing corps and Technical Equipment Pool, including the Rapid Reaction Equipment Pool;

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	to the Schengen evaluation mechanism.	assessment is without prejudice to the Schengen evaluation mechanism.	support in line with Article 9 <del>67</del> (3). That assessment is without prejudice to the Schengen evaluation mechanism.	<i>and to assess the capacity of Member States to host European support in line with Article 9 <del>67</del>(3).</i> That assessment is without prejudice to the Schengen evaluation mechanism.
494	5. In the vulnerability assessment, the Agency shall take into account Member States' capacity to carry out all border management tasks, including their capacity to deal with the potential arrival of large numbers of persons on their territory.	5. In the vulnerability assessment, the Agency shall <del>take into account</del> <i>assess the</i> Member States' capacity, <i>in qualitative and quantitative terms</i> , to carry out all border management tasks, including their capacity to deal with the potential arrival of large numbers of persons on their territory. <i>For that purpose, the Agency shall, as appropriate, consult the relevant Union Agencies, in particular the [European Union Agency for Asylum].</i>	5. In the vulnerability assessment, the Agency shall take into account Member States' capacity to carry out all border management tasks, including their capacity to deal with the potential arrival of large numbers of persons on their territory. <sup>24</sup>	5. In the vulnerability assessment, the Agency shall <del>take into account</del> <i>assess the</i> Member States' capacity, <i>in qualitative and quantitative terms</i> , to carry out all border management tasks, including their capacity to deal with the potential arrival of large numbers of persons on their territory.
495	6. The results of the vulnerability assessment shall be submitted to the Member States concerned. The Member States concerned may comment on that assessment.	6. The <i>preliminary</i> results of the vulnerability assessment shall be submitted to the Member States concerned. The Member States concerned may comment on that assessment.	6. The <u>preliminary</u> results of the vulnerability assessment shall be submitted to the Member States concerned. The Member States concerned may comment on that assessment.	6. The <i>preliminary</i> results of the vulnerability assessment shall be submitted to the Member States concerned. The Member States concerned may comment on that assessment.
496	7. When necessary the executive director shall, in consultation with the Member State concerned, make a recommendation setting out the	7. When necessary the executive director shall, in consultation with the Member State concerned, make a recommendation setting out the	7. When necessary the executive director shall, in consultation with the Member State concerned, make a recommendation	7. When necessary the executive director shall, in consultation with the Member State concerned, make a recommendation setting out the

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	necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The executive director shall invite the Member States concerned to take the necessary measures based on an action plan developed by the Member State in consultation with the executive director.	necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The executive director shall invite the Member States concerned to take the necessary measures based on an action plan developed by the Member State in consultation with the executive director.	setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The executive director shall invite the Member States concerned to take the necessary measures based on an action plan developed by the Member State in consultation with the executive director.	necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The executive director shall invite the Member States concerned to take the necessary measures based on an action plan developed by the Member State in consultation with the executive director.
497	8. The executive director shall recommend measures to the Member States concerned on the basis of the results of the vulnerability assessment, taking into account the Agency's risk analysis, the comments of the Member State concerned and the results of the Schengen evaluation mechanism.	8. The executive director shall recommend measures to the Member States concerned on the basis of the results of the vulnerability assessment, taking into account the Agency's risk analysis, the comments of the Member State concerned and the results of the Schengen evaluation mechanism. <b><i>Those recommendations shall be made available to the European Parliament.</i></b>	8. The executive director shall recommend measures to the Member States concerned on the basis of the results of the vulnerability assessment, taking into account the Agency's risk analysis, the comments of the Member State concerned and the results of the Schengen evaluation mechanism.	8. The executive director shall recommend measures to the Member States concerned on the basis of the results of the vulnerability assessment, taking into account the Agency's risk analysis, the comments of the Member State concerned and the results of the Schengen evaluation mechanism.
498	The measures <del>measures</del> should be aimed at eliminating the vulnerabilities identified in the assessment in order for Member States to increase their readiness to face upcoming challenges by enhancing or improving their capabilities, technical equipment, systems, resources and contingency plans.	The measures <del>measures</del> should be aimed at eliminating the vulnerabilities identified in the assessment in order for Member States to increase their readiness to face <del>upcoming challenges</del> <b><i>situational risk</i></b> by enhancing or improving their capabilities, technical equipment, systems, resources and contingency plans.	The measures <del>measures</del> should be aimed at eliminating the vulnerabilities identified in the assessment in order for Member States to increase their readiness to face upcoming <u>threats and challenges at the external borders</u> by enhancing or improving their capabilities, technical equipment, systems, resources and contingency plans. <u>The</u>	The measures <del>measures</del> should be aimed at eliminating the vulnerabilities identified in the assessment in order for Member States to increase their readiness to face <b><i>present and</i></b> upcoming challenges <b><i>at the external borders</i></b> by enhancing or improving their capabilities, technical equipment, systems, resources and contingency plans.

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			<u>executive director may offer the technical expertise of the Agency to the Member States to support the implementation of the measures concerned.</u>	plans. <i>The executive director may offer the technical expertise of the Agency to the Member States to support the implementation of the measures concerned.</i>
499	9. The Executive Director shall monitor the implementation of the recommendations by means of regular reports submitted by the Member States based on the action plans referred to in paragraph 7 of this Article.	9. The Executive Director shall monitor the implementation of the recommendations by means of regular reports submitted by the Member States based on the action plans referred to in paragraph 7 of this Article.	9. The Executive Director shall monitor the implementation of the recommendations by means of regular reports submitted by the Member States based on the action plans referred to in paragraph 7 of this Article.	9. The Executive Director shall monitor the implementation of the recommendations by means of regular reports submitted by the Member States based on the action plans referred to in paragraph 7 of this Article.
500	In case of a risk of delay in the implementation of a recommendation by a Member State within the set time-limit, the Executive Director shall immediately inform the member of the Management Board from the Member State concerned and the Commission and enquire with the relevant authorities of that Member State on the reasons for the delay and offer support by the Agency to facilitate the implementation of the measure.	In case of a risk of delay in the implementation of a recommendation by a Member State within the set time-limit, the Executive Director shall immediately inform the member of the Management Board from the Member State concerned and the Commission and enquire with the relevant authorities of that Member State on the reasons for the delay and offer support by the Agency to facilitate the implementation of the measure.	In case of a risk of delay in the implementation of a recommendation by a Member State within the set time-limit, the Executive Director shall immediately inform the member of the Management Board from the Member State concerned and the Commission, <del>and</del> <u>In consultation with the member of the Management Board, the Executive Director shall</u> enquire with the relevant authorities of that Member State on the reasons for the delay and offer support by the Agency to facilitate the implementation of the measure.	In case of a risk of delay in the implementation of a recommendation by a Member State within the set time-limit, the Executive Director shall immediately inform the member of the Management Board from the Member State concerned and the Commission. <del>and</del> <i><b>In consultation with the member of the Management Board from the Member State concerned, the Executive Director shall</b></i> enquire with the relevant authorities of that Member State on the reasons for the delay and offer support by the Agency to facilitate the implementation of the measure.
501	10. Where a Member State does not implement the necessary	10. Where a Member State does not implement the necessary	10. Where a Member State does not implement the necessary	10. Where a Member State does not implement the necessary



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	measures of the recommendation within the time limit referred to in paragraph 7 of this Article, the executive director shall refer the matter to the management board and notify the Commission. The management board shall adopt a decision on a proposal of the executive director setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The decision of the management board shall be binding on the Member State. If the Member State does not implement the measures within the time limit foreseen in that decision, the management board shall notify the Council and the Commission and further action may be taken in accordance with Article 43.	measures of the recommendation within the time limit referred to in paragraph 7 of this Article, the executive director shall refer the matter to the management board and notify the Commission. The management board shall adopt a decision on a proposal of the executive director setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The decision of the management board shall be binding on the Member State. If the Member State does not implement the measures within the time limit foreseen in that decision, the management board shall notify the <i>European Parliament, the Council and the Commission</i> and further action may be taken in accordance with <del>Article 43</del> <i>Articles 43 and 47</i> .	measures of the recommendation within the time limit referred to in paragraph 7 of this Article, the executive director shall refer the matter to the management board and notify the Commission. The management board shall adopt a decision on a proposal of the executive director setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The decision of the management board shall be binding on the Member State. If the Member State does not implement the measures within the time limit foreseen in that decision, the management board shall notify the Council and the Commission and further action may be taken in accordance with Article 43.	measures of the recommendation within the time limit referred to in paragraph 7 of this Article, the executive director shall refer the matter to the management board and notify the Commission. The management board shall adopt a decision on a proposal of the executive director setting out the necessary measures to be taken by the Member State concerned and the time limit within which such measures shall be implemented. The decision of the management board shall be binding on the Member State. If the Member State does not implement the measures within the time limit foreseen in that decision, the management board shall notify the <i>European Parliament, the Council and the Commission</i> and further action may be taken in accordance with Article 43.
502	11. The results of the vulnerability assessment shall be transmitted, in accordance with Article 91, on a regular basis and at least once a year to the European Parliament, to the Council and to the Commission.	11. The results of the vulnerability assessment, <i>including a detailed description of the outcome of the vulnerability assessment, the measures taken by the Member States and the status of the implementation of any previous recommendations</i> , shall be	11. The results of the vulnerability assessment shall be transmitted, in accordance with Article 91, on a regular basis and at least once a year to the European Parliament, to the Council and to the Commission.	11. The results of the vulnerability assessment, <i>including a detailed description of the outcome of the vulnerability assessment, the measures taken by the Member States and the status of the implementation of any previous recommendations</i> , shall

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		transmitted, in accordance with Article 91, on a regular basis and at least once a year to the European Parliament, to the Council and to the Commission. <i>If the results of the vulnerability assessment carried out with regard to a particular Member State reveal a serious deficiency that is deemed to constitute a serious threat to the functioning of the Schengen area, the management of the external borders, public policy or internal security within the area without internal border control, the Commission shall immediately inform the European Parliament and the Council thereof.</i>		be transmitted, in accordance with Article 91, on a regular basis and at least once a year to the European Parliament, to the Council and to the Commission.
503			<u>12. For the implementation of this article, where appropriate, the Agency shall apply the security rules on the protection of classified information and sensitive non-classified information provided for in Article 91.</u>	<i>Deleted</i>
504	Article 34		Article 34	Article 34
505	Synergies between the vulnerability assessment and the Schengen evaluation mechanism	Synergies between the vulnerability assessment and the Schengen evaluation mechanism	Synergies between the vulnerability assessment and the Schengen evaluation mechanism	Synergies between the vulnerability assessment and the Schengen evaluation mechanism
506	1. The synergies between vulnerability assessments and the Schengen evaluation mechanism established by Regulation (EU)	1. The synergies between vulnerability assessments and the Schengen evaluation mechanism established by Regulation (EU)	1. The synergies between vulnerability assessments and the Schengen evaluation mechanism established by Regulation (EU)	1. The synergies between vulnerability assessments and the Schengen evaluation mechanism established by Regulation (EU)

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	No 1053/2013 shall be maximised in view of establishing an improved situational picture on the functioning of the Schengen area, avoiding, to the extent possible, duplication of efforts on the Member States' side, and ensuring a better coordinated use of the relevant Union financial instruments supporting the management of the external borders.	No 1053/2013 shall be maximised in view of establishing an improved situational picture on the functioning of the Schengen area, avoiding, to the extent possible, duplication of efforts on the Member States' side, and ensuring a better coordinated use of the relevant Union financial instruments supporting the management of the external borders.	No 1053/2013 shall be maximised in view of establishing an improved situational picture on the functioning of the Schengen area, avoiding, to the extent possible, duplication of efforts on the Member States' side, and ensuring a better coordinated use of the relevant Union financial instruments supporting the management of the external borders.	No 1053/2013 shall be maximised in view of establishing an improved situational picture on the functioning of the Schengen area, avoiding, to the extent possible, duplication of efforts on the Member States' side, and ensuring a better coordinated use of the relevant Union financial instruments supporting the management of the external borders.
507	2. For the purpose referred to in paragraph 1 the Commission and the Agency shall establish the necessary arrangements to share with each other in a regular, secured and timely manner all information related to the results of vulnerability assessments and the Schengen evaluation mechanism in the area of border management. The exchange mechanism shall cover the reports of vulnerability assessments and of Schengen evaluation visits, subsequent recommendations, action plans and any updates on the implementation of the action plans provided by the Member States.	2. For the purpose referred to in paragraph 1, the Commission, <b>together with the European Parliament, the Council</b> and the Agency, shall establish the necessary arrangements to share with each other in a regular, secured and timely manner all information related to the results of vulnerability assessments and the Schengen evaluation mechanism in the area of border management. The exchange mechanism shall cover the reports of vulnerability assessments and of Schengen evaluation visits, subsequent recommendations, action plans and any updates on the implementation of the action plans provided by the Member States.	2. For the purpose referred to in paragraph 1 the Commission and the Agency shall establish the necessary arrangements to share with each other in a regular, secured and timely manner all information related to the results of vulnerability assessments and the Schengen evaluation mechanism in the area of border management. The exchange mechanism shall cover the reports of vulnerability assessments and of Schengen evaluation visits, subsequent recommendations, action plans and any updates on the implementation of the action plans provided by the Member States.	2. For the purpose referred to in paragraph 1 the Commission and the Agency shall establish the necessary arrangements to share with each other in a regular, secured and timely manner all information related to the results of vulnerability assessments and the Schengen evaluation mechanism in the area of border management. The exchange mechanism shall cover the reports of vulnerability assessments and of Schengen evaluation visits, subsequent recommendations, action plans and any updates on the implementation of the action plans provided by the Member States.

	Commission proposal	EP amendments	Council position	Compromise text proposals
508			2a. <u>For the purpose of the Schengen evaluation mechanism in relation to external border management, the Commission shall share the results of the vulnerability assessments to all the members of the Schengen evaluation teams involved in the evaluation of the Member State concerned. Such information shall be considered sensitive in the sense of Regulation 1053/2013 and be treated accordingly.</u>	<i>2a. For the purpose of the Schengen evaluation mechanism in relation to external border management, the Commission shall share the results of the vulnerability assessments to all the members of the Schengen evaluation teams involved in the evaluation of the Member State concerned. Such information shall be considered sensitive in the sense of Regulation 1053/2013 and be treated accordingly.</i>
509	3. The arrangements referred to in paragraph 2 shall cover results of the Schengen evaluation mechanism in the area of return to ensure the full awareness of the Agency on the identified shortcomings in view of enabling it to propose appropriate measures to support Member States concerned in this regard.	3. The arrangements referred to in paragraph 2 shall cover results of the Schengen evaluation mechanism in the area of return to ensure the full awareness of the Agency on the identified shortcomings in view of enabling it to propose appropriate measures to support Member States concerned in this regard.	3. The arrangements referred to in paragraph 2 shall cover results of the Schengen evaluation mechanism in the area of return to ensure the full awareness of the Agency on the identified shortcomings in view of enabling it to propose appropriate measures to support Member States concerned in this regard.	3. The arrangements referred to in paragraph 2 shall cover results of the Schengen evaluation mechanism in the area of return to ensure the full awareness of the Agency on the identified shortcomings in view of enabling it to propose appropriate measures to support Member States concerned in this regard.
510	Article 35		Article 35	Article 35
511	Attribution of impact levels to external border sections	Attribution of impact levels to external border sections	Attribution of impact levels to external border sections	Attribution of impact levels to external border sections
512	1. Based on the Agency's risk analysis and vulnerability assessment and in agreement with the Member State concerned, the Agency shall attribute the following impact levels to each of the external land, sea and,	1. Based on the Agency's risk analysis and vulnerability assessment and in agreement with the Member State concerned, the Agency shall attribute the following impact levels to each of the external land, sea and,	1. Based on the Agency's risk analysis and vulnerability assessment and in agreement with the Member State concerned, the Agency shall attribute the following impact levels to each of the external land, sea and,	1. Based on the Agency's risk analysis and vulnerability assessment and in agreement with the Member State concerned, the Agency shall attribute the following impact levels to each of

	Commission proposal	EP amendments	Council position	Compromise text proposals
	if relevant, air border sections of Member States or change such levels:	if relevant, air border sections of Member States or change such levels:	if relevant, air border sections of Member States or change such levels:	the external land, sea and, if relevant, air border sections of Member States or change such levels:
513	(a) low impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have an insignificant impact on border security;	(a) low impact level where the incidents <del>related to illegal immigration or cross-border crime occurring at the relevant border section</del> have an insignificant impact on border security;	(a) low impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have an insignificant impact on border security;	(a) low impact level where the incidents related to <b>irregular migration</b> or cross-border crime occurring at the relevant border section have an insignificant impact on border security;
514	(b) medium impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a moderate impact on border security;	(b) medium impact level where the incidents <del>related to illegal immigration or cross-border crime occurring at the relevant border section</del> have a moderate impact on border security;	(b) medium impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a moderate impact on border security;	(b) medium impact level where the incidents related to <b>irregular migration</b> or cross-border crime occurring at the relevant border section have a moderate impact on border security;  <i>(39a) If a high or critical impact level is attributed to a maritime border section because of a rise of illegal/irregular migration, the Member States concerned should take into account this information for the planning and conduct of Search and Rescue operations, since such situation could generate an increase of the demand for assistance for persons in distress at sea.</i>  <b>To be discussed during the political trilogue</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
515	(c) high impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a significant impact on border security;	(c) high impact level where the incidents <del>related to illegal immigration or cross-border crime occurring at the relevant border section</del> have a significant impact on border security;	(c) high impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a significant impact on border security;	(c) high impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a significant impact on border security;
516	(d) critical impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a decisive impact on border security to such an extent that they risk jeopardising the functioning of the Schengen Area.	(d) <del>critical impact level where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a decisive impact on border security to such an extent that they risk jeopardising the functioning of the Schengen Area.</del>	1a. <del>(d)</del> In order to swiftly address at a given border section a crisis situations, <del>critical impact level</del> where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a decisive impact on border security to such an extent that they risk jeopardising the functioning of the Schengen Area, <u>based on the Agency's risk analysis and in agreement with the Member State concerned, the Agency shall attribute temporarily a “critical” impact level to that border section.</u>	1a. <del>(d)</del> In order to swiftly address at a given border section a crisis situations, <u>critical impact level</u> where the incidents related to illegal immigration or cross-border crime occurring at the relevant border section have a decisive impact on border security to such an extent that they risk jeopardising the functioning of the Schengen Area, <u>based on the Agency's risk analysis and in agreement with the Member State concerned, the Agency shall attribute temporarily a “critical” impact level to that border section</u>  <u>Proposed addition to Recital 40 as discussed</u> The attribution of a critical level to a border section cannot lead to the Agency's <i>support to any measures or involvement in any activities related to controls at internal borders (text taken from Article 7(4))</i>

	Commission proposal	EP amendments	Council position	Compromise text proposals
517			2. <u>The attribution of <del>the</del> impact levels shall be based on the common integrated risk analysis model referred to in Article 30(1). If there is no agreement between the Member State concerned and the Agency on the attribution, the impact level attributed to that border section shall remain unchanged.</u>	2. <u>The attribution of <del>the</del> impact levels shall be based on the common integrated risk analysis model referred to in Article 30(1). If there is no agreement between the Member State concerned and the Agency on the attribution, the impact level attributed to that border section shall remain unchanged.</u>
518	2. The national coordination centre shall constantly assess whether there is a need to change the impact level of any of the border sections by taking into account the information contained in the national situational picture and inform the Agency accordingly.	2. The national coordination centre shall constantly assess whether there is a need to change the impact level of any of the border sections by taking into account the information contained in the national situational picture and inform the Agency accordingly.	<u>2.</u> The national coordination centre shall constantly assess <u>in close cooperation with other competent national authorities</u> whether there is a need to change the impact level of any of the border sections by taking into account the information contained in the national situational picture and inform the Agency accordingly.	<u>2.</u> The national coordination centre shall constantly assess <u>in close cooperation with other competent national authorities</u> whether there is a need to change the impact level of any of the border sections by taking into account the information contained in the national situational picture and inform the Agency accordingly.
519	3. The Agency shall visualise the impact levels attributed to the external borders in the European situational picture.	3. The Agency shall visualise the impact levels attributed to the external borders in the European situational picture.	3. The Agency shall visualise the impact levels attributed to the external borders in the European situational picture.	3. The Agency shall visualise the impact levels attributed to the external borders in the European situational picture.
520	Article 36		Article 36	Article 36
521	Reaction corresponding to impact levels	Reaction corresponding to impact levels	Reaction corresponding to impact levels	Reaction corresponding to impact levels
522	1. The Member States shall ensure that the border control activities	1. The Member States shall ensure that the border control activities	1. The Member States shall ensure that the border control	1. The Member States shall ensure that the border control

	Commission proposal	EP amendments	Council position	Compromise text proposals
	carried out at the external border sections correspond to the attributed impact levels in the following manner:	carried out at the external border sections correspond to the attributed impact levels in the following manner:	activities carried out at the external border sections correspond to the attributed impact levels in the following manner:	activities carried out at the external border sections correspond to the attributed impact levels in the following manner:
523	(a) where a low impact level is attributed to an external border section, the national authorities responsible for external border control shall organise regular control on the basis of risk analysis and ensure that sufficient personnel and resources are being kept in the border area in readiness for tracking, identification and interception;	(a) where a low impact level is attributed to an external border section, the national authorities responsible for external border control shall organise regular control on the basis of risk analysis and ensure that sufficient personnel and resources are being kept in the border area in readiness for tracking, identification and interception;	(a) where a low impact level is attributed to an external border section, the national authorities responsible for external border control shall organise regular control on the basis of risk analysis and ensure that sufficient personnel and resources are being kept in the border area <del>in readiness for tracking, identification and interception;</del>	(a) where a low impact level is attributed to an external border section, the national authorities responsible for external border control shall organise regular control on the basis of risk analysis and ensure that sufficient personnel and resources are being kept <del>in the</del> <b>available for that border section</b> <del>area in readiness for tracking, identification and interception;</del>
524	(b) where a medium impact level is attributed to an external border section, the national authorities responsible for external border control shall, in addition to the measures taken under point (a), ensure that appropriate control measures are being taken at that border section. When such control measures are taken, the national coordination centre shall be notified accordingly. The national coordination centre shall coordinate any support given in accordance with Article 21 (3);	(b) where a medium impact level is attributed to an external border section, the national authorities responsible for external border control shall, in addition to the measures taken under point (a), ensure that appropriate control measures are being taken at that border section. When such control measures are taken, the national coordination centre shall be notified accordingly. The national coordination centre shall coordinate any support given in accordance with Article 21 (3);	(b) where a medium impact level is attributed to an external border section, the national authorities responsible for external border control shall, in addition to the measures taken under point (a), ensure that appropriate control measures are being taken at that border section. When such control measures are taken, the national coordination centre shall be notified accordingly. The national coordination centre shall coordinate any support given in accordance with Article 21 (3);	(b) where a medium impact level is attributed to an external border section, the national authorities responsible for external border control shall, in addition to the measures taken under point (a), ensure that appropriate control measures are being taken at that border section. When such control measures are taken, the national coordination centre shall be notified accordingly. The national coordination centre shall coordinate any support given in accordance with Article 21 (3);
525	(c) where a high impact level is attributed to an external border	(c) where a high impact level is attributed to an external border	(c) where a high impact level is attributed to an external border	(c) where a high impact level is attributed to an external border



	Commission proposal	EP amendments	Council position	Compromise text proposals
	section, the Member State concerned shall, in addition to the measures taken under point (b), ensure, through the national coordination centre, that the national authorities operating at that border section are given the necessary support and that reinforced control measures are taken. That Member State may request support from the Agency subject to the conditions for initiating joint operations or rapid border interventions, as laid down in Article 37.	section, the Member State concerned shall, in addition to the measures taken under point (b), ensure, through the national coordination centre, that the national authorities operating at that border section are given the necessary support and that reinforced control measures are taken. That Member State may request support from the Agency subject to the conditions for initiating joint operations or rapid border interventions, as laid down in Article 37.	section, the Member State concerned shall, in addition to the measures taken under point (b), ensure, through the national coordination centre, that the national authorities operating at that border section are given the necessary support and that reinforced control measures are taken. That Member State may request support from the Agency subject to the conditions for initiating joint operations or rapid border interventions, as laid down in Article 37.	section, the Member State concerned shall, in addition to the measures taken under point (b), ensure, through the national coordination centre, that the national authorities operating at that border section are given the necessary support and that reinforced control measures are taken. That Member State may request support from the Agency subject to the conditions for initiating joint operations or rapid border interventions, as laid down in Article 37.
526	(d) where a critical impact level is attributed to an external border section, the Agency shall notify it to the Commission. The Member State concerned and the Agency shall, in addition to the measures taken under point (c), implement the recommendation issued by the executive director of the Agency in accordance with Article 42.	<del>(d) where a critical impact level is attributed to an external border section, the Agency shall notify it to the Commission. The Member State concerned and the Agency shall, in addition to the measures taken under point (c), implement the recommendation issued by the executive director of the Agency in accordance with Article 42.</del>	(d) <del>(d)1a.</del> where a critical impact level is attributed to an external border section, the Agency shall notify it to the Commission. <u>Taking into account the ongoing support by the Agency, the executive director</u> <del>The Member State concerned and the Agency</del> shall, in addition to the measures taken under point (c), <u>implement the issue a recommendation issued by the executive director of the Agency</u> in accordance with Article 42(1). <u>Member State concerned shall respond to the recommendation in accordance with article 42(2).</u>	(d) <del>(d)1a.</del> where a critical impact level is attributed to an external border section, the Agency shall notify it to the Commission. <u>Taking into account the ongoing support by the Agency, the executive director</u> <del>The Member State concerned and the Agency</del> shall, in addition to the measures taken under point (c), <u>implement the issue a recommendation issued by the executive director of the Agency</u> in accordance with Article 42(1). <u>Member State concerned shall respond to the recommendation in accordance with article 42(2).</u>

	Commission proposal	EP amendments	Council position	Compromise text proposals
527	2. The national coordination centre shall regularly inform the Agency of the measures taken at national level pursuant to points (b), (c) and (d) of paragraph 1.	2. The national coordination centre shall regularly inform the Agency of the measures taken at national level pursuant to points (b); <del>and (c) and (d)</del> of paragraph 1.	2. The national coordination centre shall regularly inform the Agency of the measures taken at national level pursuant to <del>points (b), (c) and (d)</del> of paragraph 1 <u>(c) and paragraph 1a.</u>	2. The national coordination centre shall regularly inform the Agency of the measures taken at national level pursuant to <del>points (b), (c) and (d)</del> of paragraph 1 <u>(c) and paragraph 1a.</u>
528	3. Where a medium high or critical impact level is attributed to an external border section which is adjacent to the border section of another Member State or of a third country with which there are agreements or regional networks, as referred to in Article 73 and Article 74, the national coordination centre shall contact the national coordination centre of the neighbouring Member State or the competent authority of the neighbouring country and shall endeavour to coordinate together with the Agency the necessary cross-border measures.	3. Where a medium <del>or high or critical</del> impact level is attributed to an external border section which is adjacent to the border section of another Member State or of a third country with which there are agreements or regional networks, as referred to in Article 73 and Article 74, the national coordination centre shall contact the national coordination centre of the neighbouring Member State or the competent authority of the neighbouring country and shall endeavour to coordinate together with the Agency the necessary cross-border measures.	3. Where a medium, high or critical impact level is attributed to an external border section which is adjacent to the border section of another Member State or of a third country with which there are agreements or regional networks, as referred to in Article 73 and Article 74, the national coordination centre shall contact the national coordination centre of the neighbouring Member State or the competent authority of the neighbouring <u>third</u> country and shall endeavour to coordinate together with the Agency the necessary cross-border measures.	3. Where a medium, high or <u>critical impact level</u> is attributed to an external border section which is adjacent to the border section of another Member State or of a third country with which there are agreements or regional networks, as referred to in Article 73 and Article 74, the national coordination centre shall contact the national coordination centre of the neighbouring Member State or the competent authority of the neighbouring <i>third</i> country and shall endeavour to coordinate together with the Agency the necessary cross-border measures.
529	4. The Agency shall, together with the Member State concerned, evaluate the attribution of impact levels and the corresponding measures taken at national and Union level. That evaluation shall contribute to the vulnerability assessment by the Agency in accordance with Article 33.	4. The Agency shall, together with the Member State concerned, evaluate the attribution of impact levels and the corresponding measures taken at national and Union level. That evaluation shall contribute to the vulnerability assessment by the Agency in accordance with Article 33.	4. The Agency shall, together with the Member State concerned, evaluate the attribution of impact levels and the corresponding measures taken at national and Union level. That evaluation shall contribute to the vulnerability assessment by the Agency in accordance with Article 33.	4. The Agency shall, together with the Member State concerned, evaluate the attribution of impact levels and the corresponding measures taken at national and Union level. That evaluation shall contribute to the vulnerability assessment by the Agency in accordance with Article 33.

	Commission proposal	EP amendments	Council position	Compromise text proposals
530	Section 7		Section 7	Section 7
531	Action by the Agency at the External borders		Action by the Agency at the External borders	Action by the Agency at the External borders
532	Article 37		Article 37	Article 37
533	Actions by the Agency at the external borders	Actions by the Agency at the external borders	Actions by the Agency at the external borders	Actions by the Agency at the external borders
534	1. A Member State may request the Agency's assistance in implementing its obligations with regard to the control of the external borders. The Agency shall also carry out measures in accordance with Article 42 and Article 43.	1. A Member State may request the Agency's assistance in implementing its obligations with regard to the control of the external borders <i>and to the protection and saving of lives of migrants and refugees</i> . The Agency shall also carry out measures in accordance with Article 42 and Article 43.	1. A Member State may request the Agency's assistance in implementing its obligations with regard to the control of the external borders. The Agency shall also carry out measures in accordance with Article 42 and Article 43.	1. A Member State may request the Agency's assistance in implementing its obligations with regard to the control of the external borders. The Agency shall also carry out measures in accordance with Article 42 and Article 43.
535	2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may, acting in accordance with the relevant Union and international law, including the principle of non-refoulement, take one or more of the following measures:	2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may, acting in accordance with the relevant Union and international law, including the principle of non-refoulement, take one or more of the following measures:	2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may, acting in accordance with the relevant Union and international law, including the principle of non-refoulement, take one or more of the following measures:	2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may, acting in accordance with the relevant Union and international law, including the principle of non-refoulement, take one or more of the following measures:
536	(a) coordinate joint operations for one or more Member States and deploy the European Border and Coast Guard standing corps and technical equipment;	(a) coordinate joint operations for one or more Member States and deploy the European Border and Coast Guard standing corps and technical equipment;	(a) coordinate joint operations for one or more Member States and deploy the European Border and Coast Guard standing corps and technical equipment;	(a) coordinate joint operations for one or more Member States and deploy the European Border and Coast Guard standing corps and technical equipment;

	Commission proposal	EP amendments	Council position	Compromise text proposals
537	(b) organise rapid border interventions and deploy the European Border and Coast Guard standing corps and technical equipment;	(b) organise rapid border interventions and deploy the European Border and Coast Guard standing corps and technical equipment;	(b) organise rapid border interventions and deploy the European Border and Coast Guard standing corps and technical equipment;	(b) organise rapid border interventions and deploy the European Border and Coast Guard standing corps and technical equipment;
538	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and <u>neighbouring</u> third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;
539	(d) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams, among others at hotspot areas or in controlled centres, including if necessary to provide technical and operational assistance in return activities;	(d) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams, among others at hotspot areas <del>or in controlled centres</del> , including if necessary to provide technical and operational assistance in return activities;	(d) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams, among others at hotspot areas <del>or in controlled centres</del> , including if necessary to provide technical and operational assistance in return activities;	(d) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams, among others at hotspot areas <del>or in controlled centres</del> , including if necessary to provide technical and operational assistance in return activities;
540	(e) within the framework of operations mentioned in points (a), (b) and (c) of this paragraph and in accordance with Regulation (EU) No 656/2014 and international law, provide technical and operational assistance to Member States and third countries, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;	(e) within the framework of operations mentioned in points (a), (b) and (c) of this paragraph and in accordance with Regulation (EU) No 656/2014 and international law, provide technical and operational assistance to Member States and <b>neighbouring</b> third countries, in support of search and rescue operations for persons in distress at sea <del>which may arise during border surveillance operations at sea</del> ;	(e) within the framework of operations mentioned in points (a), (b) and (c) of this paragraph and in accordance with Regulation (EU) No 656/2014 and international law, provide technical and operational assistance to Member States and third countries, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea;	(e) within the framework of operations mentioned in points (a), (b) and (c) of this paragraph and in accordance with Regulation (EU) No 656/2014 and international law, provide technical and operational assistance to Member States and third countries, in support of search and rescue operations for persons in distress at sea which <b>may arise during border surveillance operations at sea</b> ;

	Commission proposal	EP amendments	Council position	Compromise text proposals
541	(f) give priority treatment to the EUROSUR Fusion Services.	(f) give priority treatment to the EUROSUR Fusion Services.	(f) give priority treatment to the EUROSUR Fusion Services.	(f) give priority treatment to the EUROSUR Fusion Services.
542	3. The Agency shall finance or co-finance the activities referred to in paragraph 2 from its budget in accordance with the financial rules applicable to the Agency.	3. The Agency shall finance or co-finance the activities referred to in paragraph 2 from its budget in accordance with the financial rules applicable to the Agency.	3. The Agency shall finance or co-finance the activities referred to in paragraph 2 from its budget in accordance with the financial rules applicable to the Agency.	3. The Agency shall finance or co-finance the activities referred to in paragraph 2 from its budget in accordance with the financial rules applicable to the Agency.
543	4. If the Agency has substantial additional financial needs due to a situation at the external borders, it shall inform the European Parliament, the Council and the Commission thereof without delay.	4. If the Agency has substantial additional financial needs due to a situation at the external borders, it shall inform the European Parliament, the Council and the Commission thereof without delay.	4. If the Agency has substantial additional financial needs due to a situation at the external borders, it shall inform the European Parliament, the Council and the Commission thereof without delay.	4. If the Agency has substantial additional financial needs due to a situation at the external borders, it shall inform the European Parliament, the Council and the Commission thereof without delay.
544	Article 38		Article 38	Article 38
545	Initiating joint operations and rapid border interventions at the external borders	Initiating joint operations and rapid border interventions at the external borders	Initiating joint operations and rapid border interventions at the external borders	Initiating joint operations and rapid border interventions at the external borders
546	1. A Member State may request that the Agency launch joint operations to face upcoming challenges, including illegal immigration, present or future threats at its external borders or cross-border crime, or to provide increased technical and operational assistance when implementing its obligations with regard to the control of the external borders.	1. A Member State may request that the Agency launch joint operations to face upcoming challenges, including <del>illegal immigration</del> <b>irregular migration</b> , present or future threats at its external borders or cross-border crime, or to provide increased technical and operational assistance when implementing its obligations with regard to the control of the external borders.	1. A Member State may request that the Agency launch joint operations to face upcoming challenges, including illegal immigration, present or future threats at its external borders or cross-border crime, or to provide increased technical and operational assistance, <u>and also request the profiles needed including those requiring executive powers if applicable</u> , when implementing its obligations with regard to the control of the external borders.	1. A Member State may request that the Agency launch joint operations to face upcoming challenges, including <b>irregular migration</b> , present or future threats at its external borders or cross-border crime, or to provide increased technical and operational assistance, <u>and also request the profiles needed including those requiring executive powers if applicable</u> , when implementing its obligations with regard to the control of the external borders.

	<b>Commission proposal</b>	<b>EP amendments</b>	<b>Council position</b>	<b>Compromise text proposals</b>
<b>547</b>	2. At the request of a Member State faced with a situation of specific and disproportionate challenges, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State without authorisation, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.	2. At the request of a Member State faced with a situation of specific and disproportionate challenges, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State without authorisation, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.	2. At the request of a Member State faced with a situation of specific and disproportionate challenges, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State without authorisation, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.	2. At the request of a Member State faced with a situation of specific and disproportionate challenges, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State without authorisation, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.
<b>548</b>	3. The executive director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact on external border sections in accordance with Article 35 and the availability of resources.	3. The executive director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact on external border sections in accordance with Article 35 and the availability of resources.	3. The executive director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact on external border sections in accordance with Article 35 and the availability of resources.	3. The executive director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact on external border sections in accordance with Article 35 and the availability of resources.
<b>549</b>	4. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation. Such operations may involve coast guard functions and the prevention of cross-border crime,	4. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation. Such operations may involve coast guard functions and the prevention of cross-	4. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation. Such operations may involve coast guard functions and the prevention of cross-	4. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation. Such operations may involve coast guard functions and the prevention

	Commission proposal	EP amendments	Council position	Compromise text proposals
	including the fight against migrant smuggling or trafficking in human beings, and migration management, including identification, registration, debriefing and return.	<del>border crime, including the fight against migrant smuggling or trafficking in human beings, and migration management, including identification, registration, debriefing and return.</del>	border crime, including the fight against migrant smuggling or trafficking in human beings, and migration management, including identification, registration, debriefing and return.	of cross-border crime, <del>including</del> <b><i>focusing on</i></b> the fight against migrant smuggling or trafficking in human beings, and migration management, <del>including</del> <b><i>focusing on</i></b> identification, registration, debriefing and return.
550	Article 39		Article 39	Article 39
551	Operational plan for joint operations	Operational plan for joint operations	Operational plan for joint operations	Operational plan for joint operations
552	1. In preparation of a joint operation the executive director, in cooperation with the host Member State, shall draw up a list of technical equipment and staff needed taking into account the host Member State's available resources. On the basis of those elements, the Agency shall define a package of technical and operational reinforcement as well as capacity-building activities to be included in the operational plan.	1. In preparation of a joint operation the executive director, in cooperation with the host Member State, shall draw up a list of technical equipment and staff needed taking into account the host Member State's available resources. On the basis of those elements, the Agency shall define a package of technical and operational reinforcement as well as capacity-building activities to be included in the operational plan.	1. In preparation of a joint operation the executive director, in cooperation with the host Member State, shall draw up a list of technical equipment, <del>and staff</del> <u>and profiles</u> needed <u>including those executive powers if applicable to be authorised in accordance with Article 83(1a),</u> taking into account the host Member State's available resources <u>and the host Member State's request referred to in Article 38.</u> On the basis of those elements, the Agency shall define a package of technical and operational reinforcement as well as capacity-building activities to be included in the operational plan.	1. In preparation of a joint operation the executive director, in cooperation with the host Member State, shall draw up a list of technical equipment, <del>and staff</del> <b><i>and profiles</i></b> needed <b><i>including those executive powers if applicable to be authorised in accordance with Article 83(1a),</i></b> taking into account the host Member State's available resources <b><i>and the host Member State's request referred to in Article 38.</i></b> On the basis of those elements, the Agency shall define a package of technical and operational reinforcement as well as capacity-building activities to be included in the operational plan.
553	2. The executive director shall draw up an operational plan for joint	2. The executive director shall draw up an operational plan for joint	2. The executive director shall draw up an operational plan for joint	2. The executive director shall draw up an operational plan

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	operations at the external borders. The executive director and the host Member State, in consultation with the participating Member States, shall agree on the operational plan detailing the organisational and procedural aspects of the joint operation.	operations at the external borders. The executive director and the host Member State, in consultation with the participating Member States, shall agree on the operational plan detailing the organisational and procedural aspects of the joint operation. <b><i>Participating Member States may annex their observations or reservations to the operational plan.</i></b>	operations at the external borders. The executive director and the host Member State, in <u>close and timely</u> consultation with the participating Member States, shall agree on the operational plan detailing the organisational and procedural aspects of the joint operation.	for joint operations at the external borders. The executive director and the host Member State, in <b>close and timely</b> consultation with the participating Member States, shall agree on the operational plan detailing the organisational and procedural aspects of the joint operation.
554	3. The operational plan shall be binding on the Agency, the host Member State and the participating Member States. It shall cover all aspects considered necessary for carrying out the joint operation, including the following:	3. The operational plan shall be binding on the Agency, the host Member State and the participating Member States. It shall cover all aspects considered necessary for carrying out the joint operation, <b><i>including where there is cooperation with third countries</i></b> , including the following:	3. The operational plan shall be binding on the Agency, the host Member State and the participating Member States. It shall cover all aspects considered necessary for carrying out the joint operation, including the following:	3. The operational plan shall be binding on the Agency, the host Member State and the participating Member States. It shall cover all aspects considered necessary for carrying out the joint operation, including the following:
555	(a) description of the situation, with <i>modus operandi</i> and objectives of the deployment, including the operational aim;	(a) description of the situation, with <i>modus operandi</i> and objectives of the deployment, including the operational aim;	(a) description of the situation, with <i>modus operandi</i> and objectives of the deployment, including the operational aim;	(a) description of the situation, with <i>modus operandi</i> and objectives of the deployment, including the operational aim;
556	(b) the foreseeable duration of the joint operation;	(b) the foreseeable duration of the joint operation;	(b) the foreseeable duration of the joint operation <u>required in order to achieve its objectives</u> ;	(b) the foreseeable duration of the joint operation <b><i>required in order to achieve its objectives</i></b> ;
557	(c) the geographical area where the joint operation will take place;	(c) the geographical area where the joint operation will take place;	(c) the geographical area where the joint operation will take place;	(c) the geographical area where the joint operation will take place;



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558	(d) a description of the tasks, responsibilities, including with regard to the respect for fundamental rights, and special instructions for the teams, including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;	(d) a description of the tasks, <b><i>powers and limitations thereof</i></b> , responsibilities, including with regard to the respect for fundamental rights, and special instructions for the teams <b><i>and for the officers involved in activities of the Agency</i></b> , including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;	(d) a description of the tasks, <u>including those requiring executive powers</u> , responsibilities, including with regard to the respect for fundamental rights <u>and data protection requirements</u> , and special instructions for the teams, including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;	(d) a description of the tasks, <b><i>including those requiring executive powers</i></b> , responsibilities, including with regard to the respect for fundamental rights <b><i>and data protection requirements</i></b> , and special instructions for the teams, including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;
559	(e) the composition of the teams as well as the deployment of other relevant staff;	(e) the composition of the teams as well as the deployment of other relevant staff;	(e) the composition of the teams as well as the deployment of other relevant staff;	(e) the composition of the teams as well as the deployment of other relevant staff;
560	(f) command and control provisions, including the names and ranks of the border guards of the host Member State responsible for cooperating with the members of the teams and the Agency, in particular the names and ranks of those border guards who are in command during the period of deployment, and the place of the members of the teams in the chain of command;	(f) command and control provisions, including the names and ranks of the border guards of the host Member State responsible for cooperating with the members of the teams and the Agency, in particular the names and ranks of those border guards who are in command during the period of deployment, and the place of the members of the teams in the chain of command;	(f) command and control provisions, including the names and ranks of the border guards of the host Member State responsible for cooperating with the members of the teams and the Agency, in particular the names and ranks of those border guards who are in command during the period of deployment, and the place of the members of the teams in the chain of command;	(f) command and control provisions, including the names and ranks of the border guards of the host Member State responsible for cooperating with the members of the teams and the Agency, in particular the names and ranks of those border guards who are in command during the period of deployment, and the place of the members of the teams in the chain of command;
561	(g) the technical equipment to be deployed during the joint operation, including specific requirements such as conditions for use, requested crew, transport and	(g) the technical equipment to be deployed during the joint operation, including specific requirements such as conditions for use, requested crew, transport and	(g) the technical equipment to be deployed during the joint operation, including specific requirements such as conditions for use, requested crew, transport and	(g) the technical equipment to be deployed during the joint operation, including specific requirements such as conditions for use, requested crew, transport and

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	other logistics, and financial provisions;	other logistics, and financial provisions;	transport and other logistics, and financial provisions;	other logistics, and financial provisions;
562	(h) detailed provisions on immediate incident reporting by the Agency to the management board and to relevant national authorities;	(h) detailed provisions on immediate incident reporting by the Agency to the management board and to relevant national authorities;	(h) detailed provisions on immediate incident reporting by the Agency to the management board and to relevant national authorities;	(h) detailed provisions on immediate incident reporting by the Agency to the management board and to relevant national authorities;
563	(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, including with regard to the protection of fundamental rights, and final date of submission of the final evaluation report;	(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, including with regard to the protection of fundamental rights, and final date of submission of the final evaluation report;	(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, including with regard to the protection of fundamental rights, and final date of submission of the final evaluation report;	(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, including with regard to the protection of fundamental rights, and final date of submission of the final evaluation report;
564	(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to national, international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014;	(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to national, international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014;	(j) regarding sea operations, specific information on the application of the relevant jurisdiction and <del>legislation</del> applicable law in the geographical area where the joint operation takes place, including references to national, international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014; <sup>25</sup>	(j) regarding sea operations, specific information on the application of the relevant jurisdiction and <del>legislation</del> applicable law in the geographical area where the joint operation takes place, including references to national, international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014; <sup>26</sup>

<sup>25</sup> New recital (53c) added.

<sup>26</sup> New recital (53c) added.

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565	(k) the terms of cooperation with third countries, other Union bodies, offices and agencies or international organisations;	(k) the terms of cooperation with third countries, other Union bodies, offices and agencies or international organisations;	(k) the terms of cooperation with third countries, other Union bodies, offices and agencies or international organisations;	(k) the terms of cooperation with third countries, other Union bodies, offices and agencies or international organisations;
566	(l) procedures whereby persons in need of international protection, victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for appropriate assistance;	(l) procedures whereby persons in need of international protection, victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for appropriate assistance;	(l) procedures whereby persons in need of international protection, victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for appropriate assistance;	(l) <b>general instructions on how to ensure the safeguarding of fundamental rights during the Agency's operational activity and</b> procedures whereby persons in need of international protection, victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for appropriate assistance;  Covering (na) and (nb)
567	(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against all persons participating in a joint operation or rapid border intervention, including border guards or other relevant staff of the host Member State and members of the teams alleging breaches of fundamental rights in the context of their participation in a joint operation or rapid border intervention;	(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against all persons participating in a joint operation <del>or</del> , <b>including an operation with third countries, in a rapid border intervention, in migration management support teams in hotspot areas, in a return operation or in a return intervention</b> , including border guards or other relevant staff of the host Member State and members of the teams alleging breaches of fundamental rights in the context of their participation in a	(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against all persons participating in a joint operation or rapid border intervention, including border guards or other relevant staff of the host Member State and members of the teams alleging breaches of fundamental rights in the context of their participation in a joint operation or rapid border intervention;	(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against all persons participating in <b>an operational activity of the Agency joint operation or rapid border intervention</b> , including border guards or other relevant staff of the host Member State and members of the teams alleging breaches of fundamental rights in the context of their participation in a <b>an operational activity of the Agency joint operation or rapid border intervention</b> ;

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		joint operation or rapid border intervention;		
568	(n) logistical arrangements including information on working conditions and the environment of the areas in which the joint operation is foreseen to take place.	(n) logistical arrangements including information on working conditions and the environment of the areas in which the joint operation is foreseen to take place.	(n) logistical arrangements including information on working conditions and the environment of the areas in which the joint operation is foreseen to take place.	(n) logistical arrangements including information on working conditions and the environment of the areas in which the joint operation is foreseen to take place.
569		<i>(n a) detailed provisions on fundamental rights safeguards;</i>		Covered in (1)
570		<i>(n b) provisions on the risk of fundamental rights violations and steps needed to be taken to avoid such violations, to ensure accountability for them and to ensure that they will not be repeated, including in relation to the powers to suspend and terminate an operation in accordance with Article 47.</i>		Covered in (1)
571	4. Any amendments to or adaptations of the operational plan shall require the agreement of the executive director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States.	4. Any amendments to or adaptations of the operational plan shall require the agreement of the executive director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States.	4. Any amendments to or adaptations of the operational plan shall require the agreement of the executive director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States.	4. Any amendments to or adaptations of the operational plan shall require the agreement of the executive director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States.

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572			5. <u>The provisions set out in this article shall apply <i>mutatis mutandis</i> to all operations of the Agency.</u>	5. <b><i>The provisions set out in this article shall apply mutatis mutandis to all operations of the Agency.</i></b>
573	Article 40		Article 40	Article 40
574	Procedure for launching a rapid border intervention	Procedure for launching a rapid border intervention	Procedure for launching a rapid border intervention	Procedure for launching a rapid border intervention
575	1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims and envisaged needs. If required, the executive director may immediately send experts from the Agency to assess the situation at the external borders of the Member State concerned.	1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims and envisaged needs. If required, the executive director may immediately send experts from the Agency to assess the situation at the external borders of the Member State concerned.	1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims and envisaged needs, <u>and the profiles needed including those requiring executive powers if applicable.</u> If required, the executive director may immediately send experts from the Agency to assess the situation at the external borders of the Member State concerned.	1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims and envisaged needs, <b><i>and the profiles needed including those requiring executive powers if applicable.</i></b> If required, the executive director may immediately send experts from the Agency to assess the situation at the external borders of the Member State concerned.
576	2. The executive director shall immediately inform the management board of a Member State's request to launch a rapid border intervention.	2. The executive director shall immediately inform the management board of a Member State's request to launch a rapid border intervention.	2. The executive director shall immediately inform the management board of a Member State's request to launch a rapid border intervention.	2. The executive director shall immediately inform the management board of a Member State's request to launch a rapid border intervention.
577	3. When deciding on the request of a Member State, the executive director shall take into account the findings of the Agency's risk analyses and the analysis layer of the European	3. When deciding on the request of a Member State, the executive director shall take into account the findings of the Agency's risk analyses and the analysis layer of the European	3. When deciding on the request of a Member State, the executive director shall take into account the findings of the Agency's risk analyses and the analysis layer of	3. When deciding on the request of a Member State, the executive director shall take into account the findings of the Agency's risk analyses and the

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	situational picture as well as the outcome of the vulnerability assessment referred to in Article 33 and any other relevant information provided by the Member State concerned or another Member State.	situational picture as well as the outcome of the vulnerability assessment referred to in Article 33 and any other relevant information provided by the Member State concerned or another Member State.	the European situational picture as well as the outcome of the vulnerability assessment referred to in Article 33 and any other relevant information provided by the Member State concerned or another Member State.	analysis layer of the European situational picture as well as the outcome of the vulnerability assessment referred to in Article 33 and any other relevant information provided by the Member State concerned or another Member State.
578			<p><u>3.a. The executive director shall immediately assess the possibilities of redeployment of available team members within the European Border and Coast Guard standing corps, in particular the statutory staff of the Agency, present in other operational areas.</u></p>	<p><i>3.a. The executive director shall immediately assess the possibilities of redeployment of available team members within the European Border and Coast Guard standing corps, in particular the statutory staff of the Agency and operational staff seconded from the Member States, present in other operational areas. The executive director shall also assess the additional needs to deploy operational staff in accordance with Article 58 and, once these resources within the required profiles are exhausted, to activate the Reserve for Rapid Reaction Pool in accordance with Article 58a.</i></p>
579	4. The executive director shall take a decision on the request to launch a rapid border intervention within two working days from the date of receipt of the request. The executive director shall simultaneously notify the	4. The executive director shall take a decision on the request to launch a rapid border intervention within two working days from the date of receipt of the request. The executive director shall simultaneously notify the	4. The executive director shall take a decision on the request to launch a rapid border intervention within two working days from the date of receipt of the request. The executive director shall	4. The executive director shall take a decision on the request to launch a rapid border intervention within two working days from the date of receipt of the request. The executive director

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	Member State concerned and the management board in writing of the decision. The decision shall state the main reasons on which it is based. He or she shall immediately assess the possibilities of redeployment of available team members within the European Border and Coast Guard standing corps, in particular the statutory staff of the Agency, present in other operational areas.	Member State concerned and the management board in writing of the decision. The decision shall state the main reasons on which it is based. He or she shall immediately assess the possibilities of redeployment of available team members within the European Border and Coast Guard standing corps, in particular the statutory staff of the Agency, present in other operational areas.	simultaneously notify the Member State concerned and the management board in writing of the decision. The decision shall state the main reasons on which it is based.	shall simultaneously notify the Member State concerned and the management board in writing of the decision. The decision shall state the main reasons on which it is based. <del>He or she shall immediately assess the possibilities of redeployment of available team members within the European Border and Coast Guard standing corps, in particular the statutory staff of the Agency, present in other operational areas.</del> (the text moved to new 3a)  <i>4a At the same time, the Executive Director shall inform the Member States about the possibility of requesting additional operational staff in accordance with Article 58 and, if applicable, Article 58a by indicating possible numbers of operational staff and profiles to be provided by each Member State</i>
580	5. If the executive director decides to launch a rapid border intervention, he or she shall deploy available border management teams from the European Border and Coast Guard standing corps and equipment from the technical equipment pool in accordance with Article 64, and where necessary, he or she shall	5. If the executive director decides to launch a rapid border intervention, he or she shall deploy available border management teams from the European Border and Coast Guard standing corps and equipment from the technical equipment pool in accordance with Article 64, and where necessary, he or she shall	5. If the executive director decides to launch a rapid border intervention, he or she shall deploy available border management teams from the European Border and Coast Guard standing corps and equipment from the technical equipment pool in accordance with Article 64, and where necessary, he or she shall	5. If the executive director decides to launch a rapid border intervention, he or she shall deploy available border management teams from the European Border and Coast Guard standing corps and equipment from the technical equipment pool in accordance with Article 64, and where necessary, he

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	decide on the immediate reinforcement by one or more border management teams, in accordance with Article 58.	decide on the immediate reinforcement by one or more border management teams, in accordance with Article 58.	decide on the immediate reinforcement by one or more border management teams, in accordance with Article 58.	or she shall decide on the immediate reinforcement by one or more border management teams, in accordance with Article 58.
581	6. The executive director together with the host Member State shall draw up an operational plan as referred to in Article 39 (3) immediately and, in any event, no later than three working days from the date of the decision.	6. The executive director together with the host Member State shall draw up <i>and agree upon</i> an operational plan as referred to in Article 39 (3) immediately and, in any event, no later than three working days from the date of the decision.	6. The executive director together with the host Member State shall draw up <u>and agree upon</u> an operational plan as referred to in Article 39 (3) immediately and, in any event, no later than three working days from the date of the decision.	6. The executive director together with the host Member State shall draw up <u>and agree upon</u> an operational plan as referred to in Article 39 (3) immediately and, in any event, no later than three working days from the date of the decision.
582	7. As soon as the operational plan has been agreed upon and provided to the Member States, the executive director shall order to immediately deploy the operational staff available through redeployments from other operational areas or other duties.	7. As soon as the operational plan has been agreed upon and provided to the Member States, the executive director shall order to immediately deploy the operational staff available through redeployments from other operational areas or other duties.	7. As soon as the operational plan has been agreed upon and provided to the Member States, the executive director shall <del>order to</del> immediately deploy the operational staff available through redeployments from other operational areas or other duties.	7. As soon as the operational plan has been agreed upon and provided to the Member States, the executive director shall <del>order to</del> immediately deploy the operational staff available through redeployments from other operational areas or other duties.
583	8. In parallel to the deployment referred to in paragraph 7, and where necessary to secure the immediate reinforcement of the border management teams redeployed from other areas or duties, the executive director shall request from each Member State the number and profiles of additional staff to be additionally deployed from their national lists for short term	8. In parallel to the deployment referred to in paragraph 7, and where necessary to secure the immediate reinforcement of the border management teams redeployed from other areas or duties, the executive director shall request from each Member State the number and profiles of additional staff to be additionally deployed from their national lists for short term	8. In parallel to the deployment referred to in paragraph 7, and where necessary to secure the immediate reinforcement of the border management teams redeployed from other areas or duties, the executive director shall request from each Member State the number and profiles of additional staff to be additionally deployed from their national lists for short term	8. In parallel to the deployment referred to in paragraph 7, and where necessary to secure the immediate reinforcement of the border management teams redeployed from other areas or duties, the executive director shall request from each Member State the number and profiles of additional staff to be additionally deployed



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	deployments referred to in Article 58. This information shall be provided in writing to the national contact points and shall indicate the date on which the deployment is to take place. A copy of the operational plan shall also be provided to them.	deployments referred to in Article 58. This information shall be provided in writing to the national contact points and shall indicate the date on which the deployment is to take place. A copy of the operational plan shall also be provided to them.	deployments referred to in Article 58. This information shall be provided in writing to the national contact points and shall indicate the date on which the deployment is to take place. A copy of the operational plan shall also be provided to them.	from their national lists for short term deployments referred to in Article 58. This information shall be provided in writing to the national contact points and shall indicate the date on which the deployment is to take place. A copy of the operational plan shall also be provided to them.
584		<i>8 a. If a situation arises where the measures described in paragraphs 5 and 8 of this Article are insufficient, the executive director may request from each Member State the number and profiles of additional staff to be deployed from the rapid reaction pool as provided for in Article 58a. This information shall be provided in writing to the national contact points and shall indicate the date on which the deployment is to take place. A copy of the operational plan shall also be provided to them.</i>		<i>8 a. If a situation arises where the resources described in paragraphs 5 and 8 of this Article are insufficient, the executive director may activate the Reserve for Rapid Reaction Pool by requesting from each Member State the number and profiles of additional staff to be deployed as provided for in Article 58a.</i>  <i>8b. The information referred to paragraphs 8 and 8a shall be provided in writing to the national contact points and shall indicate the date on which the deployments from each category are to take place. A copy of the operational plan shall also be provided to the national contact points.</i>
585	9. Member States shall ensure that the number and profiles of the operational staff are immediately made available to the Agency to	9. Member States shall ensure that the number and profiles of the operational staff are immediately made available to the Agency to	9. Member States shall ensure that the number and profiles of the operational staff are immediately made available to the Agency to	9. Member States shall ensure that the number and profiles of the operational staff are immediately made available to the

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	guarantee a complete deployment in accordance with Article 58(5) and (7).	guarantee a complete deployment in accordance with Article 58(5), <del>and (7)</del> <b>and (8)</b> .	guarantee a complete deployment in accordance with Article 58(5) and (7).	Agency to guarantee a complete deployment in accordance with Article 58, <del>(5) and (7)</del> , <b>and where relevant, Article 58a</b> .
<b>586</b>	10. Deployment of the first border management teams redeployed from other areas and duties shall take place no later than five working days after the date on which the operational plan is agreed between the executive director and the host Member State. Additional deployment of border management teams, shall take place where necessary, within seven working days of the deployment of the first teams.	10. Deployment of the first border management teams redeployed from other areas and duties shall take place no later than five working days after the date on which the operational plan is agreed between the executive director and the host Member State. Additional deployment of border management teams, shall take place where necessary, within seven working days of the deployment of the first teams.	10. Deployment of the first border management teams redeployed from other areas and duties shall take place no later than five working days after the date on which the operational plan is agreed between the executive director and the host Member State. Additional deployment of border management teams, shall take place where necessary, <u>no later than twelve working days after the date on which the operational plan is agreed</u> <del>within seven working days of the deployment of the first teams</del> .	10. Deployment of the first border management teams redeployed from other areas and duties shall take place no later than five working days after the date on which the operational plan is agreed between the executive director and the host Member State. Additional deployment of border management teams, shall take place where necessary, <b>by no later than twelve working days after the date on which the operational plan is agreed</b> <del>within seven working days of the deployment of the first teams</del> .
<b>587</b>	11. Where the rapid border intervention is to take place, the executive director shall, in consultation with the management board, immediately consider the priorities with regard to the Agency's ongoing and foreseen joint operations at other external borders in order to provide for possible reallocation of resources to the areas of the external borders where a strengthened deployment is most needed.	11. Where the rapid border intervention is to take place, the executive director shall, in consultation with the management board, immediately consider the priorities with regard to the Agency's ongoing and foreseen joint operations at other external borders in order to provide for possible reallocation of resources to the areas of the external borders where a strengthened deployment is most needed.	11. Where the rapid border intervention is to take place, the executive director shall, in consultation with the management board, immediately consider the priorities with regard to the Agency's ongoing and foreseen joint operations at other external borders in order to provide for possible reallocation of resources to the areas of the external borders where a strengthened deployment is most needed.	11. Where the rapid border intervention is to take place, the executive director shall, in consultation with the management board, immediately consider the priorities with regard to the Agency's ongoing and foreseen joint operations at other external borders in order to provide for possible reallocation of resources to the areas of the external borders where a strengthened deployment is most needed.

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588	Article 41		Article 41	Article 41
589	Migration management support teams	Migration management support teams	Migration management support teams	Migration management support teams
590	1. Migration management support teams may be deployed, at the request of a Member State, or upon the initiative of the Agency and with the agreement of the Member State concerned, to provide technical and operational reinforcement to that Member State, in particular at hotspot areas and controlled centres.	1. <del>Migration management support teams may be deployed, at the request of a</del> <b>Where</b> a Member State, <del>or upon the initiative of the Agency and with the agreement of the</del> <b>faces disproportionate migratory challenges at particular hotspot areas of its external borders characterised by large inward mixed migratory flows, that</b> Member State concerned <del>to provide</del> <b>may request</b> technical and operational reinforcement <b>by migration management support teams.</b> <del>at hotspot areas and controlled centres</del>	1. Migration management support teams may be deployed, at the request of a Member State, or upon the initiative of the Agency and with the agreement of the Member State concerned, to provide technical and operational reinforcement to that Member State, in particular at hotspot areas <del>and controlled centres.</del>	1. <del>Migration management support teams may be deployed, at the request of a</del> <b>Where</b> a Member State, <del>or upon the initiative of the Agency and with the agreement of the</del> <b>faces disproportionate migratory challenges at particular hotspot areas of its external borders characterised by large inward mixed migratory flows or in other circumstances requiring technical and operational reinforcement, that</b> Member State concerned <del>to provide</del> <b>may request technical and operational reinforcement the deployment of by migration management support teams composed of experts from the relevant Union Agencies that shall operate in accordance with their mandates.</b> <del>at hotspot areas and controlled centres</del>
591	The Member State referred to in first paragraph shall submit a request for reinforcement by migration management support teams and an assessment of its needs to the Commission. The Commission shall, based on the assessment of needs of	<b>That Member State shall submit a request for reinforcement and an assessment of its needs to the Agency and other relevant Union agencies, in particular the [European Union Agency for Asylum] and Europol.</b> <del>The Member</del>	The Member State referred to in first paragraph shall submit a request for reinforcement by migration management support teams and an assessment of its needs to the Commission. The Commission shall, based on the assessment of needs of	<b>That Member State shall submit a request for reinforcement and an assessment of its needs to the Commission Agency.</b> The Commission shall, based on the assessment of needs of that Member State and other relevant

	Commission proposal	EP amendments	Council position	Compromise text proposals
	that Member State, transmit the request to the Agency, to [the European Union Agency for Asylum], Europol or other relevant Union agencies, as appropriate.	<del>State referred to in first paragraph shall submit a request for reinforcement by migration management support teams and an assessment of its needs to the Commission. The Commission shall, based on the assessment of needs of that Member State, transmit the request to the Agency, to [the European Union Agency for Asylum], Europol or other relevant Union agencies, as appropriate.</del>	that Member State, transmit the request to the Agency, to [the European Union Agency for Asylum], Europol or other relevant Union agencies, as appropriate.	Union agencies, transmit the request to the Agency, to [the European Union Agency for Asylum] <b>European Asylum Support Office</b> , Europol or other relevant Union agencies, as appropriate. <del>The Member State referred to in first paragraph shall submit a request for reinforcement by migration management support teams and an assessment of its needs to the Commission. The Commission shall, based on the assessment of needs of that Member State, transmit the request to the Agency, to [the European Union Agency for Asylum], Europol or other relevant Union agencies, as appropriate.</del>
592	2. The relevant Union agencies shall assess a Member State's request for reinforcement and the assessment of its needs to define, under the coordination of the Commission, the necessary measures, including the deployment of technical equipment, to be agreed upon by the Member State concerned.	2. The <b>executive director, in coordination with other</b> relevant Union agencies, shall assess a Member State's request for reinforcement and the assessment of its needs <del>to define, under the coordination of the Commission, the necessary measures, including the deployment of technical equipment,</del> <b>for the purpose of defining a comprehensive reinforcement package consisting of various activities coordinated by the relevant</b>	2. The relevant Union agencies shall assess a Member State's request for reinforcement and the assessment of its needs to define, under the coordination of the Commission, the necessary measures, including the deployment of technical equipment, to be agreed upon by the Member State concerned.	2. The relevant Union agencies shall assess <b>in accordance with their respective mandate</b> a Member State's request for reinforcement and the assessment of its needs <b>for the purpose of defining a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union agencies</b> to be agreed upon by the Member State concerned. <b>This process shall take place under the coordination of the Commission.</b>

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<i>Union agencies</i> to be agreed upon by the Member State concerned.		
593	3. The Commission shall, in cooperation with the host Member State and the relevant Union agencies, establish the terms of cooperation for the deployment of the migration management support teams as well as the deployment of technical equipment, and shall be responsible for the coordination of the activities of those teams.	3. The Commission shall, in cooperation with the host Member State and the relevant Union agencies, establish the terms of cooperation <b>at the hotspot area and for the deployment of the migration management support teams as well as the deployment of technical equipment, and shall</b> be responsible for the coordination of the activities of <b>the migration management support</b> these teams.	3. The Commission shall, in cooperation with the host Member State and the relevant Union agencies, establish the terms of cooperation for the deployment of the migration management support teams as well as the deployment of technical equipment, and shall be responsible for the coordination of the activities of those teams.	3. The Commission shall, in cooperation with the host Member State and the relevant Union agencies, <b>while taking into account their respective mandates,</b> establish the terms of cooperation for the deployment of the migration management support teams as well as the deployment of technical equipment, and shall be responsible for the coordination of the activities of those teams.
594	4. The technical and operational reinforcement provided, in full respect for fundamental rights, by migration management support teams may include:	4. The technical and operational reinforcement provided, <del>in full respect for fundamental rights,</del> by <b>the European Border and Coast Guard teams, the European return intervention teams and experts from the Agency's staff in the framework of the</b> migration management support teams, may include:	4. The technical and operational reinforcement provided, in full respect for fundamental rights <u>in accordance with Article 83,</u> by migration management support teams may include:	4. The technical and operational reinforcement provided, in full respect for fundamental rights <u>in accordance with Article 83,</u> by <b>operational staff from the standing corps in the framework of</b> migration management support teams may include:
595	(a) assistance in screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals, security checks and providing information	(a) <b>in full respect for fundamental rights, providing</b> assistance in screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of	(a) assistance in screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals, security checks and providing information	(a) <b>in full respect for fundamental rights, providing</b> assistance in screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the

	Commission proposal	EP amendments	Council position	Compromise text proposals
	regarding the purpose of these procedures;	third-country nationals, <del>security checks</del> and providing information regarding the purpose of these procedures;	regarding the purpose of these procedures;	fingerprinting of third-country nationals, <del>security checks</del> and providing information regarding the purpose of these procedures;
596	(b) initial information to persons who wish to apply for international protection and their referral to the competent national authorities of the Member State concerned or to the experts deployed by [the European Union Agency for Asylum];	(b) <i>the provision of</i> initial information to persons who wish to apply for international protection and their referral to the competent national authorities of the Member State concerned <del>or to the experts deployed by the</del> [the European Union Agency for Asylum];	(b) initial information to persons who <u>are in need of, or</u> wish to apply for, international protection and their referral to the competent national authorities of the Member State concerned or to the experts deployed by [the European Union Agency for Asylum];	(b) <i>the provision of</i> initial information to persons who wish to apply for international protection and their referral to the competent national authorities of the Member State concerned or to the experts deployed by [the European Union Agency for Asylum] <i>the European Asylum Support Office;</i>
597	(c) technical and operational assistance in the return process, including in the preparation of return decisions, acquisition of travel documents, preparation and organisation of return operations, including with regard to voluntary returns;	(c) technical and operational assistance in the <i>field of</i> return <del>process</del> , including <del>the in the preparation of return decisions, acquisition of travel documents,</del> preparation and organisation of return operations, <del>including with regard to voluntary returns;</del> .	(c) technical and operational assistance <u>to the Member States in all phases of the return process of third country nationals, including providing assistance in the preparation of preparatory activities necessary for issuing return decisions and other pre-return, return-related and post-return and post-arrival activities of the Member States, including assisted voluntary return, acquisition of travel documents, including by means of consular cooperation, organise and coordinate return operations and provide support with preparation and organisation of return operations, including with regard to voluntary returns in cooperation with the Member States;</u>	(c) technical and operational assistance in the <i>field of</i> return <i>in accordance with article 49</i> <del>process, including the in the preparation of return decisions, acquisition of travel documents,</del> preparation and organisation of return operations, <del>including with regard to voluntary returns;</del> .

	Commission proposal	EP amendments	Council position	Compromise text proposals
598	(d) the necessary technical equipment.	<del>(d) the necessary technical equipment.</del>	(d) the necessary technical equipment.	(d) the necessary technical equipment.
599	5. The Agency shall cooperate with the [the European Union Agency for Asylum] to facilitate measures for the referral to the procedure for international protection and, for third country nationals whose application for international protection has been rejected by means of a final decision, to the return procedure.	<del>5. The Agency shall cooperate with the [the European Union Agency for Asylum] to facilitate measures for the referral to the procedure for international protection and, for third country nationals whose application for international protection has been rejected by means of a final decision, to the return procedure.</del>	5. The Agency shall cooperate with the [the European Union Agency for Asylum] to facilitate measures for the referral to the procedure for international protection and, for third country nationals whose application for international protection has been rejected by means of a final decision, to the return procedure.	<del>5. The Agency shall cooperate with the [the European Union Agency for Asylum] to facilitate measures for the referral to the procedure for international protection and, for third country nationals whose application for international protection has been rejected by means of a final decision, to the return procedure.</del>
600	6. Migration management support teams shall, where necessary, include staff with expertise in child protection, trafficking in human beings, protection of fundamental rights and against gender-based persecution.	6. Migration management support teams shall, where necessary, include staff with expertise in child protection, trafficking in human beings, protection of fundamental rights and against gender-based persecution <i>and/or fundamental rights</i> .	6. Migration management support teams shall, where necessary, include staff with expertise in child protection, trafficking in human beings, protection of fundamental rights and against gender-based persecution.	6. Migration management support teams shall, where necessary, include staff with expertise in child protection, trafficking in human beings, protection of fundamental rights and against gender-based persecution <i>and/or fundamental rights</i> .
601	Article 42		Article 42	Article 42
602	Proposed actions at the external borders	Proposed actions at the external borders	Proposed actions at the external borders	Proposed actions at the external borders
603	1. The executive director shall, based on the results of the vulnerability assessment or when a critical impact is attributed to one or more external border sections and taking into account the relevant elements in the Member State's contingency plans, the Agency's risk analysis and the	1. The executive director <i>may</i> <del>shall</del> , based on the results of the vulnerability assessment <del>or when a critical impact is attributed to one or more external border sections</del> and taking into account the relevant elements in the Member State's contingency plans, the Agency's risk	1. The executive director shall, based on the results of the vulnerability assessment or when a critical impact is attributed to one or more external border sections and taking into account the relevant elements in the Member State's contingency plans, the Agency's risk	1. The executive director shall, based on the results of the vulnerability assessment or when a <b>critical impact</b> is attributed to one or more external border sections and taking into account the relevant elements in the Member State's contingency plans, the

	Commission proposal	EP amendments	Council position	Compromise text proposals
	analysis layer of the European situational picture, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions or any other relevant actions by the Agency as defined in Article 37.	analysis and the analysis layer of the European situational picture, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions or any other relevant actions by the Agency as defined in Article 37.	analysis and the analysis layer of the European situational picture, recommend to the Member State concerned to initiate, <del>and</del> carry out <u>or adjust</u> joint operations or rapid border interventions or any other relevant actions by the Agency as defined in Article 37.	Agency's risk analysis and the analysis layer of the European situational picture, recommend to the Member State concerned to initiate, <del>and</del> carry out <u>or adjust</u> joint operations or rapid border interventions or any other relevant actions by the Agency as defined in Article 37.
604	2. The Member State concerned shall respond to the recommendation of the Executive director within five working days. In case of a negative reply on the proposed actions, the Member State shall also provide the justifications underlying this reply. The Executive Director shall without delay notify the Commission on the proposed actions and the justifications for the negative reply in view of assessing whether urgent action may be required in accordance with Article 43.	2. The Member State concerned shall respond to the recommendation of the Executive director within five working days. In case of a negative reply on the proposed actions, the Member State shall also provide the justifications underlying this reply. The executive director shall without delay notify the Commission on the proposed actions and the justifications for the negative reply in view of assessing whether <b>further</b> <del>urgent</del> action may be required <del>in accordance with Article 43</del> .	2. The Member State concerned shall respond to the recommendation of the Executive director <u>referred to in paragraph 1<sup>27</sup></u> within <del>five</del> <u>seven</u> working days. In case of a negative reply on the proposed actions, the Member State shall also provide the justifications underlying this reply. The Executive Director shall without delay notify <u>the Management Board</u> <del>and</del> the Commission on the proposed actions and the justifications for the negative reply in view of assessing whether urgent action may be required in accordance with Article 43.	2. The Member State concerned shall respond to the recommendation of the Executive director <b><i>referred to in paragraph 1</i></b> within <del>five</del> <u>six</u> working days. In case of a negative reply on the proposed actions, the Member State shall also provide the justifications underlying this reply. The Executive Director shall without delay notify <b><i>the Management Board and</i></b> the Commission on the proposed actions and the justifications for the negative reply in view of assessing whether urgent action may be required in accordance with Article 43.
605	Article 43		Article 43	Article 43
606	Situation at the external borders requiring urgent action	Situation at the external borders requiring urgent action	Situation at the external borders requiring urgent action	Situation at the external borders requiring urgent action

<sup>27</sup>

Clarification: This recommendation is not related to the recommendations following the vulnerability assessment as set out in Article 33(7).



	Commission proposal	EP amendments	Council position	Compromise text proposals
607	1. Where control of the external borders is rendered ineffective to such an extent that it risks jeopardising the functioning of the Schengen area because:	1. Where control of the external borders is rendered ineffective to such an extent that it risks jeopardising the functioning of the Schengen area because:	1. Where control of the external borders is rendered ineffective to such an extent that it risks jeopardising the functioning of the Schengen area because:	1. Where control of the external borders is rendered ineffective to such an extent that it risks jeopardising the functioning of the Schengen area because:
608	(a) a Member State does not take the necessary measures in accordance with a decision of the management board referred to in Article 33 (10); or	(a) a Member State does not take the necessary measures in accordance with a decision of the management board referred to in Article 33 (10); or	(a) a Member State does not take the necessary measures in accordance with a decision of the management board referred to in Article 33 (10); or	(a) a Member State does not take the necessary measures in accordance with a decision of the management board referred to in Article 33 (10); or
609	(b) a Member State facing specific and disproportionate challenges at the external borders has either not requested sufficient support from the Agency under Article 38, Article 40, Article 41, Article 42 or is not taking the necessary steps to implement actions under those Articles,	(b) a Member State facing specific and disproportionate challenges at the external borders has either not requested sufficient support from the Agency under Article 38, Article 40, Article 41, Article 42 or is not taking the necessary steps to implement actions under those Articles,	(b) a Member State facing specific and disproportionate challenges at the external borders has either not requested sufficient support from the Agency under Article 38, Article 40, Article 41, Article 42 or is not taking the necessary steps to implement actions under those Articles,	(b) a Member State facing specific and disproportionate challenges at the external borders has either not requested sufficient support from the Agency under Article 38, Article 40, Article 41, Article 42 or is not taking the necessary steps to implement actions under those Articles,
610	the Commission, after consulting the Agency, may adopt without delay a decision by means of an implementing act in accordance with the procedure as referred to in Article 117(3), identifying measures to mitigate those risks to be implemented by the Agency and requiring the Member State concerned to cooperate with the Agency in the implementation of those measures.	<i>the Council, on the basis of a proposal from the Commission, after consulting the Agency, may adopt without delay a decision by means of an implementing act in accordance with the procedure as referred to in Article 117(3), identifying measures to mitigate those risks to be implemented by the Agency and requiring the Member State concerned to cooperate with the Agency in the implementation of those measures.</i>	the Council on the basis of a proposal by the Commission, after consulting the Agency, may adopt without delay a decision by means of an implementing act in accordance with the procedure as referred to in Article 117(3), identifying measures to mitigate those risks to be implemented by the Agency and requiring the Member State concerned to cooperate with the Agency in the implementation of those measures. <u>The Commission</u>	<i>the Council, on the basis of a proposal from the Commission, after consulting the Agency, may adopt without delay a decision by means of an implementing act in accordance with the procedure as referred to in Article 117(3), identifying measures to mitigate those risks to be implemented by the Agency and requiring the Member State concerned to cooperate with the Agency in the implementation of those measures.</i>

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<i>The Commission shall consult the Agency before making its proposal.</i>	shall consult the Agency before making its proposal.	<i>The Commission shall consult the Agency before making its proposal.</i>
611	On duly justified imperative grounds of urgency relating to the functioning of the Schengen area, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 117(4).	<del>On duly justified imperative grounds of urgency relating to the functioning of the Schengen area, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 117(4).</del>	<del>On duly justified imperative grounds of urgency relating to the functioning of the Schengen area, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 117(4).</del>	<i>On duly justified imperative grounds of urgency relating to the functioning of the Schengen area, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 117(4).</i>
612	2. Where a situation requiring urgent action arises, the European Parliament and the Council shall be informed of that situation without delay as well as of all subsequent measures and decisions taken in response.	2. Where a situation requiring urgent action arises, the European Parliament <del>and the Council</del> shall be informed of that situation without delay as well as of all subsequent measures and decisions taken in response.	2. Where a situation requiring urgent action arises, the European Parliament <del>and the Council</del> shall be informed of that situation without delay as well as of all subsequent measures and decisions taken in response.	2. Where a situation requiring urgent action arises, the European Parliament <del>and the Council</del> shall be informed of that situation without delay as well as of all subsequent measures and decisions taken in response.
613	3. To mitigate the risk of putting in jeopardy the Schengen area, the Commission decision referred to in paragraph 1 shall provide for one or more of the following measures to be taken by the Agency:	3. To mitigate the risk of putting in jeopardy the Schengen area, the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 shall provide for one or more of the following measures to be taken by the Agency:	3. To mitigate the risk of putting in jeopardy the Schengen area, the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 shall provide for one or more of the following measures to be taken by the Agency:	3. To mitigate the risk of putting in jeopardy the Schengen area, the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 shall provide for one or more of the following measures to be taken by the Agency:
614	(a) organise and coordinate rapid border interventions and deploy the European Border and Coast Guard standing corps;	(a) organise and coordinate rapid border interventions and deploy the European Border and Coast Guard standing corps <i>including teams from the rapid reaction pool for rapid border interventions</i> ;	(a) organise and coordinate rapid border interventions and deploy the European Border and Coast Guard standing corps;	(a) organise and coordinate rapid border interventions and deploy the European Border and Coast Guard standing corps <i>including teams from the Reserve for Rapid Reaction pool</i> ;

	Commission proposal	EP amendments	Council position	Compromise text proposals
615	(b) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams in particular at hotspot areas;	(b) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams <del>in particular</del> at hotspot areas;	(b) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams in particular at hotspot areas;	(b) deploy the European Border and Coast Guard standing corps in the framework of the migration management support teams in particular at hotspot areas;
616	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;	(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with third countries;
617	(d) deploy technical equipment;	(d) deploy technical equipment;	(d) deploy technical equipment;	(d) deploy technical equipment;
618	(e) organise return interventions.	(e) organise return interventions.	(e) organise return interventions.	(e) organise return interventions.
619	4. The executive director shall, within two working days from the date of adoption of the Commission decision referred to in paragraph 1,	4. The executive director shall, within two working days from the date of adoption of the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1,	4. The executive director shall, within two working days from the date of adoption of the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1,	4. The executive director shall, within two working days from the date of adoption of the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1,
620	(a) determine the actions to be taken for the practical execution of the measures identified in that decision, including the technical equipment and the number and profiles of the operational staff needed to meet the objectives of that decision;	(a) determine the actions to be taken for the practical execution of the measures identified in that decision, including the technical equipment and the number and profiles of the operational staff needed to meet the objectives of that decision;	(a) determine the actions to be taken for the practical execution of the measures identified in that decision, including the technical equipment and the number and profiles of the operational staff needed to meet the objectives of that decision;	(a) determine the actions to be taken for the practical execution of the measures identified in that decision, including the technical equipment and the number and profiles of the operational staff needed to meet the objectives of that decision;
621	(b) submit the draft operational plan to the Member States concerned.	(b) <del>submit the</del> <b>draw up a</b> draft operational plan <b>and submit it</b> to the Member States concerned.	(b) submit the draft operational plan to the Member States concerned.	(b) <del>submit the</del> <b>draw up a</b> draft operational plan <b>and submit it</b> to the Member States concerned.

	Commission proposal	EP amendments	Council position	Compromise text proposals
622	5. The executive director and the Member State concerned shall draw up the operational plan within two working days from the date of its submission.	5. The executive director and the Member State concerned shall <del>draw up</del> <b>agree on</b> the operational plan within two working days from the date of its submission.	5. The executive director and the Member State concerned shall draw up <u>and agree upon</u> the operational plan within <del>two</del> <b>three</b> working days from the date of its submission.	5. The executive director and the Member State concerned shall <del>draw up</del> <b>agree on</b> the operational plan within <del>two</del> <b>three</b> working days from the date of its submission.
623	6. The Agency shall, without delay and in any case within five working days from establishment of the operational plan, deploy the necessary operational staff from the European Border and Coast Guard standing corps referred to in Article 55 for the practical execution of the measures identified in the Commission decision referred to in paragraph 1 of this Article. Additional teams shall be deployed as necessary at a second stage and in any case within seven working days from the deployment of the first teams deployed in the operational area.	6. The Agency shall, without delay and in any case within five working days from establishment of the operational plan, deploy the necessary operational staff from the European Border and Coast Guard standing corps referred to in Article 55 for the practical execution of the measures identified in the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 of this Article. Additional teams shall be deployed as necessary at a second stage and in any case within seven working days from the deployment of the first teams deployed in the operational area.	6. The Agency shall, without delay and in any case within five working days from establishment of the operational plan, deploy the necessary operational staff from the European Border and Coast Guard standing corps referred to in Article 55 for the practical execution of the measures identified in the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 of this Article. Additional teams shall be deployed as necessary at a second stage and in any case <del>within seven</del> <b>twelve</b> working days from the <del>deployment</del> <b>establishment of the operational plan</b> <del>first teams deployed in the operational area.</del>	6. The Agency shall, without delay and in any case within five working days from establishment of the operational plan, deploy the necessary operational staff from the European Border and Coast Guard standing corps referred to in Article 55 for the practical execution of the measures identified in the <del>Commission</del> <b>Council</b> decision referred to in paragraph 1 of this Article. Additional teams shall be deployed as necessary at a second stage and in any case <del>within seven</del> <b>twelve</b> working days from the <del>deployment</del> <b>establishment of the operational plan</b> <del>first teams deployed in the operational area.</del>
624	7. The Agency shall, without delay and in any case within 10 working days from establishment of the operational plan, deploy the necessary technical equipment for practical execution of the measures identified in the Commission decision referred to in paragraph 1.	7. The Agency shall, without delay and in any case within 10 working days from establishment of the operational plan, deploy the necessary technical equipment for practical execution of the measures identified in the <del>Commission</del>	7. The Agency <u>and the Member States</u> shall, without delay and in any case within 10 working days from establishment of the operational plan, <del>deploy</del> <b>send</b> the necessary technical equipment <u>with competent staff to the destination of deployment</u> for practical execution of the measures	7. The Agency <b>and the Member States</b> shall, without delay and in any case within 10 working days from establishment of the operational plan, <del>deploy</del> <b>send</b> the necessary technical equipment <b>with competent staff to the destination of deployment</b> for

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		<i>Council</i> decision referred to in paragraph 1.	identified in the <del>Commission</del> Council decision referred to in paragraph 1.	practical execution of the measures identified in the <del>Commission</del> Council decision referred to in paragraph 1.
625	Additional technical equipment shall be deployed as necessary at a second stage in accordance with Article 64.	Additional technical equipment shall be deployed as necessary at a second stage in accordance with Article 64.	Additional technical equipment shall be deployed as necessary at a second stage in accordance with Article 64.	Additional technical equipment shall be deployed as necessary at a second stage in accordance with Article 64.
626	8. The Member State concerned shall comply with the Commission decision referred to in paragraph 1. For that purpose it shall immediately cooperate with the Agency and take the necessary action, in particular by implementing the obligations provided in Articles 44, 83 and 84, to facilitate the implementation of that decision and the practical execution of the measures set out in that decision and in the operational plan.	8. The Member State concerned shall comply with the <del>Commission</del> Council decision referred to in paragraph 1. For that purpose it shall immediately cooperate with the Agency and take the necessary action, in particular by implementing the obligations provided in Articles 44, 83 and 84, to facilitate the implementation of that decision and the practical execution of the measures set out in that decision and in the operational plan <i>agreed upon with the executive director</i> .	8. The Member State concerned shall comply with the <del>Commission</del> Council decision referred to in paragraph 1. For that purpose it shall immediately cooperate with the Agency and take the necessary action, in particular by implementing the obligations provided in Articles 44, 83 and 84, to facilitate the implementation of that decision and the practical execution of the measures set out in that decision and in the operational plan.	8. The Member State concerned shall comply with the <del>Commission</del> Council decision referred to in paragraph 1. For that purpose it shall immediately cooperate with the Agency and take the necessary action, in particular by implementing the obligations provided in Articles 44, 83 and 84, to facilitate the implementation of that decision and the practical execution of the measures set out in that decision and in the operational plan <i>agreed upon with the executive director</i> .
627	9. In accordance with Article 58 and, where relevant Article 40, the Member States shall make available the operational staff determined by the executive director in accordance with paragraph 4 of this Article.	9. In accordance with Article 58 and, where relevant Article 40, the Member States shall make available the operational staff determined by the executive director in accordance with paragraph 4 of this Article.	9. In accordance with Article 58 and, where relevant Article 40, the Member States shall make available the operational staff determined by the executive director in accordance with paragraph 4 of this Article.	9. In accordance with Article 58 and, where relevant Article 40, the Member States shall make available the operational staff determined by the executive director in accordance with paragraph 4 of this Article.

	Commission proposal	EP amendments	Council position	Compromise text proposals
628	If the Member State concerned does not comply with the Commission decision referred to in paragraph 1 within 30 days and does not cooperate with the Agency pursuant to paragraph 8 of this Article, the Commission may trigger the procedure provided for in Article 29 of Regulation (EU) 2016/399.	<i>The Commission shall monitor the implementation of the measures identified in the Council decision referred to in paragraph 1, and the actions taken for that purpose, by the Agency.</i> If the Member State concerned does not comply with the <del>Commission</del> Council decision referred to in paragraph 1 within 30 days and does not cooperate with the Agency pursuant to paragraph 8 of this Article, the Commission may trigger the procedure provided for in Article 29 of Regulation (EU) 2016/399.	If the Member State concerned does not comply with the <del>Commission</del> Council decision referred to in paragraph 1 within 30 days and does not cooperate with the Agency pursuant to paragraph 8 of this Article, the Commission may trigger the procedure provided for in Article 29 of Regulation (EU) 2016/399.	<i>The Commission shall monitor the implementation of the measures identified in the Council decision referred to in paragraph 1, and the actions taken for that purpose, by the Agency.</i> If the Member State concerned does not comply with the <del>Commission</del> Council decision referred to in paragraph 1 within 30 days and does not cooperate with the Agency pursuant to paragraph 8 of this Article, the Commission may trigger the procedure provided for in Article 29 of Regulation (EU) 2016/399.
629	Article 44		Article 44	Article 44
630	Instructions to the teams	Instructions to the teams	Instructions to the teams	Instructions to the teams
631	1. During deployment of border management teams, return teams and migration management support teams, the host Member State shall issue instructions to the teams in accordance with the operational plan.	1. During deployment of border management teams, return teams and migration management support teams, the host Member State <i>or – in the case of cooperation with a third country in accordance with the status agreement – the third country concerned</i> shall issue instructions to the teams in accordance with the operational plan.	1. During deployment of border management teams, return teams and migration management support teams, the host Member State shall issue instructions to the teams in accordance with the operational plan.	1. During deployment of border management teams, return teams and migration management support teams, the host Member State <i>or – in the case of cooperation with a third country in accordance with the status agreement – the third country concerned</i> shall issue instructions to the teams in accordance with the operational plan.
632	2. The Agency, through its coordinating officer, may communicate its views to the host	2. The Agency, through its coordinating officer, may communicate its views to the host	2. The Agency, through its coordinating officer, may communicate its views to the host	2. The Agency, through its coordinating officer, may communicate its views to the host

	Commission proposal	EP amendments	Council position	Compromise text proposals
	Member State on the instructions given to the teams. In that case, the host Member State shall take those views into consideration and follow them to the extent possible.	Member State on the instructions given to the teams, <b><i>including with regard to the protection, respect and promotion of fundamental rights</i></b> . In that case, the host Member State shall take those views into consideration and follow them to the extent possible.	Member State on the instructions given to the teams. In that case, the host Member State shall take those views into consideration and follow them to the extent possible.	Member State on the instructions given to the teams, <b><i>including with regard to the protection and respect of fundamental rights</i></b> . In that case, the host Member State shall take those views into consideration and follow them to the extent possible.
633	3. In cases where the instructions issued to the teams are not in compliance with the operational plan, the coordinating officer shall immediately report to the executive director, who may, if appropriate, take action in accordance with Article 47(3).	3. In cases where the instructions issued to the teams are not in compliance with the operational plan, the coordinating officer shall immediately report to the executive director, who may, if appropriate, take action in accordance with Article 47(3).	3. In cases where the instructions issued to the teams are not in compliance with the operational plan, the coordinating officer shall immediately report to the executive director, who may, if appropriate, take action in accordance with Article 47(3).	3. In cases where the instructions issued to the teams are not in compliance with the operational plan, the coordinating officer shall immediately report to the executive director, who may, if appropriate, take action in accordance with Article 47(3).
634	4. Members of the teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures. While performing their tasks and exercising their powers, they shall not discriminate against persons on grounds of sex, racial or ethnic	4. Members of the teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity <b><i>and shall pay particular attention to vulnerable persons</i></b> . Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures. While performing their tasks and exercising their powers, they shall not discriminate against persons <del>on</del>	4. Members of the teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures. While performing their tasks and exercising their powers, they shall not discriminate against persons on grounds of sex, racial or ethnic	4. Members of the teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity <b><i>and shall pay particular attention to vulnerable persons</i></b> . Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures. While performing their tasks and exercising their powers, they shall not discriminate against

	Commission proposal	EP amendments	Council position	Compromise text proposals
	origin, religion or belief, disability, age or sexual orientation.	<i>based on any grounds of such as</i> sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation <i>in line with Article 21 of the Charter.</i>	origin, religion or belief, disability, age or sexual orientation.	persons <del>on</del> <i>based on any grounds of such as</i> sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation <i>in line with Article 21 of the Charter.</i>
635	5. Members of the teams which are not statutory staff members of the Agency, shall remain subject to the disciplinary measures of their home Member State. The home Member State shall provide for appropriate disciplinary or other measures in accordance with its national law regarding violations of fundamental rights or international protection obligations in the course of a joint operation or rapid border intervention.	5. Members of the teams which are not statutory staff members of the Agency, shall remain subject to the disciplinary measures of their home Member State. The home Member State shall provide for appropriate disciplinary or other measures in accordance with its national law regarding violations of fundamental rights or international protection obligations in the course of a <del>joint</del> <i>all operations</i> or <del>rapid border intervention</del> <i>interventions</i> .	5. Members of the teams which are not statutory staff members of the Agency, shall remain subject to the disciplinary measures of their home Member State. The home Member State shall provide for appropriate disciplinary or other measures in accordance with its national law regarding violations of fundamental rights or international protection obligations in the course of a joint operation or rapid border intervention.	5. Members of the teams which are not statutory staff members of the Agency, shall remain subject to the disciplinary measures of their home Member State. The home Member State shall provide for appropriate disciplinary or other measures in accordance with its national law regarding violations of fundamental rights or international protection obligations in the course of <i>any operational activity by the Agency</i> .
636			6. <u>Members of the teams being statutory staff of the Agency are subject to disciplinary measures in accordance to the Staff Regulations and measures identified in the supervisory mechanism referred to in Article 56(3a)(a).</u>	6. <i>Members of the teams being statutory staff of the Agency are subject to disciplinary measures in accordance to the Staff Regulations and measures identified in the supervisory mechanism referred to in Article 56(3a)(a).</i>
637	Article 45		Article 45	Article 45
638	Coordinating officer	Coordinating officer	Coordinating officer	Coordinating officer
639	1. The Agency shall ensure the operational implementation of all the	1. The Agency shall ensure the operational implementation of all the	1. The Agency shall ensure the operational implementation of all the	1. The Agency shall ensure the operational implementation of



	Commission proposal	EP amendments	Council position	Compromise text proposals
	organisational aspects of joint operations, pilot projects or rapid border interventions, including the presence of statutory staff members of the Agency.	organisational aspects of joint operations, pilot projects or rapid border interventions, including the presence of statutory staff members of the Agency.	organisational aspects of joint operations, pilot projects or rapid border interventions, including the presence of statutory staff members of the Agency.	all the organisational aspects of joint operations, pilot projects or rapid border interventions, including the presence of statutory staff members of the Agency.
640	2. Without prejudice to Article 60, the executive director shall appoint one or more experts from the statutory staff of the Agency to be deployed as a coordinating officer for each joint operation or rapid border intervention. The executive director shall notify the host Member State of the appointment.	2. Without prejudice to Article 60, the executive director shall appoint one or more experts from the statutory staff of the Agency to be deployed as a coordinating officer for each joint operation or rapid border intervention. The executive director shall notify the host Member State of the appointment.	2. Without prejudice to Article 60, the executive director shall appoint one or more experts from the statutory staff of the Agency to be deployed as a coordinating officer for each joint operation or rapid border intervention. The executive director shall notify the host Member State of the appointment.	2. Without prejudice to Article 60, the executive director shall appoint one or more experts from the statutory staff of the Agency to be deployed as a coordinating officer for each joint operation or rapid border intervention. The executive director shall notify the host Member State of the appointment.
641	3. The coordinating officer shall act on behalf of the Agency in all aspects of the deployment of the teams. The role of the coordinating officer shall be to foster cooperation and coordination among host and participating Member States. In particular, the coordinating officer shall:	3. The coordinating officer shall act on behalf of the Agency in all aspects of the deployment of the teams. The role of the coordinating officer shall be to foster cooperation and coordination among host and participating Member States. In particular, the coordinating officer shall:	3. The coordinating officer shall act on behalf of the Agency in all aspects of the deployment of the teams. The role of the coordinating officer shall be to foster cooperation and coordination among host and participating Member States. In particular, the coordinating officer shall:	3. The coordinating officer shall act on behalf of the Agency in all aspects of the deployment of the teams. The role of the coordinating officer shall be to foster cooperation and coordination among host and participating Member States. <b>At least one fundamental rights monitor shall assist and advise the coordinating officer.</b> In particular, the coordinating officer shall:  <b>Subject to trilogue</b>
642	(a) act as an interface between the Agency, the host Member State and the members of the European Border and Coast Guard teams, providing assistance, on behalf of the	(a) act as an interface between the Agency, the host Member State and the members of the European Border and Coast Guard teams, providing assistance, on behalf of the	(a) act as an interface between the Agency, the host Member State and the members of the European Border and Coast Guard teams, providing assistance, on behalf of the	(a) act as an interface between the Agency, the host Member State and the members of the European Border and Coast Guard teams, providing assistance, on behalf of the

	Commission proposal	EP amendments	Council position	Compromise text proposals
	Agency, on all issues relating to the conditions of their deployment to the teams;	Agency, on all issues relating to the conditions of their deployment to the teams;	Agency, on all issues relating to the conditions of their deployment to the teams;	the Agency, on all issues relating to the conditions of their deployment to the teams;
643	(b) monitor the correct implementation of the operational plan, including as regards the protection of fundamental rights and report to the Agency on this;	(b) monitor the correct implementation of the operational plan, including as regards the protection of fundamental rights and report to the Agency on this;	(b) monitor the correct implementation of the operational plan, including as regards the protection of fundamental rights and report to the Agency on this;	(b) monitor the correct implementation of the operational plan, including as regards the protection of fundamental rights <b>in accordance with Art 56a(1a)</b> and report to the <i>Executive Director of the</i> Agency on this.
644	(c) act on behalf of the Agency in all aspects of the deployment of its teams and report to the Agency on all those aspects;	(c) act on behalf of the Agency in all aspects of the deployment of its teams and report to the Agency on all those aspects;	(c) act on behalf of the Agency in all aspects of the deployment of its teams and report to the Agency on all those aspects;	(c) act on behalf of the Agency in all aspects of the deployment of its teams and report to the Agency on all those aspects;
645	(d) report to the executive director where the instructions issued to its teams by the host Member States are not in compliance with the operational plan and, where appropriate, suggest to the executive director to consider taking a decision in accordance with Article 47.	(d) report to the executive director where the instructions issued to its teams by the host Member States are not in compliance with the operational plan and, where appropriate, suggest to the executive director to consider taking a decision in accordance with Article 47.	(d) report to the executive director where the instructions issued to its teams by the host Member States are not in compliance with the operational plan and, where appropriate, suggest to the executive director to consider taking a decision in accordance with Article 47.	(d) report to the executive director where the instructions issued to its teams by the host Member States are not in compliance with the operational plan, <b>in particular as regards to fundamental rights</b> and, where appropriate, suggest to the executive director to consider taking a decision in accordance with Article 47.
646	4. In the context of joint operations or rapid border interventions, the executive director may authorise the coordinating officer to assist in resolving any disagreement on the execution of the operational plan and deployment of the teams.	4. In the context of joint operations or rapid border interventions, the executive director may authorise the coordinating officer to assist in resolving any disagreement on the execution of the operational plan and deployment of the teams.	4. In the context of joint operations or rapid border interventions, the executive director may authorise the coordinating officer to assist in resolving any disagreement on the execution of the	4. In the context of joint operations or rapid border interventions, the executive director may authorise the coordinating officer to assist in resolving any disagreement on the

	Commission proposal	EP amendments	Council position	Compromise text proposals
			operational plan and deployment of the teams.	execution of the operational plan and deployment of the teams.
647	Article 46		Article 46	Article 46
648	Costs	Costs	Costs	Costs
649	1. The Agency shall fully meet the following costs incurred by Member States in making available their operational staff for the purposes of deploying them for short duration as team members from the European Border and Coast Guard standing corps:	1. The Agency shall fully meet the following costs incurred by Member States in making available their operational staff for the purposes of deploying them for short duration as team members from the European Border and Coast Guard standing corps:	1. The Agency shall fully meet the following costs incurred by Member States in making available their operational staff for the purposes of deploying them for short duration as team members from the European Border and Coast Guard standing corps <u>in the Member States and in third countries in accordance with Article 58:</u>	1. The Agency shall fully meet the following costs incurred by Member States in making available their operational staff for the purposes of deploying them for short duration as team members from the European Border and Coast Guard standing corps <i>in the Member States and in third countries as referred to in Article 58 or in the Member States as referred to in Article 58a:</i>
650	(a) travel costs from the home Member State to the host Member State and from the host Member State to the home Member State and within the host Member State for the purposes of deployment;	(a) travel costs from the home Member State to the host Member State and from the host Member State to the home Member State and within the host Member State for the purposes of deployment;	(a) travel costs from the home Member State to the host Member State and from the host Member State to the home Member State and within the host Member State for the purposes of deployment <u>or redeployment within that host Member State or to another Member State; The same applies to the deployments and redeployments in third countries<sup>28</sup></u>	(a) travel costs from the home Member State to the host Member State and from the host Member State to the home Member State and within the host Member State for the purposes of deployment <i>or redeployment within that host Member State or to another host Member State. The same applies to the deployments to and redeployments within or to another third country;</i>

<sup>28</sup>

A provision has been inserted in Article 75(3).

	Commission proposal	EP amendments	Council position	Compromise text proposals
651	(b) costs related to vaccinations;	(b) costs related to vaccinations;	(b) costs related to vaccinations;	(b) costs related to vaccinations;
652	(c) costs related to special insurance needs;	(c) costs related to special insurance needs;	(c) costs related to special insurance needs;	(c) costs related to special insurance needs;
653	(d) costs related to health care;	(d) costs related to health care;	(d) costs related to health care, <u>including costs related to psychological supervision;</u>	(d) costs related to health care, <b><i>including costs related to psychological assistance;</i></b>
654	(e) daily subsistence allowances, including accommodation costs;	(e) daily subsistence allowances, including accommodation costs;	(e) daily subsistence allowances, including accommodation costs;	(e) daily subsistence allowances, including accommodation costs;
655	(f) costs related to the Agency's technical equipment.	(f) costs related to the Agency's technical equipment, <b><i>including search and rescue equipment.</i></b>	<del>(f) costs related to the Agency's technical equipment.</del> <sup>29</sup>	<del>(f) costs related to the Agency's technical equipment</del>
656	2. Following prior approval by the Commission, the management board shall establish detailed rules, and update them as necessary, as regards the payment of the costs incurred by staff deployed for short duration in accordance with Article 58. The detailed rules shall be based to the extent possible on simplified cost options. Where relevant, the Management Board shall aim at ensuring coherency with the rules applicable to reimbursement of mission expenses of the statutory staff members.	2. Following prior approval by the Commission, the management board shall establish detailed rules, and update them as necessary, as regards the payment of the costs incurred by staff deployed for short duration in accordance with Article 58. <b><i>An advance payment preceding the annual payment may be granted in accordance with Article 61.</i></b> The detailed rules shall be based to the extent possible on simplified cost options. <del>Where relevant,</del> The Management Board shall aim at ensuring coherency with the rules	2. <del>Following prior approval by the Commission, the</del> <u>The management board shall <del>establish</del> adopt detailed rules;</u> and update them as necessary, as regards the payment of the costs incurred by staff deployed for short duration in accordance with Article 58. <u>The decision of the management board shall be based on the proposal of the executive director. To ensure compliance with the applicable legal framework, the executive director shall make this proposal after receiving the positive opinion of the</u>	2. <b><i>Following prior approval by the Commission, the</i></b> <del>The</del> management board shall <b><i>establish</i></b> <del>adopt</del> detailed rules; and update them as necessary, as regards the payment of the costs incurred by staff deployed for short duration in accordance with Article 58. <b><i>The decision of the management board shall be based on the proposal of the executive director. To ensure compliance with the applicable legal framework, the executive director shall make this proposal after receiving the positive opinion</i></b>

<sup>29</sup> This provision has been inserted in Article 64(16) and (17).

	Commission proposal	EP amendments	Council position	Compromise text proposals
		applicable to reimbursement of mission expenses of the statutory staff members.	<u>Commission.</u> The detailed rules shall be based to the extent possible on simplified cost options. Where relevant, the Management Board shall aim at ensuring coherency with the rules applicable to <u>reimbursement of</u> mission expenses of the statutory staff members.	<i>of the Commission.</i> The detailed rules shall be based to the extent possible on simplified cost options. Where relevant, the Management Board shall <del>aim at ensuring</del> <b>ensure the consistency</b> coherency with the rules applicable to reimbursement of mission expenses of the statutory staff members.
657	Article 47		Article 47	Article 47
658	Suspension or termination of activities	Suspension or termination of activities	Suspension or termination of activities	Suspension or termination of activities
659	1. The executive director shall terminate activities of the Agency if the conditions to conduct those activities are no longer fulfilled. The executive director shall inform the Member State concerned prior to such termination.	1. The executive director shall terminate activities of the Agency, <b>including when cooperating with third countries</b> , if the conditions to conduct those activities are no longer fulfilled. The executive director shall inform the Member State concerned prior to such termination.	1. The executive director shall terminate activities of the Agency if the conditions to conduct those activities are no longer fulfilled. The executive director shall inform the Member State concerned prior to such termination.	1. The executive director shall terminate <b>any</b> activity of the Agency if the conditions to conduct those activities are no longer fulfilled. The executive director shall inform the Member State concerned prior to such termination.
660	2. The Member States participating in a joint operation, rapid border intervention or migration management support team deployment may request that the executive director terminate that joint operation, or rapid border intervention or migration management support team deployment.	2. The Member States participating in <del>a joint operation, rapid border intervention or migration management support team deployment</del> <b>any operational activity by the Agency</b> may request that the executive director terminate that <b>operational activity.</b> <del>joint operation, or rapid border intervention or migration management support team deployment.</del>	2. The Member States participating in a joint operation, rapid border intervention or migration management support team deployment may request that the executive director terminate that joint operation, or rapid border intervention or migration management support team deployment. <u>The executive director</u>	2. The Member States participating in <del>a joint operation, rapid border intervention or migration management support team deployment</del> <b>an operational activity by the Agency</b> may request that the executive director terminate that <b>operational activity.</b> <del>joint operation, or rapid border intervention or migration management support team</del>

	Commission proposal	EP amendments	Council position	Compromise text proposals
			shall inform the management board of such request.	<del>deployment.</del> <i>The executive director shall inform the management board of such request.</i>
661	3. The executive director may, after informing the Member State concerned, withdraw the financing of an activity or suspend or terminate it if the operational plan is not respected by the host Member State.	3. The executive director may, after informing the Member State concerned, withdraw the financing of an activity or suspend or terminate it if the operational plan is not respected by the host Member State.	3. The executive director may, after informing the Member State concerned, withdraw the financing of an activity or suspend or terminate it if the operational plan is not respected by the host Member State.	3. The executive director may, after informing the Member State concerned, withdraw the financing of an activity or suspend or terminate it if the operational plan is not respected by the host Member State.
662	4. The executive director shall, after consulting the fundamental rights officer and informing the Member State concerned, withdraw the financing of a joint operation, rapid border intervention, pilot project, migration management support team deployment, return operation, return intervention or working arrangement or suspend or terminate, in whole or in part such activities, if he or she considers that there are violations of fundamental rights or international protection obligations that are of a serious nature or are likely to persist. The executive director shall inform the management board of such a decision.	4. The executive director shall, after consulting the fundamental rights officer and informing the Member State concerned, withdraw the financing <i>or suspend or terminate, in whole or in part,</i> of a joint operation, rapid border intervention, pilot project, migration management support team deployment, return operation, return intervention or working arrangement <del>or suspend or terminate, in whole or in part</del> such activities, if he or she considers that there are violations of fundamental rights or international protection obligations that are of a serious nature or are likely to persist. <i>Such decision shall be taken on the basis of objective criteria.</i> The executive director shall inform the management board of such a decision. <i>When taking such</i>	4. The executive director shall, after consulting the fundamental rights officer and informing the Member State concerned, withdraw the financing of a joint operation, rapid border intervention, pilot project, migration management support team deployment, return operation, return intervention or working arrangement or suspend or terminate, in whole or in part such activities, if he or she considers that there are violations of fundamental rights or international protection obligations that are of a serious nature or are likely to persist. The executive director shall inform the management board of such a decision.	4. The executive director shall, after consulting the fundamental rights officer and informing the Member State concerned, withdraw the financing <i>or suspend or terminate, in whole or in part, any activity by the Agency</i> of a joint operation, rapid border intervention, pilot project, migration management support team deployment, return operation, return intervention or working arrangement or suspend or terminate, in whole or in part such activities, if he or she considers that there are violations of fundamental rights or international protection obligations that are of a serious nature or are likely to persist <b>linked to the activity concerned.</b> The executive director shall inform the

	Commission proposal	EP amendments	Council position	Compromise text proposals
		<p><i>decision, the executive director shall, amongst others, take into account relevant information, such as the number and substance of complaints registered, serious incidents reports, reports from the liaison officers and coordinating officers posted in the host Member State and other relevant international organisations, Union institutions, bodies, offices and agencies in the areas covered by this Regulation.</i></p>		<p><del>management board of such a decision.</del></p> <p><b>4a. The executive director shall not launch any activity for which there would, from its beginning be reasons to suspend or terminate it if he or she considers that this activity could lead to violations of fundamental rights or international protection obligations that are of a serious nature.</b></p> <p><b>4b. Decisions referred to in paragraph 4 and 4a shall be taken on duly justified grounds. When taking such decisions, the executive director shall, amongst others, take into account relevant information, such as the number and substance of complaints registered, serious incidents reports, reports from coordinating officers and other relevant international organisations, Union institutions, bodies, offices and agencies in the areas covered by this Regulation. The executive director shall inform and provide justification to the management board of such decisions.</b></p>

	Commission proposal	EP amendments	Council position	Compromise text proposals
663	5. If the executive director decides to suspend or terminate deployment by the Agency of a migration management support team, he or she shall inform the other relevant agencies active in that hotspot area or controlled centre of that decision.	5. If the executive director decides to suspend or terminate deployment by the Agency of a migration management support team, he or she shall inform the other relevant agencies active in that hotspot area <del>or controlled centre</del> of that decision.	5. If the executive director decides to suspend or terminate deployment by the Agency of a migration management support team, he or she shall inform the other relevant agencies active in that hotspot area <del>or controlled centre</del> of that decision.	5. If the executive director decides to suspend or terminate deployment by the Agency of a migration management support team, he or she shall inform the other relevant agencies active in that hotspot area <del>or controlled centre</del> of that decision.
664	Article 48		Article 48	Article 48
665	Evaluation of activities	Evaluation of activities	Evaluation of activities	Evaluation of activities
666	The executive director shall evaluate the results of the joint operations and rapid border interventions, pilot projects, migration management support team deployments and operational cooperation with third countries. He or she shall transmit detailed evaluation reports within 60 days following the end of those activities to the management board, together with the observations of the fundamental rights officer. The executive director shall make a comprehensive comparative analysis of those results with a view to enhancing the quality, coherence and effectiveness of future activities, and shall include that analysis in the Agency's annual activity report.	The executive director shall evaluate the results of <del>the joint operations and rapid border interventions, pilot projects, migration management support team deployments and operational cooperation with third countries</del> <b>all the Agency's operational activities and pilot projects</b> . He or she shall transmit detailed evaluation reports within 60 days following the end of those activities to <b>the European Parliament, the Council, the Commission</b> , the management board, together with the observations of the fundamental rights officer. The executive director shall make a comprehensive comparative analysis of those results with a view to enhancing the quality, coherence and effectiveness of future activities, and	The executive director shall evaluate the results of the joint operations and rapid border interventions, pilot projects, migration management support team deployments and operational cooperation with third countries. He or she shall transmit detailed evaluation reports within 60 days following the end of those activities to the management board, together with the observations of the fundamental rights officer. The executive director shall make a comprehensive <del>comparative</del> analysis of those results with a view to enhancing the quality, coherence and effectiveness of future activities, and shall include that analysis in the Agency's annual activity report <u>and shall ensure that the Agency take them into account in future operations.</u>	The executive director shall evaluate the results of <del>the joint operations and rapid border interventions, pilot projects, migration management support team deployments and operational cooperation with third countries</del> <b>all the Agency's operational activities</b> . He or she shall transmit detailed evaluation reports within 60 days following the end of those activities to <b>the European Parliament, the Council, the Commission</b> , the management board, together with the observations of the fundamental rights officer. The executive director shall make a comprehensive <del>comparative</del> analysis of those results with a view to enhancing the quality, coherence and effectiveness of



	Commission proposal	EP amendments	Council position	Compromise text proposals
		shall include that analysis in the Agency's annual activity report.		future activities, and shall include that analysis in the Agency's annual activity report <b>and shall ensure that the Agency take them into account in future operations.</b>
667	Section 8		Section 8	Section 8
668	Action by the Agency in the area of Returns		Action by the Agency in the area of Returns	Action by the Agency in the area of Returns
669	Article 49		Article 49	Article 49
670	Return	Return	Return	Return
671	1. The Agency shall, with regard to return, and in accordance with the respect for fundamental rights and general principles of Union law as well as for international law, including refugee protection and children's rights, in particular:	1. <b>Without entering into the merits of return decisions which remain the sole responsibility of the Member States</b> The Agency shall, with regard to return, and in accordance with the respect for fundamental rights, <del>and</del> general principles of Union law <b>and as well as for international law, including refugee protection, the respect for the principle of non-refoulement</b> and children's rights, <del>in particular:</del>	1. The Agency shall, with regard to return, and in accordance with the respect for fundamental rights and general principles of Union law as well as for international law, including refugee protection and children's rights, in particular:	<b>1. Without entering into the merits of return decisions which remain the sole responsibility of the Member States</b> Agency shall, with regard to return, and in accordance with the respect for fundamental rights, <del>and</del> general principles of Union law <del>as well as</del> <b>and</b> for international law, including refugee <b>international</b> protection, <b>the respect for the principle of non-refoulement</b> and children's rights, <b>the Agency shall with regard to return, in particular:</b>
672	(a) provide technical and operational assistance to Member States in the return of third country nationals, including the preparation of return decisions, the identification of third country nationals and other pre-return and return-related	(a) provide technical and operational assistance to Member States <b>that expressly request it</b> in the return of <del>third country nationals</del> <b>returnees</b> , including <b>providing assistance in the preparation collection of information for the</b>	(a) provide technical and operational assistance to Member States in <u>all phases of</u> the return of third country nationals, including <u>providing assistance in preparatory activities necessary for issuing the preparation of</u> return decisions, <del>the</del>	(a) provide technical and operational assistance to Member States in the return of <del>third country</del> <b>nationals</b> , including the preparation of (i) <b>in the collection of information necessary for issuing</b> return

	Commission proposal	EP amendments	Council position	Compromise text proposals
	activities of the Member States, including voluntary departures, to achieve an integrated system of return management among competent authorities of the Member States, with the participation of relevant authorities of third countries and other relevant stakeholders;	<del>purpose of return decisions, the identification of third country nationals</del> <b><i>returnees and the acquisition of travel documents, including by means of consular cooperation, without disclosing information relating to the fact that an application for international protection has been made or any other information that is not strictly relevant for the purpose of executing the return of the returnees concerned</i></b> and other pre-return and return-related activities of the Member States; <b><i>organise and coordinate return operations and provide support with</i></b> voluntary departures <b><i>in cooperation with the Member States</i></b> to achieve an integrated system of return management among competent authorities of the Member States, with the participation of relevant authorities of third countries and other relevant stakeholders;	<del>identification of third country nationals and other pre-return, and return-related and post-return and post-arrival</del> activities of the Member States, including <del>assisted</del> voluntary departures <del>return</del> , to achieve an integrated system of return management among competent authorities of the Member States, with the participation of relevant authorities of third countries and other relevant stakeholders;	decisions, the identification of <i>the</i> third country nationals <b><i>subject to return procedures</i></b> and other pre-return, <del>and</del> return-related <b><i>and post-arrival and post-return</i></b> activities of the Member States <del>including voluntary departures, to</del> achieve an integrated system of return management among competent authorities of the Member States, with the participation of relevant authorities of third countries and other relevant stakeholders;  (ii) in the acquisition of travel documents, including by means of consular cooperation, without disclosing information relating to the fact that an application for international protection has been made <b><i>or any other information that is not necessary for the purpose of the return;</i></b>  (iii) <b><i>in the organisation and coordination of return operations and providing support with voluntary return in cooperation with the Member States;</i></b>
673		(aa) <b><i>coordinate at technical and operational level assisted voluntary returns from the Member States,</i></b>		(iv) <b><i>in assisted voluntary returns from the Member States, providing assistance to the</i></b>

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		<i>providing assistance during the pre-departure, travel and post-arrival phase, taking into account the needs of vulnerable migrants and in cooperation with the International Organisation for Migration;</i>		<i>returnee during the pre-return, return-related and post-arrival and post-return phases, taking into account the needs of vulnerable persons;</i>
674	(b) provide technical and operational assistance to Member States experiencing challenges with regard to return or migratory pressure, including by deploying migration management teams;	(b) provide technical and operational assistance to Member States experiencing challenges with regard to <i>their</i> return systems, <del>or migratory pressure, including by deploying migration management teams;</del>	(b) provide technical and operational assistance to Member States experiencing challenges with regard to return or <u>addressing</u> migratory pressure, including by deploying migration management support teams;	(b) provide technical and operational assistance to Member States experiencing challenges with regard to <i>their</i> return systems, <del>or migratory pressure, including by deploying migration management teams;</del>
675	(c) develop a reference model for a return case management system prescribing the structure of national return management systems, as well as provide technical and operational assistance to Member States in developing national return management systems aligned with the model;	[(c) develop, <i>in consultation with the fundamental rights officer and consultative forum</i> , a reference model for a return case management system prescribing the structure of national return management systems, as well as provide technical and operational assistance to Member States in developing national return management systems aligned with the model;]	(c) develop a <u>non-binding</u> reference model for a <u>national</u> return case management system <del>prescribing</del> <u>describing</u> the structure of <u>national return management</u> such systems, as well as provide technical and operational assistance to Member States in developing <u>national return management</u> such systems aligned <u>compatible</u> with the model;	(c) develop, <i>in consultation with the fundamental rights officer</i> , a <i>non-binding</i> reference model for a <i>national IT</i> return case management system <del>prescribing</del> <u>describing</u> the structure of <u>national return management</u> such systems, as well as provide technical and operational assistance to Member States in developing <u>national return management</u> such systems aligned <i>compatible</i> with the model;
676	(d) develop and operate a central system and a communication infrastructure between national return management systems of the Member States and the central system, as well as provide technical and operational assistance to Member States in	(d) <del>develop and operate</del> <i>and maintain IRMA as a central platform</i> system and a communication infrastructure between national return management systems of the Member States and the <del>central system</del> <i>platform</i> , as well as provide technical	(d) develop and operate a central system and a communication infrastructure <del>between</del> <u>that enables the linking of the</u> national return management systems of the Member States <del>and with</del> the central system, <u>for exchange of data and information</u> ,	(d) <del>develop and operate</del> <i>and further develop an integrated return management platform</i> central system and a communication infrastructure <del>between</del> <i>that enables the linking of the</i> national return management

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	connecting to the communication structure;	and operational assistance to Member States in connecting to the communication structure;	<u>including the automated exchange of statistical data</u> , as well as provide technical and operational assistance to Member States in connecting to the communication structure;	systems of the Member States <del>and with the platform central system</del> , <b>for exchange of data and information, including the automated transmission of statistical data</b> , as well as provide technical and operational assistance to Member States in connecting to the communication structure;
677	(e) provide technical and operational assistance to the Member States in the identification of third-country nationals and the acquisition of travel documents, including by means of consular cooperation, without disclosing information relating to the fact that an application for international protection has been made; organise and coordinate return operations and provide support with voluntary departures in cooperation with the Member States;	<del>(e) provide technical and operational assistance to the Member States in the identification of third-country nationals and the acquisition of travel documents, including by means of consular cooperation, without disclosing information relating to the fact that an application for international protection has been made; organise and coordinate return operations and provide support with voluntary departures in cooperation with the Member States;</del>	(e) provide technical and operational assistance to the Member States in the identification of third-country nationals and the acquisition of travel documents, including by means of consular cooperation, without disclosing information relating to the fact that an application for international protection has been made; organise and coordinate return operations and provide support with <u>voluntary departures</u> <del>return</del> in cooperation with the Member States;	Included in (a)
678	(f) organise, promote and coordinate activities enabling the exchange of information and the identification and pooling of best practices in return matters between the Member States;	(f) organise, promote and coordinate activities enabling the exchange of information and the identification and pooling of best practices in return matters between the Member States;	(f) organise, promote and coordinate activities enabling the exchange of information and the identification and pooling of best practices in return matters between the Member States;	(f) organise, promote and coordinate activities enabling the exchange of information and the identification and pooling of best practices in return matters between the Member States;
679	(g) finance or co-finance the operations, interventions and activities referred to in this Chapter	(g) finance or co-finance the operations, interventions and activities referred to in this Chapter	(g) finance or co-finance the operations, interventions and activities, <u>including the costs</u>	(g) finance or co-finance the operations, interventions and activities, <b>including the costs</b>

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	from its budget, in accordance with the financial rules applicable to the Agency.	from its budget, in accordance with the financial rules applicable to the Agency.	incurred for the development or necessary adaptation of the national return management systems, referred to in this Chapter from its budget, in accordance with the financial rules applicable to the Agency.	<b>incurred for the development or necessary adaptation of the national return management systems</b> , referred to in this Chapter from its budget, in accordance with the financial rules applicable to the Agency.
680			<sup>30</sup>	
681	2. The technical and operational assistance referred to in point (b) of paragraph 1 shall include activities to help Member States carry out return procedures by the competent national authorities by providing, in particular:	2. The technical and operational assistance referred to in point (b) of paragraph 1 shall include activities to help Member States carry out return procedures by the competent national authorities <del>by providing</del> , in particular <b>by</b> :	2. The technical and operational assistance referred to in point (b) of paragraph 1 shall include activities to help Member States carry out return procedures by the competent national authorities by providing, in particular:	2. The technical and operational assistance referred to in point (b) of paragraph 1 shall include activities to help Member States carry out return procedures by the competent national authorities by providing, in particular:
682	(a) interpreting services;	(a) <b>providing</b> interpreting services;	(a) interpreting services;	(a) interpreting services;
683	(b) practical information, analysis and recommendations on third countries of return relevant for the implementation of this Regulation, in cooperation, where appropriate, with other Union bodies, offices and agencies, including EASO;	(b) <b>providing</b> practical information, <del>analysis</del> and recommendations on third countries of return relevant for the implementation of this Regulation, in cooperation, where appropriate, with other Union bodies, offices and agencies, including <b>EASO [the European Union Agency for Asylum] and the European</b>	(b) practical information, analysis and recommendations on third countries of return relevant for the implementation of this Regulation, in cooperation, where appropriate, with other Union bodies, offices and agencies, including EASO;	(b) practical information, <b>including its</b> analysis, and recommendations on third countries of return relevant for the implementation of this Regulation, in cooperation, where appropriate, with other Union bodies, offices and agencies, <b>in particular the including EASO European Asylum Support Office</b> ;

<sup>30</sup> Certain delegations advocated dealing with this issue in the context of discussions related to tasks of the Agency (Article 10).

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		<i>Union Agency for Fundamental Rights;</i>		
684	(c) advice on and technical and operational assistance in the implementation and management of return procedures in compliance with Directive 2008/115/EC, including in the preparation of return decisions, in identification and in the acquisition of travel documents;	<del>(c) — advice on and technical and operational assistance in the implementation and management of return procedures in compliance with Directive 2008/115/EC, including in the preparation of return decisions, in identification and in the acquisition of travel documents;</del>	(c) advice on and technical and operational assistance in the implementation and management of return procedures in compliance with Directive 2008/115/EC, including <u>providing assistance in preparatory activities necessary for issuing the preparation of</u> return decisions, in identification and in the acquisition of travel documents;	<del>(c) advice on and technical and operational assistance in the implementation and management of return procedures in compliance with Directive 2008/115/EC, including in the preparation of return decisions, in identification and in the acquisition of travel documents;</del>
685	(d) advice on and assistance in measures necessary to ensure the availability of returnees for return purposes and to prevent returnees from absconding, in accordance with Directive 2008/115/EC and international law;	(d) <i>providing</i> advice on and assistance in measures <i>taken by Member States that are legitimate, proportionate and necessary</i> to ensure the availability of returnees for return purposes <i>as well as preventing and to prevent</i> returnees from absconding, <i>and on alternatives to detention</i> in accordance with Directive 2008/115/EC and international law;	(d) advice on and assistance in <u>implementing measures taken by the Member States</u> necessary to ensure the availability of returnees for return purposes <del>and</del> as well as <del>to preventing</del> returnees from absconding, in accordance with Directive 2008/115/EC and international law;	(d) advice on and assistance in <i>the implementation of measures taken by Member States in compliance with Directive 2008/115/EC and international law</i> , necessary to ensure the availability of returnees for return purposes and to prevent returnees from absconding <i>and on alternatives to detention</i> , <del>in accordance with Directive 2008/115/EC and international law;</del>
686	(e) equipment, capacities and expertise for the implementation of return decisions and for the identification of third-country nationals.	(e) <i>providing</i> equipment, capacities and expertise for the implementation of return decisions and for the identification of third-country nationals.	(e) equipment, capacities and expertise for the implementation of return decisions and for the identification of third-country nationals.	(e) equipment, capacities and expertise for the implementation of return decisions and for the identification of third-country nationals.
687	3. The Agency shall aim at building synergies and connecting Union-	3. The Agency shall aim at building synergies and connecting Union-	3. The Agency shall aim at building synergies and connecting	3. The Agency shall aim at building synergies and connecting

	Commission proposal	EP amendments	Council position	Compromise text proposals
	funded networks and programmes in the field of return in close cooperation with the Commission and with the support of relevant stakeholders, including the European Migration Network.	funded networks and programmes in the field of return in close cooperation with the Commission and with the support of relevant stakeholders, including the European Migration Network.	Union-funded networks and programmes in the field of return in close cooperation with the Commission and with the support of relevant stakeholders, including the European Migration Network.	Union-funded networks and programmes in the field of return in close cooperation with the Commission and with the support of relevant stakeholders, including the European Migration Network.
688	4. The Agency may exceptionally receive grants from Union funds dedicated to return activities in accordance with the financial rules applicable to the Agency. The Agency shall ensure that in its grant agreements with Member States any financial support is conditional upon the full respect for the Charter.	4. <del>The Agency may exceptionally receive grants from Union funds dedicated to return activities in accordance with the financial rules applicable to the Agency. The Agency shall ensure that in its grant agreements with Member States any financial support is conditional upon the full respect for the Charter.</del>	4. The Agency may exceptionally receive grants from Union funds dedicated to return activities in accordance with the financial rules applicable to the Agency. The Agency shall ensure that in its grant agreements with Member States any financial support is conditional upon the full respect for the Charter.	4. <del>The Agency may exceptionally receive grants from Union funds dedicated to return activities in accordance with the financial rules applicable to the Agency. The Agency shall ensure that in its grant agreements with Member States any financial support is conditional upon the full respect for the Charter.</del>  Moved to recital 91 EP position