

Proposal for a

Regulation of the European Parliament and of the Council establishing the Internal Security Fund

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

LEGEND

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	LEGEND
1.				Not agreed
2.				Provisionally agreed
3.				Horizontal provision Not agreed
N.				Horizontal provision Provisionally agreed
				Not included in Council mandate

* Changes/additions in General Approach are underlined

2018/0250 (COD)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
1.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
2.	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 82(1), 84 and 87(2) thereof,	
3.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
4.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
5.	Having regard to the opinion of the European Economic and Social Committee ¹ ,	Having regard to the opinion of the European Economic and Social Committee ² ,	Having regard to the opinion of the European Economic and Social Committee ³ ,	
6.	Having regard to the opinion of the Committee of the Regions ⁴ ,	Having regard to the opinion of the Committee of the Regions ⁵ ,	Having regard to the opinion of the Committee of the Regions ⁶ ,	
7.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
8.	Whereas:	Whereas:	Whereas:	

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9.	(1) Ensuring internal security, which is a competence of the Member States, is a shared endeavour to which the EU institutions, relevant Union agencies and Member States should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ⁷ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ⁸ and by the European Parliament in its Resolution of July 2015 ⁹ . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling terrorism and	(1) Ensuring internal <i>While national security, which is remains solely</i> a competence of the Member States, <i>protecting it requires cooperation and coordination at Union level. Internal security is a joint undertaking</i> to which the EU institutions, relevant Union agencies and Member States, <i>with the help of the private sector and civil society</i> , should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ¹⁰ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ¹¹ and by	(1) Ensuring internal security, which is a competence of the Member States, is a shared endeavour to which the EU institutions, relevant Union agencies and Member States should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015 ¹⁰ , which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015 ¹¹ and by the European Parliament in its Resolution of July 2015 ¹² . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal security, and defined the	<u>COM compromise text 20.11.20:</u> <u>1) Ensuring internal While national security, which is remains solely a competence of the Member States, protecting it requires cooperation and coordination at Union level. Internal security is a joint undertaking shared endeavour to which the EU institutions, relevant Union agencies and Member States, with the help of the private sector and civil society, should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015¹⁰, which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015¹¹ and by the European Parliament in its Resolution of July 2015¹². That shared strategy aimed at providing the strategic</u>

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

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

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

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

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

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

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	preventing radicalisation, disrupting organised crime and fighting cybercrime.	the European Parliament in its Resolution of July 2015 ¹² . That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling <i>preventing and combating terrorism and preventing radicalisation, including online radicalisation, and violent extremism, intolerance and discrimination, disrupting organised crime and fighting cybercrime.</i> [AM1]	main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling terrorism and preventing radicalisation, disrupting organised crime, and fighting <i>and preventing</i> cybercrime.	framework for the work at Union level in the area of internal security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling <i>preventing and combating terrorism and preventing radicalisation, including online radicalisation, and violent extremism, intolerance and discrimination, disrupting, serious and organised crime and fighting cybercrime. These common priorities are reaffirmed in the Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Security Union Strategy for the period 2020-2025¹³.</i> CNS can agree
10.	(2) In the Rome Declaration signed on 25 September 2017, leaders of 27 Member States affirmed their determination to a safe and secure Europe and to build a Union where all	(2) In the Rome Declaration signed on 25 September <i>March</i> 2017, leaders of 27 Member States, <i>the European Council, the</i>	(2) In the Rome Declaration signed on 25 September <i>March</i> 2017, leaders of 27 Member States affirmed their determination to a safe and	Technical <u>COM OK with EP amendment</u>

¹³ COM(2020) 605 final of 24 July 2020.

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	citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime.	<i>European Parliament and the European Commission</i> affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime. [AM2]	secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime.	CNS can agree
11.	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration) ¹⁴ .	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police	(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and	Identical

¹⁴ COM(2017) 794 final.

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		and judicial cooperation, asylum and migration) ¹⁵ .	judicial cooperation, asylum and migration) ¹⁶ .	
12.	(4) The Union’s objective of ensuring a high level of security within an area of freedom, security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	(4) The Union’s objective of ensuring a high level of security within an area of freedom, security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	(4) The Union’s objective of ensuring a high level of security within an area of freedom, security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.	<u>Identical.</u>
13.	(5) To achieve this objective, actions should be taken at Union level to protect people and goods from increasingly transnational threats and to support the work carried out by Member States’ competent authorities. Terrorism, serious and organised	(5) To achieve this objective, actions should be taken at Union level to protect people and goods , public spaces and critical infrastructure from increasingly transnational	(5) To achieve this objective, actions should be taken at Union level to protect people, and goods , public spaces and critical infrastructure from increasingly transnational threats and to support the work	Technical. To be aligned with article 3 lines 99ff. <u>COM compromise text 20.11.20:</u> <u>“(5) To achieve this objective, actions should be taken at Union level to protect people and goods, public</u>

¹⁵ COM(2017) 794 final.

¹⁶ COM(2017) 794 final.

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	crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union.	threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug <i>and arms</i> trafficking, corruption, <i>money laundering</i> , cybercrime, <i>sexual exploitation, including of children, hybrid threats, as well as chemical, biological, radiological and nuclear threats</i> , trafficking in human beings and arms , among others, continue to challenge the internal security <i>and the internal market</i> of the Union. [AM3]	carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union.	<p><u><i>spaces and critical infrastructure from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug and arms trafficking, corruption, money laundering, cybercrime, sexual exploitation, including of children, hybrid threats, as well as chemical, biological, radiological and nuclear threats, trafficking in human beings and arms, among others, continue to challenge the internal security and the internal market of the Union.</i></u></p> <p><u>CNS can agree</u></p> <p><u>EP proposal 30.04.20:</u></p> <p><u>“(5) — To achieve this objective, actions should be taken at Union level to protect people and goods, <i>public spaces and critical infrastructure</i> from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, serious and organised crime, itinerant crime, drug <i>and arms</i> trafficking, corruption,</u></p>

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				money laundering, cybercrime, sexual exploitation, including of children, hybrid threats, as well as chemical, biological, radiological and nuclear threats, trafficking in human beings and arms, among others, continue to challenge the internal security and the internal market of the Union.” TM 10.07.20 Linked to line 99
14.		<i>(5 a) The Fund should provide financial support to address the emerging challenges posed by the significant increase in the scale of certain types of crime, such as payment fraud, child sexual exploitation and trafficking in weapons, being committed via the internet in recent years ('cyber-enabled crimes'). [AM4]</i>		Technical. Linked to the definition on "cybercrime" (line 85) Provisionally agreed (EP AM)
15.	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In-line with Articles 84 and 87(2) of the TFEU,	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States	(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In-line	TM 10.07.20 Provisionally agreed to add LETS - Linked to deletion of definition of LETS in line 90 COM compromise text 20.11.20:

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	<p>funding should support measures to promote and support the action of Member States in the field of crime prevention and police cooperation involving all the Member States' competent authorities concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.</p>	<p>alone. <i>In line</i> with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention, <i>joint training</i> and police <i>and judicial</i> cooperation involving all the Member States' competent authorities <i>and Union agencies</i> concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU. [AM5]</p>	<p>with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention and police cooperation involving all the Member States' competent authorities concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. <i>The Fund should also support training of relevant staff and experts, in line with the European Law Enforcement Training Scheme (LETS) general principles.</i> The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.</p>	<p><u>“(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. <i>In line</i> with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention, <i>joint training</i> and police <i>and judicial</i> cooperation in criminal matters involving all the Member States' competent authorities <i>and Union agencies</i> concerning especially information exchange, increased operational cooperation and supporting necessary efforts to strengthen capabilities to prevent and combat terrorism and serious and organised and serious cross-border crime and terrorism. The Fund should also support training of relevant staff and experts, in line with the European Law Enforcement Training Scheme (LETS) general principles. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the</u></p>

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				<p><u>safeguarding of internal and national security as referred to in Article 72 of the TFEU.”</u></p> <p><u>CNS can agree</u></p> <p>“(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. <i>In line</i> with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention, <i>joint training</i> and police <i>and judicial</i> cooperation <i>in criminal matters</i> involving all the Member States’ competent authorities <i>and Union agencies</i> concerning especially information exchange, increased operational cooperation and supporting <i>necessary</i> efforts to strengthen capabilities to <i>prevent and combat organised and serious cross-border crime and terrorism. The Fund should also support training of relevant staff and experts, in line with the European Law Enforcement Training Scheme (LETS) general principles.</i> The Fund should not</p>

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				support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.”
16.	(7) To preserve the Schengen <i>acquis</i> and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States’ action towards the development of an effective and genuine security union.	(7) To preserve the Schengen <i>acquis</i> and the entire Union internal market area , and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary	(7) To preserve the Schengen <i>acquis</i> and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security	Technical. <u>COM compromise text 20.11.20: 7) To preserve the Schengen <i>acquis</i> and to contribute to ensuring a high level of security in the Union. Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union</u>

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		coherence with the external dimension of security should be key principles guiding the Union and Member States' action towards the development of an effective and genuine security union. [AM6]	should be key principles guiding the Union and Member States' action towards the development of an effective and genuine security union.	<u>and Member States' action towards the development of an effective and genuine security union.</u> <u>CNS can agree</u>
17.	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	(8) To contribute to the development and implementation of an effective and genuine security union aiming at ensuring a high level of internal security throughout the European Union, Member States should be provided with adequate Union financial support by setting up and managing an Internal Security Fund ('the Fund').	<u>Identical</u>
18.	(9) The Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union's international obligations as regards fundamental rights.	(9) The Fund should be implemented in full compliance with the <i>values enshrined in Article 2 of the Treaty on European Union (TEU)</i> , the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union's international obligations as regards <i>human</i>	(9) The Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union's international obligations as regards fundamental rights.	Technical. <u>COM compromise text 20.11.20:</u> <u>(9) The Fund should be implemented in full compliance with the values enshrined in Article 2 of the Treaty on European Union (TEU), the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union's</u>

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		rights. <i>In particular, this Regulation seeks to ensure that fundamental rights, such as the right to human dignity, the right to life, the prohibition of torture and inhuman or degrading treatment or punishment, the right to protection of personal data, the rights of the child and the right to have an effective remedy, are fully respected. It also seeks to promote the application of the principle of non-discrimination.</i> [AM7]		<u>international obligations as regards human rights. In particular, this Regulation should be implemented in full respect for seeks to ensure that fundamental rights, such as the right to human dignity, the right to life, the prohibition of torture and inhuman or degrading treatment or punishment, the right to protection of personal data, the rights of the child and the right to have an effective remedy. are fully respected. It also seeks to promote the application of the principle of non-discrimination.</u> <u>CNS can agree</u>
19.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	(10) Pursuant to Article 3 of the Treaty on European Union (TEU), the Fund should support activities which ensure the protection of children against violence, abuse, exploitation and neglect. The Fund should also support safeguards and assistance for child witnesses and victims, in particular those who are unaccompanied or otherwise in need of guardianship.	<u>Identical</u>
20.		<i>(10 a) Raising awareness among law enforcement</i>		TM 31.08.20 Deletion - Provisionally agreed

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		<i>personnel about issues related to all forms of racism, including antisemitism and antiziganism, is a key success factor for internal security. Awareness-raising training and education measures for law enforcement actors should therefore be included in the scope of the Fund in order to increase trust-building capacity at a local level.</i> [AM8]		Technical.
21.	(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats with a view to implementing a genuine security union. This should be pursued through financial assistance to support better	(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling preventing and combating terrorism and violent extremism, including radicalisation, intolerance and discrimination , serious and organised crime, and cybercrime and as well as assisting and protecting victims of crime and	(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular preventing and tackling terrorism and radicalisation, serious and organised crime and cybercrime, managing effectively security-related risks and crises and by assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well	Provisionally agreed: EP proposal 30.04.20: (changes to EP position highlighted in blue) “(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling preventing and combating terrorism and violent extremism, including ¹⁷ radicalisation, serious and organised crime, and cybercrime and as well as assisting and protecting victims of

¹⁷ in line with agreed provisionally definition of “radicalisation” in article 2

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	information exchange, increase operational cooperation and improve national and collective capabilities.	<i>protecting critical infrastructure</i> . The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, <i>such as trafficking, including via online channels, hybrid threats and chemical, biological, radiological and nuclear threats</i> , with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, <i>to</i> increase operational cooperation and improve national and collective capabilities. [AM9]	equipped also to address evolving and emerging threats, <i>including hybrid threats</i> , with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, increase operational cooperation and improve national and collective capabilities.	crime and protecting critical infrastructure ¹⁸ . The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, <i>such as trafficking, including via online channels, hybrid threats and chemical, biological, radiological and nuclear threats</i> , with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, <i>to</i> increase operational cooperation and improve national and collective capabilities.” <u>COM: OK with EP proposal of 30.4.20</u> <u>CNS can agree</u>
22.	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support <i>exchange of and access to information as well as</i> police and judicial	(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and	<u>COM compromise text 20.11.20:</u> <u>“(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support <i>exchange of and access to information as well as</i> police and judicial cooperation and</u>

¹⁸ protection of critical infrastructure is included in recital 12

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	<p>trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.</p>	<p>cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration refugees and irregular migrants, severe labour exploitation, child sexual exploitation and abuse, including of children and women, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through joint training, the development of common policies (strategies, policy cycles, programmes and</p>	<p>organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.</p>	<p><u>prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration refugees and irregular migrants, severe labour exploitation, child sexual exploitation and abuse, including of children and women, distribution of child abuse images and child pornography, and cybercrime.</u> <u>The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the preparedness for and effective management of security-related risks and crises, including through joint training, the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.”</u></p> <p><u>CNS can agree</u> EP proposal 30.04.20: (changes to EP position highlighted in blue)</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		action plans), legislation and practical cooperation. [AM10]		<p>“(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support <i>exchange of and access to information as well as</i> police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration <i>refugees and irregular migrants, severe labour exploitation, child</i> sexual exploitation <i>and abuse, including of children and women,</i> distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the <i>preparedness for and</i> effective management of security-related risks and crises, including through <i>joint training</i>, the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.”</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				TM 10.07.20 Linked to line 99 and discussion on crises and risks;
23.		<i>(12 a) The Fund should provide assistance to law enforcement authorities irrespective of their organisational structure under national law. For this reason, actions involving military forces charged with internal security tasks should also be eligible for support from the Fund, to the extent that such actions serve to contribute to the achievement of the specific objectives of the Fund. In emergency situations, and to address and prevent serious risks to public security, including in the aftermath of a terrorist attack, actions by military forces inside the territory of the Member State should be eligible for support from the Fund. Peace-keeping or defence actions outside the territory of the Member State should under no</i>		Technical. Linked to line 135.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>circumstances be eligible for assistance from the Fund.</i> [AM11]		
24.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ¹⁹ , and should be extended it to take into account new developments.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ²⁰ , and should be extended it to take into account new developments.	(13) The Fund should build on the results and investments of its predecessors: the Prevention and fight against crime (ISEC) programme and the Prevention, preparedness and consequence management of terrorism and other security-related risks (CIPS) programme for the period 2007-2013 and the instrument for police cooperation, preventing and combating crime, and crisis management as part of the Internal Security Fund for the period 2014-2020, established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ²¹ , and should be extended it to take into account new developments.	Identical

¹⁹ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

²⁰ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

²¹ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
25.	(14) There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the industrial sector in the development and implementation of security policy, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund.	(14) There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the <i>European</i> industrial sector in the development and implementation of security policy, <i>in particular as regards cybersecurity</i> , including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund. <i>However, it should be ensured that support from the Fund is not used to delegate statutory or public tasks to private actors.</i> [AM12]	(14) There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the industrial sector in the development and implementation of security policy, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund.	Technical. <u>COM compromise text 20.11.20:</u> <u>(14) There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the <i>European</i> industrial sector in the development and implementation of security policy, <i>in particular as regards cybersecurity</i>, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries and international organisations in relation to the objective of the Fund. <i>However, it should be ensured that support from the Fund is not used to delegate statutory or public tasks to private actors.</i></u> <u>CNS can agree</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
26.	(15) Within the comprehensive framework of the Union’s anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	(15) Within the comprehensive framework of the Union’s anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	(15) Within the comprehensive framework of the Union’s anti-drugs strategy, which advocates a balanced approach based on a simultaneous reduction in supply and demand, the financial assistance provided under this Fund should support all actions aimed at preventing and combating trafficking in drugs (supply and demand reduction), and in particular measures targeting the production, manufacture, extraction, sale, transport, importation and exportation of illegal drugs, including possession and purchase with a view to engaging in drug trafficking activities. The Fund should in particular cover the prevention aspects of the drugs policy. To bring further synergies and clarity in the drugs-related area, these elements of drugs-related objectives — which in 2014-2020 were covered by the Justice programme — should be incorporated into the Fund.	Identical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
27.	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most value to the action of the Member States.	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most European value to the action of the Member States. [AM13]	(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most value to the action of the Member States.	<u>Provisionally agreed</u> Technical. <i>COM Ok with EP's amendment.</i> <i><u>Note: together with lawyer linguists to align European vs Union value throughout the Regulation</u></i> <u>CNS can agree</u>
28.	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council Regulation (EU) No 1053/2013 ²² .	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council	(17) In the interests of solidarity within the Union, and in the spirit of shared responsibility for the security therein, where weaknesses or risks are identified, in particular following a Schengen evaluation, the Member State concerned should adequately address the matter by using resources under its programme to implement recommendations adopted pursuant to Council	<u>Identical</u> Technical.

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

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		Regulation (EU) No 1053/2013 ²³ .	Regulation (EU) No 1053/2013 ²⁴ .	
29.	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives ensures that the overall policy objective can be met.	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address contribute to the achievement of the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives is proportionate to challenges and needs and ensures that the overall policy objective can be met. [AM14]	(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives ensures that the overall policy objective can be met.	Technical. Linked to discussion on minimum percentages. <u>COM compromise text 20.11.20:</u> <u>(18) To contribute to the achievement of the policy objectives of the Fund, Member States should ensure that the priorities of their programmes address contribute to the achievement of the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives is proportionate to challenges and needs and ensures that the overall policy objective can be met.</u> <u>CNS can agree</u>
30.	(19) Synergies, consistency and efficiency should be sought with other	(19) Synergies, consistency and efficiency should be	(19) Synergies, consistency and efficiency should be sought	<u>Identical</u>

²³ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

²⁴ Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	EU funds and overlap between the actions should be avoided.	sought with other EU funds and overlap between the actions should be avoided.	with other EU funds and overlap between the actions should be avoided.	
31.	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be sought ensured in particular with the Asylum and Migration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity and the prevention of radicalisation.	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be ensured in particular with the Asylum and Migration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the	(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be sought ensured in particular with the Asylum, and Integration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the	Technical. <u>COM compromise text 20.11.20:</u> <u>(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be ensured in particular with the Asylum, and Migration and Integration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.	InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity, the protection of victims and the prevention of violent extremism, including radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions. [AM15]	InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity and the prevention of radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.	<u>by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity, the protection of victims and the prevention of violent extremism, including radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.</u> <u>CNS can agree</u>
32.			<i>(20a) In an effort to strengthen complementarities between the Internal Security Fund and the Border Management and Visa Instrument, the Fund should be able to finance multipurpose equipment and ICT systems of which the primary purpose is in accordance with this Regulation but which also contribute to the achievement of the objectives of the Border Management and Visa</i>	Technical. Linked to line 130.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			<i>Instrument established by Regulation (EU) No .../... [BMVI].</i>	
33.	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of the Union's external action and foreign policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), serious and organised crime and corruption, trafficking in human beings and migrant smuggling.	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of external action , the Union's external action and foreign policy and development aid policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism	(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of the Union's external action and foreign policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), serious and	HM 19.10.20 Linked to Council's GA in lines 168 and 288a COM 20.11.20: OK with highlighted EP's amendments. Council's amendment -> political - tbd (21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of external action, the Union's external action and foreign policy and development aid policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest to the Union's internal security, such

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		(including detachments and joint investigation teams), <i>trafficking, in particular of arms, drugs, endangered species and cultural goods</i> , serious and organised crime and corruption, trafficking in human beings and migrant smuggling.[AM16]	organised crime and corruption, trafficking in human beings and migrant smuggling. In that context, a significant part of the funding from the thematic facility should be used to support actions in or in relation to third countries. In its conclusions of 28 June 2018, the European Council underlined the need for flexible instruments, allowing for fast disbursement, to combat illegal migration.	<p>as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), <i>trafficking, in particular of arms and drugs, endangered species and cultural goods</i>, serious and organised crime and corruption, trafficking in human beings and migrant smuggling.</p> <p><u>CNS can agree</u></p> <p>New COM proposal: (21) <u>Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union's external financing instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of external action, the Union's external action and foreign policy and development aid policy related to the country or region in question. In relation to the external dimension, the</u></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>Fund should enhance cooperation with third countries in areas of interest to the Union's internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), trafficking, in particular of arms and drugs, endangered species and cultural goods, serious and organised crime and corruption, trafficking in human beings and migrant smuggling. <i>In that context, a significant part of the funding from the thematic facility should shall be used to support actions in or in relation to third countries. In its conclusions of 28 June 2018, the European Council underlined the need for flexible instruments, allowing for fast disbursement, to combat illegal migration, within the objectives of the fund, in particular in order to contribute to combatting and preventing crime, including drugs trafficking, trafficking in human beings and combatting cross-border criminal smuggling networks.</i></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
34.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	(22) Funding from the Union budget should concentrate on activities where Union intervention can bring added value as compared to actions by Member States alone. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation will contribute in particular to strengthening national and Union capabilities in the security area.	Identical
35.	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> as regards the use of operating support under this Fund if it has failed to fulfil its obligations under the Treaties in the area, of security if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on security or if an evaluation report under the Schengen evaluation and monitoring mechanism identified deficiencies in the relevant area.	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> as regards the use of operating support under this Fund if it has failed to fulfil its obligations under the Treaties in the area, of security if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on security or if an evaluation report under the Schengen evaluation and monitoring	(23) A Member State may be deemed not to be compliant with the relevant Union <i>acquis</i> as regards the use of operating support under this Fund if it has failed to fulfil its obligations under the Treaties in the area, of security if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the <i>acquis</i> on security or if an evaluation report under the Schengen evaluation and monitoring	Identical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		mechanism identified deficiencies in the relevant area.	mechanism identified deficiencies in the relevant area.	
36.		<i>(23a) Under Regulation (EU) No X of the European Parliament and of the Council^{1a}, the Union should take action to protect its budget whenever a generalised deficiency as regards the rule of law is established in a Member State. Regulation (EU) No X should apply to this Fund.[AM17]</i>		Technical.
37.	(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation.	(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation. <i>The implementation of the Fund should be guided by the principles of efficiency, effectiveness and quality of spending. Furthermore, the</i>	(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation.	Technical. <u>COM compromise text 20.11.20:</u> <u>(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation. The implementation of the Fund should be guided by the principles of efficiency, effectiveness,</u>

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

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>implementation of the Fund should be as user-friendly as possible.</i> [AM18]		<i>relevance, coherence, Union added value and quality of spending. Furthermore, the implementation of the Fund should be implemented in the most effective and user-friendly manner possible.</i> CNS can agree
38.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	(25) This Regulation should establish the initial amounts to Member States calculated on the basis of criteria laid down in Annex I.	Identical
39.	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution key, taking into account the state of programme implementation.	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in <i>internal and external</i> security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution key, taking into account the state of programme implementation. [AM19]	(26) These initial amounts should form the basis for Member States' long-term investments in security. To take account of changes in security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution key, taking into account the state of programme implementation.	Provisionally agreed: EP AM COM 20.11.20 OK with EP's amendment CNS can agree
40.		<i>(26a) The critical infrastructure that the Member States have to protect</i>		Trilogue 26.10.20 Possible compromise: EP agreed to drop its amendment

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		<i>should be taken into account when resources available from the Fund are distributed.</i> [AM20]		
41.	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, changes in policy and Union priorities and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance via a thematic facility.	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in <i>internal and external</i> security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, changes in policy and Union priorities and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance via a thematic facility. [AM21]	(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, changes in policy and Union priorities and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance via a thematic facility.	Provisionally agreed: EP AM Technical. COM 20.11.20 OK with EP's amendment CNS can agree
42.	(28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution.	(28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution, <i>primarily because of their significant European added value or their</i>	(28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution.	COM compromise text 20.11.20: (28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution, <i>primarily because of their significant</i>

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		<i>high importance for the Union.</i> [AM22]		<i>European added value or their high importance for the Union.</i> <i>To align with lawyer linguists throughout the Regulation European vs Union added value</i> <i>CNS can agree</i>
43.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	(29) Part of the available resources under the Fund could also be distributed for the implementation of specific actions which require cooperative effort amongst Member States or where new developments in the Union require additional funding to be made available to one or more Member States. These specific actions should be defined by the Commission in its work programmes.	<u>Identical</u>
44.	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection of specific costs related to the objectives under the Fund and should form an	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection	(30) The Fund should contribute to supporting operating costs related to internal security and enable Member States to maintain capabilities which are crucial to the Union as a whole. Such support consists of full reimbursement of a selection of	<u>Identical</u>

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	integral part of the Member States' programmes.	of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.	specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.	
45.	(31) To complement the implementation of its policy objective at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union.	(31) To complement the implementation of its policy objective at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union <i>or among certain Member States. In this regard, cooperation between Member States' intelligence services should be encouraged with a view to ensure the necessary information exchange to enhance the effectiveness of the fight against terrorism as well as serious and organised crime,</i>	(31) To complement the implementation of its policy objective at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union.	TM 13.10.20 Provisionally agreed- without text on "intelligence services" in [] to be replaced with a dedicated recital (31) To complement the implementation of its policy objective at national level through Member States' programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union <i>or among certain Member States. [In this regard, cooperation between Member States' intelligence services should be encouraged with a view to ensure the necessary information exchange to enhance the effectiveness of the fight against terrorism as well as serious and organised crime, and to</i>

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		<i>and to contribute to a better understanding of their cross-border nature. The Fund should support Member States' efforts to exchange best practice and to promote joint training in order to help develop a culture of cooperation and mutual trust between intelligence services as well as between intelligence services and Europol.</i> [AM23]		<i>contribute to a better understanding of their cross-border nature.] The Fund should support Member States' efforts, including at local level, to exchange best practice and to promote joint training, including awareness raising among law-enforcement staff regarding all forms of radicalisation and all forms of discrimination that may could lead to violence, such as antisemitism, antiziganism and other forms of racism. For this purpose, specialised exchange programmes for junior law-enforcement staff could be funded. [in order to help develop a culture of cooperation and mutual trust between intelligence services as well as between intelligence services and Europol.]</i>
46.	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency assistance should therefore not be provided to	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this	(32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging threats to the Union, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency	13.11.20: Provisionally agreed to keep the mention to the situation. COM compromise text 20.11.20: (32) In order to strengthen the Union's capacity to react immediately to security-related incidents or newly emerging threats to the Union, it

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	support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities.	Regulation. Emergency assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities.	assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities and when the competent authorities fail to plan and react properly.	<u>should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. Emergency assistance should therefore not be provided to support mere contingency and long-term measures or to address situations where the urgency to act results from inadequate administrative organisation and insufficient operational planning on the part of the competent authorities and when the competent authorities' failure to plan and react properly.</u> CNS can agree
47.	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised agencies should be eligible as beneficiaries of emergency assistance, including in the form of	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised	(33) In order to ensure the necessary flexibility of action and respond to emerging needs, it should be made possible for decentralised agencies to be provided with the appropriate additional financial means to carry out certain emergency tasks. In instances where the task to be undertaken is of such urgent nature that an amendment of their budgets could not be finalised in time, decentralised agencies should be eligible as	<u>Identical</u>

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	grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	agencies should be eligible as beneficiaries of emergency assistance, including in the form of grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	beneficiaries of emergency assistance, including in the form of grants, consistent with priorities and initiatives identified at Union level by the EU institutions.	
48.		<i>(33 a) In light of the transnational nature of Union actions and in order to promote coordinated action to fulfil the objective of ensuring the highest level of security in the Union, decentralised agencies should also be eligible as beneficiaries of Union action, including in the form of grants. Such support should be consistent with the priorities and initiatives identified at Union level by the Union institutions to ensure European added value.</i> [AM24]		Technical. Linked to line 255 <u>COM compromise proposal 20.11.20:</u> <i><u>(33 a) In light of the transnational nature of Union actions and in order to promote coordinated action to fulfil the objective of ensuring the highest level of security in the Union, decentralised agencies may exceptionally should also be eligible as beneficiaries of Union actions, including in the form of grants, when they assist in the implementation of Union actions falling within the agencies' competences and those actions are not covered by the Union contribution to the budget of the agencies through the annual budget. Such support should be consistent with the priorities and initiatives identified at Union level by the Union institutions to ensure European added value.</u></i>

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				CNS can agree
49.	(34) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	(34) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	(34) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.	Identical
50.			<i>(34a) Blending operations have a voluntary nature and are operations supported by the Union budget combining repayable and/or non-repayable forms of support from the Union budget with repayable forms of support from promotional/ development or other public finance institutions, as well as from commercial finance institutions and investors.</i>	Technical Possible compromise: <i><u>(34a) Blending operations have a voluntary nature and are operations supported by the Union budget combining repayable and/or non-repayable forms of support from the Union budget with repayable forms of support from promotional/ development or other public finance institutions, as well as from commercial finance institutions and investors.</u></i>

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				CNS can agree
51.	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph X of the Interinstitutional Agreement of X between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ²⁵ , for the European Parliament and the Council during the annual budgetary procedure.	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph X of the Interinstitutional Agreement of X between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ²⁶ , for the European Parliament and the Council during the annual budgetary procedure.	(35) This Regulation lays down a financial envelope for the Internal Security Fund (ISF) which is to constitute the prime reference amount, within the meaning of paragraph [X] of the Interinstitutional Agreement of [X] between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ²⁷ , for the European Parliament and the Council during the annual budgetary procedure.	Identical
52.	(36) Regulation (EU, Euratom) No [the new FR] ²⁸ (the ‘Financial Regulation’) applies to this Fund. It lays down rules on the implementation of the Union budget, including the	(36) Regulation (EU, Euratom) No [the new FR] ²⁹ (the ‘Financial Regulation’) applies to this Fund. It lays down rules on the	(36) Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council Regulation (EU,	Provisionally agreed: CSL AM (updated reference to the Financial Regulation) Technical

²⁵ OJ C 373, 20.12.2013, p. 1.
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

²⁶ OJ C 373, 20.12.2013, p. 1.
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

²⁷ OJ C 373, 20.12.2013, p. 1.
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2013.373.01.0001.01.ENG&toc=OJ:C:2013:373:TOC

²⁸ Full reference

²⁹ Full reference

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	rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation is to apply to the actions to be implemented in direct or indirect management under ISF.	implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation is to apply to the actions to be implemented in direct or indirect management under ISF.	Euratom) No [the new FR] ³⁰ (the 'Financial Regulation') applies to this Fund. It lays down rules on the implementation of the Union budget, including the rules on grants, prizes, procurement, indirect implementation, financial assistance, financial instruments and budgetary guarantees. In order to ensure coherence in the implementation of Union funding programmes, the Financial Regulation is to apply to the actions to be implemented in direct or indirect management under ISF.	
53.	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X ³¹ .	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X [CPR] ¹⁸ . <i>In the event of</i>	(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation <i>Regulation (EU, Euratom) 2018/1046</i> and the	Council: Technical EP: Technical → Political <u>COM compromise text 20.11.20:</u> <u>(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the</u>

³⁰ Full reference: *Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 OJ L 193, 30.7.2018*

³¹ Full reference

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		<i>conflicting provisions, this Regulation should take precedence over Regulation (EU) No X [CPR]. [AM25]</i>	Common Provisions Regulation (EU) No X ³² .	Financial Regulation <i>Regulation (EU, Euratom) 2018/1046 and the Common Provisions Regulation (EU) No X³³.</i> <u>CNS can agree</u>
54.	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration and Integration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is	(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum, and Migration and Integration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is	Technical <u>COM compromise text 20.11.20:</u> <u>(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum, and Migration and Integration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of</u>

³² Full reference³³ Full reference

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	the activities that may be financed with the support of this Fund.	necessary to specify the objectives of the Internal Security Fund in this Regulation and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.[AM26]	necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.	the Internal Security Fund in this Regulation and to lay down specific provisions concerning the activities that may be financed with the support of this Fund. CNS can agree
55.		<i>(38 a) To ensure that the Fund supports actions addressing all the specific objectives of the Fund, and that the allocation of resources among the objectives is proportionate to challenges and needs, so that the objectives can be met, a minimum percentage of allocation from the Fund should be defined for each specific objective of the Fund, both for the national programmes and the thematic facility. [AM27]</i>		Technical. Linked to lines 169-173 and 202-206
55a			<u>(38a) A pre-financing scheme for the Fund/instrument is set out in Regulation EU.../....[CPR] with a specific pre-financing rate set out in this Regulation. In addition, in order to ensure a prompt</u>	H

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			reaction to an emergency situation, it is appropriate to set up a specific pre-financing rate for emergency assistance. The pre-financing scheme should ensure that a Member State has the means to provide support to beneficiaries from the start of the implementation of the programme.	
56.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	(39) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the objectives of the actions and to deliver results, taking into account, in particular, the costs of control, the administrative burden, and then expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	Provisionally agreed: CSL AM (updated reference to the Financial Regulation). Technical.

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57.	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ³⁴ , Council Regulation (Euratom, EC) No 2988/95 ³⁵ , Council Regulation (Euratom, EC) No 2185/96 ³⁶ and Council Regulation (EU) 2017/1939 ³⁷ , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of	(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹⁹ , Council Regulation (Euratom, EC) No 2988/95 ²⁰ , Council Regulation (Euratom, EC) No 2185/96 ²¹ and Council Regulation (EU) 2017/1939 ²² , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the	(40) In accordance with <u>Regulation (EU, Euratom) 2018/1046 the Financial Regulation</u> , Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ³⁹ , Council Regulation (Euratom, EC) No 2988/95 ⁴⁰ , Council Regulation (Euratom, EC) No 2185/96 ⁴¹ and Council Regulation (EU) 2017/1939 ⁴² , the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities	

³⁴ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248 18.9.2013, p. 1).

³⁵ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).

³⁶ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

³⁷ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

³⁹ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248 18.9.2013, p. 1).

⁴⁰ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p. 1).

⁴¹ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

⁴² Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

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	<p>administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor's Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council³⁸. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties</p>	<p>recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative <i>and/or criminal</i> sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor's Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council²³. In</p>	<p>including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor's Office ("the EPPO") may investigate and prosecute offences against fraud and other illegal activities affecting the financial interests of the Union's financial interest as provided for in Directive (EU) 2017/1371 of the European</p>	

³⁸ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

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	involved in the implementation of Union funds grant equivalent rights.	accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. <i>Member States shall cooperate fully and provide all necessary assistance to Union institutions, agencies and bodies in the protection of the Union's financial interests. The results of investigations into irregularities or fraud in relation to the Fund should be made available to the European Parliament.</i> [AM28]	Parliament and of the Council ⁴³ . In accordance with <u>Regulation (EU, Euratom) 2018/1046</u> the <u>Financial Regulation</u> , any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO, <u>in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939</u> , and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.	
58.	(41) Horizontal financial rules adopted by the European Parliament and the Council on the basis of	(41) Horizontal financial rules adopted by the European Parliament and the Council on	(41) Horizontal financial rules adopted by the European Parliament and the Council on	H

⁴³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

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	<p>Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.</p>	<p>the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding.</p>	<p>the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. [Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective EU funding. include a general regime of conditionality for the protection of the Union budget.</p>	

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59.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴⁴ , persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴⁵ , persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	(42) Pursuant to Article 94 of Council Decision 2013/755/EU ⁴⁶ , persons and entities established in overseas countries and territories (OCTs) are eligible for funding subject to the rules and objectives of the Fund and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked.	
60.	(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost regions" ⁴⁷ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the	(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost regions"⁴⁸, endorsed by the Council in its conclusion of 12 April 2018,	(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost regions" ⁴⁹ , endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure	Technical. <u>Possible compromise:</u> <u>(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost</u>

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Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

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Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

46

Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) (OJ L 344, 19.12.2013, p. 1).

47

COM (2017)623 final.

48

COM (2017)623 final.

49

COM (2017)623 final.

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	specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.	relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate. [AM29]	that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.	<u>regions⁵⁰", endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate</u>
61.	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ⁵¹ , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, indicators and related targets should be established in relation to each specific objective of the Fund.	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ²⁶ , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In	(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016 ⁵² , there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the	<u>Provisionally agreed.</u> Technical. <u>COM 20.11.20: Ok with EP's amendment</u> <u>CNS can agree</u>

⁵⁰ [COM \(2017\)623 final](#).

⁵¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

⁵² Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

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		order to measure the achievements of the Fund, indicators and related targets should be established in relation to each specific objective of the Fund. <i>Those indicators should include qualitative and quantitative indicators.</i> [AM30]	Fund, indicators and related targets should be established in relation to each specific objective of the Fund.	
62.			<i>(44a) For the purpose of the implementation of the programmes with a view to achieving the objectives of the Fund, it is necessary to process certain personal data of participants in operations supported by the Fund. The personal data should be processed for the common indicators, for monitoring, evaluation, control and audit and, where applicable, for determining the eligibility of participants. The processing of personal data should be done in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council.⁵³</i>	Linked to art. 27a (lines 320-321)

⁵³ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

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63.	(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives <i>over the MFJ 2021-2027 period and an annual target of 30 % as soon as possible and at the latest by 2027.</i> Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes. [AM31]	(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 30% of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.	Text proposed horizontally by EP: Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the Fund will should contribute to mainstream climate actions and to the achievement of an overall target of 30 25 % of the EU budget expenditure supporting climate objectives. <u>In this context, the Fund should support activities that would respect the climate and environmental standards and priorities of the Union and the “do no harm” principle of the European Green Deal.</u>
64.	(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation.	(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR]	(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU)	Technical, linked to line 306 (art. 26)

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		<p>and this Regulation. <i>To adequately fulfil its supervisory role, the Commission should be in a position to establish the amounts actually spent from the Fund in a given year. When reporting the annual accounts of their national programme to the Commission, Member States should therefore distinguish between recoveries, pre-financing payments to final beneficiaries and reimbursement of expenditure that was actually incurred. To facilitate the audit and the monitoring of the implementation of the Fund, the Commission should include those amounts in its annual implementation report for the Fund. The Commission should present a summary of the accepted annual performance reports to the European Parliament and the Council every year. Upon request, the Commission should make the</i></p>	<p>No X [CPR] and this Regulation.</p>	

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		<i>full text of the annual performance reports available to the European Parliament and the Council.</i> [AM32]		
64a			(46a) Regulation (EU) No 514/2014 or any act applicable to the 2014–2020 programming period should continue to apply to programmes and projects supported by the Fund under the 2014–2020 programming period. Since the implementation period of Regulation (EU) No 514/2014 extends over to the programming period covered by this Regulation and in order to ensure continuity of implementation of certain projects approved by that Regulation, phasing provisions should be established. Each individual phase of the phased project should be implemented in accordance with the rules of the programming period under which it receives funding.	
65.	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in	(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in	<u>Identical</u>

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	should be delegated to the Commission in respect of the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.	accordance with Article 290 TFEU should be delegated to the Commission in respect of <i>work programmes for the thematic facility</i> , the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016. [AM33]	accordance with Article 290 TFEU should be delegated to the Commission in respect of the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.	
66.	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the	(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the	Technical. Horizontal. Linked to discussion on line 176.

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	down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ⁵⁴ . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the modalities of providing information to the Commission in the framework of programming and reporting, given their purely technical nature.	European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ²⁷ . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the modalities of providing information to the Commission in the framework of programming and reporting, given their purely technical nature. [AM34]	European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ⁵⁵ . The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the modalities of providing information to the Commission in the framework of programming and reporting, given their purely technical nature.	
67.	(49) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this	(49) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking	(49) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking	

⁵⁴ OJ L 55, 28.2.2011, p. 13.

⁵⁵ OJ L 55, 28.2.2011, p. 13.

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	Regulation and is not bound by it or subject to its application.	part in the adoption of this Regulation and is not bound by it or subject to its application.	part in the adoption of this Regulation and is not bound by it or subject to its application.	
68.	(50) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland [is not taking part in the adoption of this Regulation and is not bound by it or subject to its application / has notified its wish to take part in the adoption and application of this Regulation].	(50) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland [is not taking part in the adoption of this Regulation and is not bound by it or subject to its application / has notified its wish to take part in the adoption and application of this Regulation].	(50) In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the <i>Treaty on European Union</i> ^{TEU} and to the <i>Treaty on the Functioning of the European Union</i> ^{TFEU} , and without prejudice to Article 4 of that Protocol, Ireland [is not taking part in the adoption of this Regulation and is not bound by it or subject to its application / has notified its wish to take part in the adoption and application of this Regulation].	<u>Wording to be checked by Council's legal service</u>
69.			<u>[(50a) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of</u>	

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			that Protocol, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.	
70.	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵⁶ ,	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵⁷ ,	(51) It is appropriate to align the period of application of this Regulation with that of Council Regulation (EU, Euratom) No X laying down the multiannual financial framework ⁵⁸ ,	Identical
71.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
72.	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	
73.	<i>Article 1</i> Subject matter	<i>Article 1</i> Subject matter	<i>Article 1</i> Subject matter	Identical - Provisionally agreed
74.	1. This Regulation establishes the Internal Security Fund ('the Fund').	1. This Regulation establishes the Internal Security Fund ('the Fund') <i>for the period from 1 January 2021 to 31 December 2027.</i> [AM35]	1. This Regulation establishes the Internal Security Fund ('the Fund') <i>for the period from 1 January 2021 to 31 December 2027.</i>	<u>Provisionally agreed - Trilogue 10.12.20</u> 1. This Regulation establishes the Internal Security Fund ('the Fund') <i>for the duration of the MFF 2021-2027.</i>

⁵⁶ Council Regulation (EU, Euratom) No XXX.

⁵⁷ Council Regulation (EU, Euratom) No XXX.

⁵⁸ Council Regulation (EU, Euratom) No XXX.

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				<p>T, H</p> <p>HM 19.10.20 COM: the proposal was without dates not to pose any obstacles to prolonging the Fund in case there is no new regulation at the end of the MFF EP: has different positions in different Funds but sees added value of not having a final date</p>
75.	2. It lays down the objectives of the Fund, the budget for the period 2021-2027, the forms of Union funding and the rules providing for such funding.	2. This Regulation lays down: [AM36]	2. It lays down the objectives of the Fund, the budget for the period 2021-2027, the forms of Union funding and the rules providing for such funding.	<p>T, H</p> <p>HM 19.10.20 Par. 2 provisionally agreed in BMVI/ISF</p>
76.		a) the objectives of the Fund; [AM36]		<p>Council: T, H</p> <p>TM 13.10.20 Provisionally agreed “ the <i>policy objective</i> of the Fund”</p>
77.		b) <i>the specific objectives of the Fund and measures to implement those specific objectives</i> ; [AM36]		<p>TM 13.10.20 Provisionally agreed - EP AM</p>
78.		c) the budget for the period 2021-2027; [AM36]		<p>Council: T, H EP: T</p>

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79.		d) the forms of Union funding and the rules <i>for</i> providing such funding. [AM36]		Provisionally agreed
80.	<i>Article 2</i> Definitions	<i>Article 2</i> Definitions	<i>Article 2</i> Definitions	Identical - provisionally agreed
81.	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	Identical - provisionally agreed
82.	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of the Financial Regulation, combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	(a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council the Financial Regulation , combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;	Council: T, H EP: T, H TM 04.02.20: Text provisionally agreed by Council and EP: (a) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to as defined in point 6 of Article 2(6) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council the Financial Regulation , combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;

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				COM objects as this provision should be treated horizontally with AMF and BMVI
82a				08.09.2020 COM proposal for a definition of “competent authorities” (see EP position in line 104) - EP proposal to replace “such as” by “including” in line with Treaty language <i>‘Competent authorities’ means all Member States’ authorities responsible for the prevention, detection and investigation of criminal offences, as referred to in Article 87 of the TFEU such as including police, customs and other specialised law enforcement services</i> Text is acceptable for EP and CSL; prov. agreement pending agreement on recital incl. intelligence cooperation
83.	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime	(b) ‘crime prevention’ means all measures that are intended to reduce or otherwise contribute to reducing crime and	Identical - Provisionally agreed

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	insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁵⁹ ;	and citizens' feeling of insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁶⁰ ;	citizens' feeling of insecurity, as referred to in Article 2(2) of Council Decision 2009/902/JHA ⁶¹ ;	
84.	(c) 'critical infrastructure' means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	(c) 'critical infrastructure' means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	(c) 'critical infrastructure' means an asset, network, system or part thereof which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption, breach or destruction of which would have a significant impact in a Member State or in the Union as a result of the failure to maintain those functions;	Identical - Provisionally agreed
85.	(d) 'cybercrime' means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools	(d) 'cybercrime' means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems,	(d) 'cybercrime' means cyber-dependent crimes, that is to say crimes that can be committed only through the use of information and communications technology (ICT) devices and systems,	T EP: Link with new recital 5a (line 14). Provisionally agreed

⁵⁹ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

⁶⁰ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

⁶¹ Council Decision 2009/902/JHA of 30 November 2009 setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA (OJ L 321, 8.12.2009, p. 44).

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	for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;	where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT; [AM37]	where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;	“...traditional crimes, such as child sexual exploitation, which...”
86.	(e) ‘EMPACT actions’ means actions undertaken in the framework of the European multidisciplinary platform against criminal threats (EMPACT) ⁶² . EMPACT is a structured multidisciplinary cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	(e) ‘EMPACT actions’ means actions undertaken in the framework of the European multidisciplinary platform against criminal threats (EMPACT) ⁶³ . EMPACT is a structured multidisciplinary cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	(e) ‘ <i>EMPACT EU policy cycle operational actions</i> ’ means actions undertaken in the framework of the <i>EU Policy Cycle for organised and serious international crime, an intelligence-led and multidisciplinary initiative. Its aim is to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations</i> European multidisciplinary platform	Provisionally agreed: (e) ‘EU policy cycle operational actions’ means actions undertaken in the framework of the EU Policy Cycle for organised and serious international crime, an intelligence-led and multidisciplinary initiative. Its aim is to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the and agencies and where relevant third countries and international organisations. COM proposal 02.10.20 on additional sentence;

Commented [EP1]: Council to give reasons for proposed deletion

⁶² Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

⁶³ Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			against criminal threats (EMPACT) ⁶⁴ . EMPACT is a structured multidisciplinary cooperation platform of the relevant Member States, Union institutions and agencies, as well as third countries, international organisations and other public and private partners to address prioritised threats of organised and serious international crime under the EU Policy Cycle;	This action is undertaken through a structured multidisciplinary cooperation platform, EMPACT (European multidisciplinary platform against criminal threats); OK for Council EP can confirm
87.	(f) ‘EU Policy Cycle’ refers to an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations;	(f) ‘EU Policy Cycle’ refers to an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, <i>the Union Justice and Home Affairs</i> agencies and where relevant third countries and <i>specific international</i> organisations; [AM38]	(f) — ‘EU Policy Cycle’ refers to <i>the EU Policy Cycle for organised and serious international crime, an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations;</i>	T, see above TM 04.02.20: provisionally agreed [...]
88.	(g) ‘exchange of and access to information’ means the secure	(g) ‘exchange of and access to information’ means	(g) ‘exchange of and access to information’ means the secure	TM 13.10.20

⁶⁴ — Conclusions of the Council of Justice and Home Affairs Ministers, 8 and 9 November 2010.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime;	the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol, <i>Eurojust and the European Public Prosecutor's Office</i> in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular <i>terrorism and cybercrime, as well as</i> cross-border <i>serious and</i> organised crime, <i>processed in compliance with applicable Union data protection rules</i> ; [AM39]	collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 <i>of the Treaty on the Functioning of the European Union</i> (TFEU) as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime <i>and terrorism</i> ;	Provisionally agreed g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis, access to and exchange transfer of information relevant to the authorities referred to in Article 87 of the Treaty of the Functioning of the European Union (TFEU) as well as to Europol and other relevant Union agencies in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border, serious and organised crime and terrorism ;
89.	(h) ‘judicial cooperation’ means judicial cooperation in criminal matters;	(h) ‘judicial cooperation’ means judicial cooperation in criminal matters; [AM40]	(h) ‘judicial cooperation’ means judicial cooperation in criminal matters;	T Provisionally agreed (deletion of definition + addition of “in criminal matters” in recitals)
90.	(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat cross-border crime effectively through	(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent	(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and	T Provisionally agreed TM 10.07.20

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS ⁶⁵ and further referred to in the CEPOL Regulation ⁶⁶ ;	and combat <i>organised and serious</i> cross-border crime <i>and terrorism</i> effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS ³¹ and further referred to in the CEPOL Regulation ³² ; [AM41]	combat cross border crime effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS⁶⁷ and further referred to in the CEPOL Regulation⁶⁸;	Self-standing definition to be deleted and “organised and serious cross-border crime and terrorism” and “LETS” to be added in line 15 (recital 6)
91.	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁶⁹ ;	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁷⁰ ;	(j) ‘organised crime’ means punishable conduct relating to participation in a criminal organisation, as defined in Council Framework Decision 2008/841/JHA ⁷¹ ;	Identical - provisionally agreed
92.	(k) ‘preparedness’ means any measure aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;	(k) ‘preparedness’ means any measure <i>specific measures</i> aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents; [AM42]	(k) ‘preparedness’ means any measure aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;	TM 04.02.20 Provisionally agreed (k) ‘preparedness’ means any measure <i>action specifically</i> aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;

⁶⁵ COM(2013) 172 establishing a European Law Enforcement Training Scheme (LETS).

⁶⁶ Regulation (EU) 2015/2219 of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL).

⁶⁷ ~~COM(2013) 172 establishing a European Law Enforcement Training Scheme (LETS).~~

⁶⁸ ~~Regulation (EU) 2015/2219 of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL).~~

⁶⁹ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

⁷⁰ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

⁷¹ Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

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93.	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Regulation (EU) No 1053/2013, including in the area of police cooperation;	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Regulation (EU) No 1053/2013, including in the area of police cooperation;	(l) ‘Schengen evaluation and monitoring mechanism’ means the verification of the correct application of the Schengen <i>acquis</i> as laid down in Council Regulation (EU) No 1053/2013 ⁷² , including in the area of police cooperation;	Council wording provisionally agreed
94.	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	(m) ‘tackling corruption’ covers all areas outlined in the United Nations Convention against corruption, including prevention, criminalisation and law enforcement measures, international cooperation, asset recovery, technical assistance and information exchange;	Identical - provisionally agreed
95.	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism ⁷³ .	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of	(n) ‘terrorism’ means any of the intentional acts and offences as defined in Directive (EU) 2017/541 of the European Parliament and of the Council on combating terrorism ⁷⁵ .	Council wording provisionally agreed T

⁷² Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

⁷³ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

⁷⁵ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

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		the Council on combating terrorism ⁷⁴ .		
96.		(o) <i>'emergency situation' means a[ny] security-related incident, or newly emerging threat or newly detected vulnerability</i> [within the scope of this Regulation]which has or may have a significant adverse impact on the security of people, <i>public spaces or critical infrastructure</i> in one or more Member States.	(o) <i>'emergency situation' means any security-related incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States.</i>	T, H TM 04.02.20: self-standing definition Moved from article 22 (see line 271). (o) 'emergency situation' means any security-related incident, or newly emerging threat or newly detected vulnerability within the scope of this Regulation , which has or may have a significant adverse impact on the security of people, public spaces or critical infrastructure in one or more Member States.
97.			(p) <i>'Flash money' is genuine cash which is shown during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to</i>	Provisionally agreed (CNS AM) T Moved from article 4(3)(f) (line 138).

⁷⁴ Directive (EU) 2017/741 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p. 6).

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			<i>carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.</i>	
1.				TM 04.02.20:Wording provisionally agreed: 'radicalisation' <i>means</i> radicalisation leading to violent extremism and terrorism, <i>that is</i> a phased and complex process in which an individual or a group <i>of individuals</i> embraces a radical ideology or belief that accepts, uses or condones violence, including acts of terrorism, to reach a specific political, <i>religious</i> or ideological <i>goal</i> .
1.				Provisionally agreed TM 10.07.20 No definition of “prevention of radicalisation”
98.	<i>Article 3</i> Objectives of the Fund	<i>Article 3</i> Objectives of the Fund	<i>Article 3</i> Objectives of the Fund	Identical - provisionally agreed

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99.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, <i>inter alia through increased cooperation</i> , in particular by tackling <i>preventing and combating</i> terrorism and <i>violent extremism, including radicalisation, serious and organised crime, and cybercrime, as well as</i> and by assisting and protecting victims of crime. <i>The Fund shall also support preparedness for and management of security-related incidents.</i> [AM43]	1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union in particular by <i>preventing and</i> tackling terrorism and radicalisation, serious and organised crime and cybercrime, <i>by managing effectively security-related risks and crises,</i> and by assisting and protecting victims of crime.	T → P TM 13.10.20 Provisionally agreed The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by <i>preventing and combating</i> terrorism and radicalisation, serious and organised crime, and cybercrime, and by assisting and protecting victims of crime as well as by preparing for, protecting against and effectively managing security related incidents, risks and crises within the scope of this Regulation.
100.	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:	2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:	Identical - Provisionally agreed
101.	(a) to increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with	(a) to increase <i>improve and facilitate</i> the exchange of <i>relevant and accurate</i> information among and within the Union law enforcement and	(a) to increase <i>enhance</i> the exchange of information among and within the Union law enforcement and other competent authorities and other	TM 31.08.20 Provisionally agreed: (a) to <i>increase improve and facilitate</i> the exchange of

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	third countries and international organisations;	<i>judicial authorities of the Member States</i> , other competent authorities <i>of the Member States</i> and other relevant Union bodies, <i>in particular Europol and Eurojust, and, where relevant,</i> as well as with third countries and international organisations; [AM44]	relevant Union bodies as well as with third countries and international organisations <i>and to enhance the related capacities of the Member States</i> ;	information among and within the Union law enforcement and other competent authorities <i>of the Member States</i> and relevant Union bodies <i>and, where relevant,</i> with third countries and international organisations; Nb: wording to be adjusted to definition of “competent authorities” (deletion of “law enforcement and other”) (a) to increase <i>improve and facilitate</i> the exchange of information among and within the Union law enforcement, <i>judicial</i> and other competent authorities <i>of the Member States</i> and relevant Union bodies <i>and, where relevant,</i> with third countries and international organisations;
102.	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to serious and organised crime with a cross-border dimension; and	(b) to <i>improve and intensify cross-border coordination and cooperation, including relevant</i> joint operations among and within the Union <i>Member States</i> law	(b) to intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to <i>all forms of crime, in</i>	T → P TM 13.10.20 Provisionally agreed: (b) to improve and intensify cross-border cooperation, including joint

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		enforcement and other competent authorities in relation to terrorism, and serious and organised crime with a cross-border dimension; and [AM45]	<i>particular to terrorism and</i> serious and organised crime with a cross-border dimension; and	operations among and within Member States’ law enforcement and other competent authorities in relation to terrorism and serious and organised crime with a cross-border dimension; and Nb. to be adjusted to definition of “competent authorities” (deletion of “law enforcement and other”) COM compromise drafting 02.09.20: (b) to improve and intensify cross-border cooperation, including joint operations among and within Member States’ law enforcement and other competent authorities in relation to terrorism and serious and organised crime with a cross border dimension; and
103.	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States.	(c) to support effort at the necessary strengthening of the capabilities of the Member States in relation to combatting and preventing crime, including terrorism, cybercrime and violent extremism, including	(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including and terrorism including in particular through increased cooperation between public authorities and all the	T → P TM 13.10.20 Provisionally agreed - COM compromise drafting of 02.09.20

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		<i>radicalisation</i> , in particular through increased cooperation between public authorities, <i>the relevant Union agencies</i> , civil society and private partners <i>actors, within and across the Member States, and civilian crisis management following a security-related incident</i> ; [AM46]	<i>relevant actors</i> including civil society and private partners across the Member States.	(c) to support the strengthening <i>of the Member States'</i> capabilities of in relation to preventing and combating crime, including terrorism, and radicalisation <i>as well as managing security-related incidents, risks and crises, including</i> in particular through increased cooperation between public authorities, the relevant Union agencies, civil society and private partners across the Member States. On common intelligence culture – see line 104
104.		<i>(c a) to develop a common intelligence culture by supporting contacts and mutual trust, understanding and learning, the dissemination of know-how and best practices among the intelligence services of the Member States and with Europol, notably through joint training and the exchange of experts.</i> [AM47]		Trilogue 26.11.20 Provisionally agreed - AM is dropped and a recital as follows to be added (to be checked by legal advisers): "The cross-border nature of serious and organised crime and terrorism requires a coordinated response and cooperation within and between Member States and with competent Union bodies. All competent authorities of Member States, including specialised law enforcement services, may hold valuable information to effectively fight serious and organised crime and terrorism. To accelerate information

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				exchange and to improve the quality of information shared, it is crucial to build mutual trust. New approaches to cooperation and information exchange, including on the threat analysis, should be explored and examined, taking into account existing frameworks within and outside the EU framework such as the EU Intelligence and Situation Centre (INTCEN), Europol's European Counter Terrorism Centre (ECTC), the European Counter Terrorism Coordinator and the Counter Terrorism Group. The Fund should support competent authorities of Member States responsible for the prevention, detection and investigation of criminal offences as referred to in Article 87 of the TFEU insofar as their activities are covered by the scope of the Fund. All funded activities should fully respect the legal status of the different competent authorities and European structures and the required principles of information ownership."
105.	3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the	3. Within the specific objectives set out in paragraph 2, the Fund shall be	3. Within the specific objectives set out in paragraph 2, the Fund shall be	Council: T, H TM 13.10.20

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	implementation measures listed in Annex II.	implemented, <i>inter alia</i> , through the implementation measures listed in Annex II Article 3a . [AM48]	implemented through the implementation measures listed in Annex II.	Provisionally agreed - CNS text
106.	4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and unaccompanied minors.	4. Actions Operations funded shall be implemented in full respect for compliance with fundamental rights and human dignity and the values enshrined in Article 2 of the Treaty on European Union (TEU), and the funding shall be interrupted and recovered in case of clear and substantiated evidence that the actions contribute to violation of such rights. In particular, actions operations shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). In particular, wherever possible, Special attention shall be given by Member States when implementing actions to the	4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and unaccompanied minors.	Council: T, P, H EP: T, P, H EP: Prefers "operations", as they are defined in the CPR but would also be open to including definitions for "actions" and/or "projects" in art. 2 and use them in a consistent manner. Asks CION to propose a solution that would ensure consistency of terminology throughout the text and with CPR + reintroduction of definitions. Horizontal approach needed on fundamental rights CION: Prefers "actions" to avoid confusion with law enforcement operations. CION: The suspension of payments (art. 91 CPR) could address EP's concerns. Council: Right place to introduce a conditionality?

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		assistance and protection of <i>operations relating to</i> vulnerable persons, in particular children and unaccompanied minors. [AM49]		Council: Clarify what are operations, actions and projects. Horizontal question to be dealt with by the three legal services. <u>Possible compromise:</u> <u>COM original proposal</u>
107.		<i>Article 3 a</i> [AM50]		Council: T, H. Structural change proposed. EP: agree to keeping implementation measures in an Annex FOR THE OUTCOME OF NEGOTIATIONS ON LINES 108- 126 SEE LINES 353-367
108.		<i>Implementation measures</i> [AM50]		Council: As above EP: Moved from Annex II (line 353 ff) T→H (Annex v. operative part) EP: agree to keeping implementation measures in an Annex

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109.		<i>1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:[AM50]</i>		<u>TM 16/10: Lines 109 to 126 are skipped</u> Council: As above EP: Technical. Identical with line 354
110.		<i>(a) ensuring uniform application of the Union acquis on security, supporting the exchange of relevant information, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;[AM50]</i>		Council: As above See line 355
111.		<i>(b) setting up, adapting and maintaining security-relevant Union IT systems and communication networks, including ensuring their interoperability, and developing appropriate tools to address identified gaps;[AM50]</i>		Council: As above EP: Technical. See line 356
112.		<i>(c) increasing the active use of Union security-relevant information exchange tools,</i>		Council: As above EP: Technical.

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		<i>systems and databases, improving the interconnection of security-relevant national databases as well as their connection to Union databases when foreseen in relevant legal bases, ensuring that those databases are fed with relevant high quality data;and[AM50]</i>		See line 357
113.		<i>(d) supporting relevant national measures to implement the specific objectives set out in Article 3(2)(a).[AM50]</i>		Council: As above EP: Technical See line 358
114.		<i>2. The Fund shall contribute to the specific objective set out in Article 3(2)(b) by focusing on the following implementation measures:[AM50]</i>		Council: As above EP: Technical. Identical with line 359
115.		<i>(a) increasing relevant law enforcement operations between Member States, including, where appropriate, with other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other</i>		Council: As above EP technical See line 360

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;</i> [AM50]		
116.		<i>(b) increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;</i> [AM50]		Council: As above EP technical Text EP/CSL/COM is identical See line 361
117.		<i>(c) improving inter-agency cooperation and, at Union level, between the Member States themselves, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand, as well as at national level among the competent national authorities in each Member State;</i> [AM50]		Council: As above EP technical See line 362
118.		<i>3. The Fund shall contribute to the specific objective set out</i>		Council: As above EP technical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>in Article 3(2)(c) by focusing on the following implementation measures:[AM50]</i>		See line 363
119.		<i>(a) increasing law enforcement training, exercises and mutual learning, notably by including elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism, specialised exchange programmes between Member States, including for junior law enforcement staff, and sharing of best practice including with third countries and other relevant actors;[AM50]</i>		Council: As above EP technical? See line 364
120.		<i>(b) exploiting synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, common operational support centres for jointly conducted</i>		Council: As above EP Technical See line 365

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>operations, or the sharing of best practices in preventing crime at the local level;</i> [AM50]		
121.		<i>(c) promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and developing partnerships between public authorities and other relevant actors to this effect;</i> [AM50]		Council: As above EP Technical (linguistic adjustment of the text; substance = CION/CSL) See line 366
122.		<i>(d) acquiring relevant equipment and setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats;</i> [AM50]		Council: As above EP Technical (=CION) See line 367 part 1
123.		<i>(e) detecting, assessing and closing vulnerabilities in critical infrastructure and IT equipment with high market penetration in order to prevent attacks against information</i>		See line 367 part 2 Council: As above EP Technical

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>systems and critical infrastructure, for instance by code auditing of free and open source software, by establishing and supporting bug bounty programmes, or by penetration testing.</i> [AM50]		
124.		<i>4. The Fund shall contribute to the achievement of the specific objective set out in Article 3(2)(c a) by focusing on the following implementation measures:</i> [AM50]		Trilogue 26.11.20 Provisionally agreed - AM is dropped See line 367 part 3
125.		<i>(a) improving cooperation and coordination among the intelligence services of the Member States and between these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations and threat assessment;</i> [AM50]		Trilogue 26.11.20 Provisionally agreed - AM is dropped See line 367 part 4

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
126.		<i>(b) the exchange of and training of intelligence officers.</i> [AM50]		Trilogue 26.11.20 Provisionally agreed - AM is dropped See line 367 part 4
127.	<i>Article 4</i> Scope of support	<i>Article 4</i> Scope of support	<i>Article 4</i> Scope of support	Identical - provisionally agreed
128.	1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.	1. Within the objectives referred to in Article 3 and In-line with the implementation measures listed in Annex II Article 3 a , the Fund shall in particular support actions that contribute to the achievement of the objectives referred to in Article 3. They may include the actions listed in Annex III. [AM51]	1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall support actions such as those in particular support the actions listed in Annex III.	Provisionally agreed TM 10.07.20 1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall in particular support measures such as those the actions listed in Annex III.
129.	2. To achieve the objectives of this Regulation, the Fund may support the actions in-line with Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5.	2. To achieve the objectives referred to in Article 3 of this Regulation, the Fund may in exceptional cases, within defined limits and subject to appropriate safeguards , support actions in-line with the Union priorities as referred to in Annex III in relation to and in third countries, where appropriate,	2. To achieve the objectives of this Regulation, the Fund may support the actions in-line with Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5 15a .	Trilogue 26.11.20 Provisionally agreed COM compromise proposal 26.11.20 as slightly adjusted to reflect agreement on other Home Funds: 2. To achieve the objectives of this Regulation, the Fund may, subject to appropriate safeguards , support the actions in line with Union priorities as referred to in Annex III in relation to and in third countries, where

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		in accordance with Article 5. [AM52]		<p>appropriate, in accordance with Article 15a</p> <p><i>2. (a) As regards actions in and in relation to third countries, the Commission and the Member States, together with the EEAS shall, in accordance with their respective responsibilities, ensure coordination with relevant Union policies, strategies and instruments. They shall, in particular, ensure that actions in and in relation to third countries::</i></p> <p><i>(a) are carried out in synergy and in coherence with other actions outside the Union supported through Union instruments;</i></p> <p><i>(b) are coherent with the Union's external policy, respect the principle of policy coherence for development and are consistent with the strategic programming documents for the region or country in question;</i></p> <p><i>(c) focus on non-development-oriented measures;</i></p> <p><i>(d) and serve the interests of the Union's internal policies and are consistent with activities undertaken inside the Union."</i></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
130.		<i>2 a. The total amount of funding for supporting actions in or in relation to third countries under the thematic facility in accordance with Article 8 shall not exceed 2% of the total amount allocated to the thematic facility under Article 7(2)(b)[AM53]</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped [...]
131.		<i>2 b. The total amount of funding for supporting actions in or in relation to third countries under the Member States' programmes in accordance with Article 12 shall not exceed, for each Member State, 2% of the total amount allocated to that Member State in accordance with Article 7(2)(a), Article 10(1) and Annex I.[AM54]</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped [...]
1.			<i>2a. Multipurpose equipment and ICT systems financed under this Fund may be used for achieving the objectives of the Instrument for financial support for border management and visa established by</i>	EP: Need for discussion on links with line 136; should be turned into a recital. CION: doesn't support the Council amendment

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			<p><i>Regulation (EU) No ...[BMVI], as long as the primary purpose of those equipment and ICT systems is in accordance with this Regulation and double-financing is avoided.</i></p>	<p>Trilogue 08/09/20 CSL: wants to ensure funding for multipurpose equipment as long as primary purpose within ISF scope EP: wants to avoid double financing</p> <p>TM 13.10.20 EP: not against the idea but funding of multipurpose equipment is possible in any case; proposes to mention this idea in par. 3 similar to point d – exemption of equipment and ICT systems of which the primary purpose falls within the scope of the BMVI); prohibition of double financing of multipurpose equipment – irrespective the other purpose of use – can be clarified in a recital; CNS: wants to avoid pro-rata financing COM: linked to similar provision in BMVI</p> <p>New Compromise proposal based on agreement reached in BMVI trilogue on 26.11.2020 - text moved to Art. 12 - to be aligned to reflect ISF scope</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><i>"8a. Equipment and ICT systems, financed under this Instrument, may be additionally used in the complementary area of the Instrument for financial support for border management and visa established by Regulation (EU) No ...[BMVI].</i></p> <p><i>Such equipment and ICT systems shall remain available and deployable for the objectives of this Fund.</i></p> <p><i>The use of equipment in the mentioned complementary areas shall not exceed 30 % of the total period of use of that equipment. ICT systems developed under this category shall provide data and services to the border management systems at national or EU level. Member States shall inform the Commission in the annual performance report of any such multiple use and the place of deployment for the multi-purpose equipment and ICT systems."</i></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><u>COM compromise proposal:</u> <u>Equipment and ICT systems, financed under this Fund, may be additionally used in the complementary area of the Instrument for financial support for border management and visa established by Regulation (EU) No ...[BMVI].</u> <u>Such equipment and ICT systems shall remain available and deployable for the objectives of this Fund.</u> <u>The use of equipment in the mentioned complementary areas shall not exceed 30 % of the total period of use of that equipment.</u> <u>ICT systems developed under this category shall provide data and services to the border management systems at national or EU level for the prevention, detention and investigation of criminal offences.</u> <u>Member States shall inform the Commission in the annual performance report of any such multiple use and the place of deployment for the multi-purpose equipment and ICT systems.</u></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
132.	3. The following actions shall not be eligible:	3. The following actions shall not be eligible:	3. The following actions shall not be eligible:	Provisionally agreed “The following actions shall not be eligible:”
133.	(a) actions limited to the maintenance of public order at national level;	(a) actions limited to, <i>or mainly consisting of</i> , the maintenance of public order at national level;[AM55]	(a) actions limited to the maintenance of public order at national level;	T TM 10.07.20 Provisionally agreed - EP AM withdrawn
134.	(b) actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	(b) actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	(b) — actions covering the purchase or maintenance of standard equipment, standard means of transport or standard facilities of the law-enforcement and other competent authorities referred to in Article 87 TFEU;	Trilogue 26.11.20 Provisionally agreed on Council text with the addition of a recital as follows: <i>"The Fund should support investments in equipment, means of transport and facilities only when they have a clear Union added value and to the extent that they are necessary for achieving the objectives of the Fund. These are, for example, investments in equipment needed for forensics, covert surveillance, explosives and drug detection and any other specialised purpose of relevance to the Fund. The Fund should not finance investments of purely national relevance and necessary for the everyday work of the</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<i>competent authorities, such as uniforms, cars, buses, scooters, police stations, non-specialised training centres and office equipment."</i>
135.	(c) actions with a military or defence purpose;	(c) actions with a military or defence purpose;	(c) actions with a military or defence purpose;	Provisionally agreed
136.	(d) equipment of which at least one of the purposes is customs control;	(d) equipment of which at least one of the purposes the main purpose is customs control; [AM56]	(d) equipment of which at least one of the primary purposes is customs control;	T, H Provisionally agreed TM 10.07.20 "equipment of which at least one of the primary purposes is customs control"
137.	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	(e) coercive equipment, including weapons, ammunition, explosives and riot sticks, except for training;	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
138.	(f) informant rewards and flash money ⁷⁶ outside the framework of an EMPACT action.	(f) informant rewards and flash money ⁷⁷ outside the framework of an EMPACT action.	(f) informant rewards and flash money ⁷⁸ outside the framework of an <i>EU policy cycle operational action</i> EMPACT action.	T CSL text provisionally agreed
139.	Where an emergency situation occurs, non-eligible actions referred to in this paragraph may be considered eligible.	Where an emergency situation occurs, non-eligible actions referred to in this paragraph points (a) and (b) of the first subparagraph may be considered eligible. [AM57]	Where an emergency situation occurs, non-eligible actions referred to in this paragraph may be considered eligible.	T Trilogue 26.11.20 Provisionally agreed: "Where an emergency situation occurs, non-eligible actions referred to in this paragraph point (a) of the first subparagraph may be considered eligible."
140.	<i>Article 5</i> Eligible entities	<i>Article 5</i> Eligible entities	<i>Article 5</i> Eligible entities	Provisionally agreed - moved to Art. 15 a - see lines 240-248 T, H (the location and content),

⁷⁶ 'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.

⁷⁷ 'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.

⁷⁸ 'Flash money' is genuine cash which is shown (exhibited) during a criminal investigation as proof of liquidity and solvency to the suspects or other persons who have information about availability or delivery or who act as intermediaries, in order to carry out a fictitious purchase aimed at arresting suspects, identifying illegal production sites or otherwise dismantling an organised crime group.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>Tcal mtg 29,10:</p> <p>COM to come back with examples and a revised compromise text on the whole article.</p> <p>CSL: CPR covers shared management - moved to article 15a (lines 240ff)</p> <p>CION: confirmed that CPR covered shared management; supports moving this article to the section on (in)direct management;</p> <p>EP: accepts argument; location to be discussed horizontally</p>
141.	1. The following entities may be eligible:	1. The following entities may be eligible:	1. The following entities may be eligible:	see lines 240-248 Text provisionally agreed, pending agreement on location
142.	(a) legal entities established in any of the following countries:	(a) legal entities established in any of the following countries:	(a) legal entities established in any of the following countries:	see lines 240-248 Text provisionally agreed, pending agreement on location
143.	(i) a Member State or an overseas country or territory linked to it;	(i) a Member State or an overseas country or territory linked to it;	(i) a Member State or an overseas country or territory linked to it;	see lines 240-248 Text provisionally agreed, pending agreement on location
144.	(ii) third country listed in the work programme under the conditions specified therein.	(ii) <i>a</i> third country listed in the work programme under the conditions specified therein, <i>subject to the condition that all actions by, in, or in</i>	(ii) third country listed in the work programme under the conditions specified therein.	see lines 240-248 Text provisionally agreed T → P, H CSL asks for explanation in political trilogue on fundamental rights and

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>relation to, that third country fully respect the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and the international obligations of the Union and the Member States.</i> [AM58]		international obligations, reflected differently in BMVI and other files EP: flexible on wording, but need to reflect concerns on respect for fundamental rights COM: T + H Proposed EP addition focuses on eligibility of actions, not entities If paragraph 3 is a condition to be read with point (a)(ii), see line 147
145.	(b) any legal entity created under Union law or any international organisation.	(b) any legal entity created under Union law or any <i>relevant</i> international organisation. [AM59]	(b) any legal entity created under Union law or any international organisation.	see lines 240-248 Text provisionally agreed T, H Council: as above; flexible, but could be unclear what “relevant” means EP: more specification for eligibility required; to check internally COM: T + H, opposes addition of “relevant” to be future proof
146.	2. Natural persons are not eligible.	2. Natural persons are not eligible.	2. Natural persons are not eligible.	see lines 240-248 COM: T + H Provisionally agreed pending agreement on location
147.	3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.	3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement	3. Legal entities established in a third country are exceptionally eligible to participate where this is	see lines 240-248 Council: T, H, EP addition could cause delays CION: not needed if provision applies only to direct and indirect

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		of the objectives of a given action, <i>following approval by the Commission</i> . [AM60]	necessary for the achievement of the objectives of a given action.	management. Consultation would be more appropriate in order to avoid double funding. To check CPR wording. If paragraph 3 only refers to countries listed in the work programme (par. 1 a ii), then reference to this paragraph should be added there. But if a third country not listed in a work programme is meant, then it should be added as point iii. <u>Provisionally agreed</u>
148.	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries, are eligible.	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or <i>in</i> overseas countries or territories linked to those states or in third countries , are eligible.[AM61]	4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries, are eligible.	see lines 240-248 <u>Provisionally agreed</u> Council: T, H EP deletion limiting, Council would like to see examples; EP: H, confusing with 1. a (ii) and 3., where word “exceptionally” is used; CION: according to current practice third country entities beneficiaries only in consortia with entities from MS
149.	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	CHAPTER II FINANCIAL AND IMPLEMENTATION FRAMEWORK	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
150.	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	SECTION 1 COMMON PROVISIONS	Provisionally agreed
151.	<i>Article 6</i> General principles	<i>Article 6</i> General principles	<i>Article 6</i> General principles	Provisionally agreed
152.	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing added value to the objectives of this Regulation.	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing <i>European</i> added value to the objectives of this Regulation. [AM62]	1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing added value to the objectives of this Regulation.	Provisionally agreed New text: “Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing <i>Union</i> added value to the objectives of this Regulation.”
153.	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union instruments.	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union <i>national instruments and coordinated with other instruments of the Union, in particular actions carried out under other Union funds.</i> [AM63]	2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union instruments.	HM 27/11/20 Provisionally agreed: The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant actions, policies and priorities of the Union, and is complementary to other Union instruments.
154.	3. The Fund shall be implemented under shared, direct or	3. The Fund shall be implemented under shared,	3. The Fund shall be implemented under shared,	Provisionally agreed

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	indirect management in accordance with Articles 62(1)(a), (b) and (c) of the Financial Regulation.	direct or indirect management in accordance with Articles 62(1)(a), (b) and (c) of the Financial Regulation.	direct or indirect management in accordance with Articles 62(1)(a), (b) and (c) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	T COM: T + H
155.	Article 7 Budget	Article 7 Budget	Article 7 Budget	
156.	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 500 000 000 in current prices.	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 209 725 000 in 2018 prices (EUR 2 500 000 000 in current prices). [AM64]	1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 1 931 000 000 in current prices.	EP: Technical TM 13.10.20 EP: pending adoption of the MFF
157.	2. The financial envelope shall be used as follows:	2. The financial envelope shall be used as follows:	2. The financial envelope shall be used as follows:	
158.	(a) EUR 1 500 000 000 shall be allocated to the programmes implemented under shared management;	(a) EUR 1 325 835 000 in 2018 prices (EUR 1 500 000 000 in current prices) shall be allocated to the programmes implemented under shared management; [AM65]	(a) EUR 1 352 000 000 shall be allocated to the programmes implemented under shared management;	Political trilogue 10/12/20: proportion of allocation provisionally agreed based on CSL proposal EP: Technical. TM 13.10.20 - lines 158-159 EP: allocation to different components will have to be discussed once the overall allocation to the Fund in MFF is known

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
159.	(b) EUR 1 000 000 000 shall be allocated to the thematic facility.	(b) <i>EUR 883 890 in 2018 prices</i> (EUR 1 000 000 000 <i>in current prices</i>) shall be allocated to the thematic facility.[AM 66]	b) EUR 579 000 000 shall be allocated to the thematic facility.	Political trilogue 10/12/20: proportion of allocation provisionally agreed based on CSL proposal EP: Technical TM 13.10.20 - lines 158-159 EP: allocation to different components will have to be discussed once the overall allocation to the Fund in MFF is known
160.			12a. The above amounts include a dedicated, significant component for external migration management⁷⁹.	EP: Political. TM 13.10.20 Dropped in revised Council's mandate as transferred to other parts of the regulation
161.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	3. Up to 0.84 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission for the implementation of the Fund.	Provisionally agreed HM 14.07.20: ISF and BMVI text also in AMF
161a			4. Without prejudice to the resources allocated to Member States under shared management and transferrable in accordance with Article 21 of Regulation (EU) XX [CPR], up to 5% in	Provisionally agreed Text agreed in BMVI:

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			<u>total of the initial national allocation from any of the funds of the Common Provisions Regulation under shared management may, at the request of Member States, be transferred to the Fund under direct or indirect management. The Commission shall implement those resources directly in accordance with Article 62(1)(a) of the Financial Regulation or indirectly in accordance with Article 62(1)(c). Those resources shall be used for the benefit of the Member State concerned.</u>	“In accordance with Article 21 of Regulation (EU) XX [CPR], up to 5%...”
162.	<i>Article 8</i> General provisions on the implementation of the thematic facility	<i>Article 8</i> General provisions on the implementation of the thematic facility	<i>Article 8</i> General provisions on the implementation of the thematic facility	Provisionally agreed
163.	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	1. The financial envelope referred to in Article 7(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes. Funding from the thematic facility shall be used for its components:	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
164.	(a) specific actions;	(a) specific actions;	(a) specific actions;	Provisionally agreed
165.	(b) Union actions; and	(b) Union actions; and	(b) Union actions; and	Provisionally agreed
166.	(c) emergency assistance.	(c) emergency assistance.	(c) emergency assistance.	Provisionally agreed
167.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.	Provisionally agreed
168.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II.	2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in <i>Article 3 a, for specific measures such as those listed in Annex III, or to support measures in accordance with Article 19. The allocation of resources of the thematic facility among the different priorities shall, as far as possible, be proportionate to challenges and needs so as to ensure that the objectives of the Fund can be met.</i> [AM67]	2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II. <u>A significant part of the funding from the thematic facility shall be used for supporting actions in or in relation to third countries in order to contribute to external migration management in relation to combatting illegal migration and trafficking in human beings.</u>	Council: T, H (the place of actions) EP: Political, horizontal, depends on agreement where implementation measures will be placed Trilogue 26.11.20 Agreement tbc on: 2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II. <u>The allocation of resources of the thematic facility among the different priorities shall, as far as possible, be proportionate to challenges and needs so as to ensure that the objectives of the Fund can be met. Funding from the thematic facility shall should shall be</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><i>used for supporting actions in or in relation to third countries, within the objectives of the Fund, in particular in order to contribute external migration management in relation to combatting and preventing crime, amongst others, including drugs trafficking, trafficking in human beings and combatting cross-border criminal smuggling networks.</i></p> <p><u>T</u>-text agreed in AMF <u>2a.</u> The Commission shall engage with civil society organisations and relevant networks, notably in view of preparing and evaluating the work programmes for Union Actions financed through the Fund.</p>
169.		<i>2 a. The funding from the thematic facility shall be allocated as follows:[AM68]</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped
170.		<i>a) a minimum of 10 % to the specific objective referred to in point (a) of Article 3(2); [AM68]</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped
171.		<i>b) a minimum of 10 % to the specific objective referred to</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>in point (b) of Article 3(2);</i> [AM68]		
172.		<i>c) a minimum of 30 % to the specific objective referred to in point (c) of Article 3(2);</i> [AM68]		Trilogue 26.11.20 Provisionally agreed - AM is dropped
173.		<i>d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2).[AM68]</i>		Trilogue 26.11.20 Provisionally agreed - AM is dropped
174.	3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.	3. When funding from the thematic facility is granted in direct or indirect management to Member States, no funding shall be ensured that selected projects are not affected by, where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be in doubt as a result of a reasoned opinion issued by the Commission in respect of an infringement procedure under Article 258 TFEU of the TFEU that puts at risk the legality and regularity of expenditure or the	3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.	T, H HM 14/7/20 Provisionally agreed “When funding from the thematic facility is granted in direct or indirect management to Member States, <u>projects</u> which are affected by a reasoned opinion by the Commission in respect of an infringement <u>proceedings</u> under Article 258 TFEU that put at risk the legality and regularity of expenditure or the performance of <u>those</u> projects <i>shall not be selected.</i> ”

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		performance of projects.. [AM69]		
175.	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No [CPR], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No X [CPR], assess whether the foreseen actions are not affected by ensure that no funding is available for projects, where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be in doubt as a result of a reasoned opinion issued by the Commission in respect of an infringement procedure under Article 258 TFEU of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects [AM70]	4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No [CPR], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.	T, H HM 14.07.20 - Provisionally agreed "4. For the purposes of Article 18 and Article 19(2) of Regulation (EU) No .../... [CPR], when funding from the thematic facility is implemented in shared management, the Member State shall ensure that, and the Commission shall assess whether , the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 TFEU on a matter that puts at risk the legality and regularity of expenditure or the performance of the actions ."
176.	5. The Commission shall establish the overall amount made available for the thematic facility at	5. The Commission shall establish the overall amount made available for the thematic	5. The Commission shall establish the overall amount made available for the thematic	Council: T → P, H,

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	<p>under the annual appropriations of the Union budget. The Commission shall adopt financing decisions as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations.</p>	<p>facility at under the annual appropriations of the Union budget. The Commission shall financing decisions <i>be empowered to adopt delegated acts in accordance with Article 28 in order to supplement this Regulation by laying down work programmes</i> as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. <i>Before the adoption of a work programme, the Commission shall consult relevant stakeholders, including civil society organisations. Work programmes</i> Financing decisions shall set out, where applicable, the overall amount reserved for blending operations. <i>To ensure a timely availability of resources, the Commission may separately</i></p>	<p>facility at under the annual appropriations of the Union budget. The Commission shall <i>by means of implementing acts</i> adopt financing decisions as referred to in Article [110] of the Financial Regulation <i>Regulation (EU, Euratom) 2018/1046</i> for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2).</i></p>	<p>if to be aligned with BMVI, paragraph to be split after “Union budget”; introduce implementing acts with examination procedure (status quo under Regulation (EU) 514/2014)</p> <p>EP: P, H, ok to split paragraph after “Union Budget” (alignment with BMVI); sticks to delegated acts;</p> <p>CION: both delegated and implementing acts to cause delays; suggests instead a sort of consultation; separate WP for emergency assistance is implicitly covered by par. 5 (financing decisions)</p> <p>HM 09.09.20:</p> <p>EP: last sentence of the AM (emergency assistance) can be deleted</p> <p>Provisionally agreed - Trilogue 10.12.20</p> <p>"5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget. The Commission shall <i>by means of implementing acts</i> adopt financing decisions as referred to in Article 110 of <i>Regulation (EU, Euratom) 2018/1046</i> the Financial</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>adopt a work programme for emergency assistance.</i> [AM71]		<p>Regulation for the thematic facility <u>identifying objectives and actions to be supported and specifying the amounts for each of its components as referred to in paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations.</u> <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29(2a)."</i></p> <p>Text to be inserted on the possibility for EP to influence the content of the implementing act (on the line of Anti-Fraud Programme)</p> <p>Text to be moved from line 288a: <u>The Commission shall also report on the share of the thematic facility used for supporting actions in or in relation to third countries.</u></p>
177.	6. Following the adopting of the financing decision as referred to in paragraph 3, the Commission may amend the programmes implemented under shared management accordingly.	6. Following the adopting <i>adoption</i> of the financing decision <i>work programme</i> as referred to in paragraph 3 <i>5</i> , the Commission may amend the programmes implemented under shared	6. Following the adopting of the financing decision as referred to in paragraph 3 <i>5</i> , the Commission may amend the programmes implemented under shared management accordingly.	<p>P, T, H Linked to delegated/implementing acts – see line 176. Provisionally agreed - Trilogue 10.12.20 <u>6. Following the adopting of the financing decision as referred to in paragraph 3<i>5</i>, the Commission may</u></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		management accordingly.[AM72]		<u>amend the programmes implemented under shared management accordingly.</u>
178.	7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	7. These financing decisions work programmes may be annual or multiannual and may cover one or more components of the thematic facility.[AM73]	7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.	<u>Provisionally agreed - Trilogue 10.12.20 P, T, H Linked to delegated/implementing acts—see line 176. 7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.</u>
179.	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	SECTION 2 SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT	Provisionally agreed
180.	<i>Article 9 Scope</i>	<i>Article 9 Scope</i>	<i>Article 9 Scope</i>	Provisionally agreed
181.	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	1. This section applies to the part of the financial envelope referred to in Article 7(2)(a) and the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.	<u>Provisionally agreed - Trilogue 10.12.20 HM 14.07.20 To be further discussed EP: calls for delegated acts for thematic facility, so no agreement for Commission “decision” for thematic facility; ISF omission cannot agree 1. This section applies to the part of the financial envelope referred to in</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				Article 7(2)(a) and the additional resources to the implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.
182.	2. Support under this section shall be implemented under shared management in accordance with Article 63 of the Financial Regulation and the Regulation (EU) No [CPR].	2. Support under this section shall be implemented under shared management in accordance with Article 63 of the Financial Regulation and the Regulation (EU) No [CPR].	2. Support under this section shall be implemented under shared management in accordance with Article 63 of the Financial Regulation Regulation (EU, Euratom) 2018/1046 and the Regulation (EU) No [CPR].	Provisionally agreed
183.	<i>Article 10</i> Budgetary resources	<i>Article 10</i> Budgetary resources	<i>Article 10</i> Budgetary resources	Provisionally agreed
184.	3. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	3. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	3.1. Resources referred to in Article 7(2)(a) shall be allocated to the national programmes implemented by Member States under shared management ('the programmes') indicatively as follows:	Provisionally agreed
185.	(a) EUR 1 250 000 000 to the Member States in accordance with the criteria in Annex I;	(a) EUR 1 250 000 000 to the Member States in accordance with the criteria in Annex I;	(a) EUR 1 127 000 000 to the Member States in accordance with the criteria in [Annex I];	TM 13.10.20 - lines 185-186: CNS: the proportion between (a) and (b) is the same as in original COM proposal EP: linked to Art. 13(2)
186.	(b) EUR 250 000 000 to the Member States for the adjustment of	(b) EUR 250 000 000 to the Member States for the	(b) EUR 225 000 000 to the Member States for the	TM 13.10.20 - lines 185-186:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	the allocations for the programmes as referred to in Article 13(1).	adjustment of the allocations for the programmes as referred to in Article 13(1).	adjustment of the allocations for the programmes as referred to in Article 13(1).	CNS: the proportion between (a) and (b) is the same as in original COM proposal EP: linked to Art. 13(2)
187.	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	4. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 7(2)(b).	HM 19.11.20 Commission text provisionally agreed.
187a			<i>Article 10a</i>	
187b			Pre-financing	Provisionally agreed (lines 187b-187j) EP can confirm
187c			In accordance with Article 84(3) of Regulation EU...[CPR], the pre-financing for the Fund shall be paid in yearly instalments before 1 July of each year, subject to the availability of funds, as follows:	HM 19.11.20: compromise on which EP and CNS will consult internally: "In accordance with Article 84(3a) of Regulation EU...[CPR], the pre-financing for the Fund shall be paid in yearly instalments before 1 July of each year, subject to the availability of funds, as follows:" CNS can agree with the text.
187d			(a) 2021: 5%	(a) 2021: 4 %
187e			(b) 2022: 5%	(a) 2021: 3 %
187f			(c) 2023: 5%	(a) 2021: 5 %
187g			(d) 2024: 5%	(a) 2021: 5 %
187h			(e) 2025: 5%	(a) 2021: 5 %
187i			(f) 2026: 5%	(a) 2021: 5 %

Commented [EP2]: EP has confirmed this text

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
187j			<u>Where a programme is adopted after 1 July 2021, the earlier instalments shall be paid in the year of adoption.</u>	Where a programme is adopted after 1 July 2021, the earlier instalments shall be paid in the year of adoption.
188.	<i>Article 11</i> Co-financing rates	<i>Article 11</i> Co-financing rates	<i>Article 11</i> Co-financing rates	Provisionally agreed
189.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.	Provisionally agreed HM 14.07.20: Recital to be added for AMF
190.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.	Provisionally agreed HM 14.07.20 Provisionally agreed (confirmed)
191.	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.	Provisionally agreed
192.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.	Provisionally agreed
193.	5. The contribution from the Union budget may be increased to	5. The contribution from the Union budget may be	5. The contribution from the Union budget may be	Provisionally agreed

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	100 % of the total eligible expenditure for emergency assistance.	increased to 100 % of the total eligible expenditure for emergency assistance.	increased to 100 % of the total eligible expenditure for emergency assistance.	
194.		<i>5 a. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.</i> [AM74]	<i>5a. Within the limits set out in Article 30(5)(v) of Regulation (EU) No [CPR], technical assistance of Member States may be financed up to 100 % of the Union budget contribution.</i>	TM 14.07.20 Provisionally agreed <i>The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States within the limits set out in Article 30(x)(x) of Regulation (EU) No [CPR].</i>
195.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.	Provisionally agreed
196.	7. For each specific objective, the Commission decision shall set out whether the co-financing rate for the specific objective is to be applied to:	7. For each specific objective, the Commission decision shall set out whether the co-financing rate for the specific objective is to be applied to:	7. For each <i>type of actions</i> specific objective, the Commission decision <i>approving a programme</i> shall set out whether the co-financing rate for the <i>type of actions</i> specific objective is to be applied to <i>either of the following</i> :	T, H TM 14/7/20 Provisionally agreed (subject to horizontal agreement on terminology)

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				7. For each <i>type of action</i> specific objective , the Commission decision <i>approving a programme</i> shall set out whether the co-financing rate for the <i>type of action</i> specific objective is to be applied to <i>either of the following</i> :
197.	(a) the total contribution, including the public and private contributions; or	(a) the total contribution, including the public and private contributions; or	(a) the total contribution, including the public and private contributions; or	Provisionally agreed (a) the total contribution, including the public and private contributions; or
198.	(b) the public contribution only.	(b) the public contribution only.	(b) the public contribution only.	Provisionally agreed
199.	<i>Article 12</i> Programmes	<i>Article 12</i> Programmes	<i>Article 12</i> Programmes	Provisionally agreed
200.	1. Each Member State shall ensure that the priorities addressed in its programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set out in Annex II are adequately addressed in the programme.	1. Each Member State <i>and the Commission</i> shall ensure that the priorities addressed in its <i>the national</i> programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure	1. Each Member State shall ensure that the priorities addressed in its programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set out in Annex II are	CSL: openCOM: T + H, would like to align with AMF and BMVI, will propose wording, “ensure” too strong EP: no intention to introduce new procedure but to reflect CPR; proposal to reverse the order of sentences to make the sequence of the stages clearer; 1. — In defining the priorities of their [national] programmes, Member States shall ensure that the

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		that the implementation measures as set out in Annex II Article 3 a are adequately addressed in the programme.[AM75]	adequately addressed in the programme.	<p>implementation measures as set out in Annex II Article 3 a are adequately addressed. Each Member State, and the Commission at the stage of approval, shall ensure that the priorities addressed in its the national programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union acquis and agreed Union priorities. [AM75]</p> <p>TM 13.10.20 – alignment of final part of ISF text (Annex II Article 3 a) provisionally agreed</p> <p>HM 29.10.20 COM proposes to delete “and the Commission” at the beginning of EP AM and add a reference to Art. 18 CPR at the end COM to issue a compromise proposal reflecting the role of COM under shared management including a reference to Art. 18 CPR (Approval of programmes).</p> <p>Compromise text to be confirmed. Provisionally agreed:</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>"1. Each Member State shall ensure that the priorities addressed in its programme are consistent with, and respond to, the Union priorities and challenges in the area of security and are fully in line with the relevant Union <i>acquis</i> and agreed Union priorities, In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed. <i>The Commission shall assess the programmes in accordance with Article 18 of Regulation [XXXX/XX] [CPR]."</i></p> <p><i>EP can confirm</i></p>
201.		<p><i>1 a. When assessing the national programs of the Member States, the Commission shall ensure that the planned actions are not affected by a reasoned opinion that it has delivered concerning an infringement under Article 258 TFEU relating to the legality and regularity of expenditure or the execution of projects.</i>[AM76]</p>		<p><i>Provisionally agreed: EP drops the amendment T, maybe P Also H Council: related to 174, 175, CPR text sufficient</i></p> <p><i>CION: Art. 67 CPR refers to implementation phase, not planning; programme does not provide sufficient level of detail regarding actions; if infringement procedures for not implementing legislation started;</i></p>

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				<p>funding can help MS to address deficiencies</p> <p>EP can confirm dropping the AM</p>
202.		<i>1 b. Member States shall allocate the resources for their national programmes as follows:[AM77]</i>		<p>T → P Trilogue 26.11.20</p> <p>Provisionally agreed: "1b. In that regard, and without prejudice to paragraph 1c below, Member States shall allocate:" A new Recital will be inserted as follows: "Member States shall ensure that their programmes include actions addressing all the specific objectives of the Fund referred to in Article 3(2) and that the allocation of resources among the objectives ensures that those objectives can be met."</p>
203.		<i>a) a minimum of 10% to the specific objective referred to in point (a) of Article 3(2);[AM77]</i>		<p>T → P Trilogue 26.11.20</p> <p>Provisionally agreed: "(a) a minimum of 10% of their allocated resources to the specific objective referred to in point (a) of paragraph 2 of Article 3; and"</p>
204.		<i>b) a minimum of 10 % to the specific objective referred to</i>		<p>T → P Trilogue 26.11.20</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>in point (b) of Article 3(2);[AM77]</i>		Provisionally agreed: "(b) a minimum of 10% of their allocated resources to the specific objective referred to in point (b) of paragraph 2 of Article 3.
205.		<i>c) a minimum of 30 % of the to the specific objective referred to in point (c) of Article 3(2);[AM77]</i>		T → P Trilogue 26.11.20 Provisionally agreed: Amendment dropped C
206.		<i>d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2)(c a).[AM77]</i>		T → P Trilogue 26.11.20 Provisionally agreed: Amendment dropped
207.		<i>1 c. Member States wishing to derogate from paragraph 1b shall inform the Commission accordingly and shall assess, together with the Commission, whether those minimum percentages should be amended because of particular circumstances affecting internal security. Any such amendments shall be approved by the Commission.[AM78]</i>		T, H Trilogue 26.11.20 Provisionally agreed: "1c. Member States may depart from the minimum percentages only where a detailed explanation is included in the programme as to why allocating resources below this level does not jeopardise the achievement of the objective."

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
208.	<p>2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the development of the programmes at an early stage, as regards the areas of their competence. Specifically, Member States shall consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps.</p>	<p>2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL), <i>the European Union Agency for Criminal Justice Cooperation (Eurojust), the European Public Prosecutor's Office (EPPO), the European Union Network and Information Security Agency (ENISA), the European Agency for the operational management of large-scale IT Systems (eu-LISA), the European Border and Coast Guard Agency (EBCGA), the European Union Agency for Fundamental Rights (FRA)</i> and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the <i>involved in the programme</i> development of the programmes at an early stage <i>from the outset</i>, as regards the areas of their competence. Specifically,</p>	<p>2. <i>At an early stage of the programming,</i> tThe Commission shall <i>consult</i> ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the development of the programmes consulted at an early stage, as regards the areas of their competence.</p>	<p>Provisionally agreed:</p> <p>COM drafting proposal of 9.10.20 with EP suggested changes:</p> <p>2. The Commission shall ensure that <i>the knowledge and expertise of the relevant decentralised agencies</i> are taken into account in the development of the <i>Member States'</i> programmes at an early stage.</p> <p><i>Recital (x)</i></p> <p><i>In order to benefit from the knowledge and expertise of the decentralised agencies with competences in the areas of law enforcement cooperation and training, drugs and drug addiction monitoring, fundamental rights, justice matters, border management and large-scale IT systems, the Commission will involve relevant agencies in the work of the Coordination Committee set up by this Regulation, especially at the beginning of the programming phase and at mid-term. Where appropriate, the Commission may also involve the relevant agencies in the monitoring and evaluation, in particular with a</i></p>

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		Member States shall consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps. <i>Members States shall also consult other relevant stakeholders, including civil society organisations, on the planning of their actions.</i> [AM79]		<i>view to ensure that the actions supported by the Fund are compliant with the relevant Union acquis and agreed Union priorities.</i> TM 13.10.20 (lines 208-210): EP: would prefer specific agencies not to be mentioned in par. 2a, to be replaced with “relevant agencies” CNS: lines 208-210 to be considered as a package, positive scrutiny on compromise proposals COM: will consult internally on solution proposed by EP 30.11.20 CNS can agree with the COM compromise proposal EP can confirm
209.			2a. Specifically <i>In order to avoid overlaps</i> , Member States shall consult <i>inform</i> Europol, or EMCDDA or CEPOL on the design of their actions when including in their programmes <i>EU Policy Cycle operational actions or other actions related to the areas of competence of the abovementioned agencies</i> in particular when including EU	Provisionally agreed COM drafting proposal of 26.10.20: In order to avoid overlaps , Member States shall consult Europol relevant agencies on the design of their actions, in particular when implementing EU policy cycle operational actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT), and

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps.	coordinate with CEPOL on the design of training activities 30.11.20 CNS can agree with the COM compromise proposal of 26.10.20 EP can confirm
210.	3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.	3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) <i>Agencies referred to in paragraph 2</i> , the European <i>Data Protection Board</i> and the European <i>Data Protection Supervisor (EDPS)</i> where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund, <i>which fall within their mandate</i> , are compliant with the relevant Union <i>acquis</i>	3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities.	Provisionally agreed COM drafting proposal of 9.10.20: 3. The Commission may associate relevant decentralised agencies Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) , where appropriate, in the monitoring and evaluation tasks as specified in Section 5, in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union <i>acquis</i> and agreed Union priorities. 30.11.20

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		and agreed Union priorities.[AM80]		CNS can agree with the COM compromise proposal EP can confirm
211.	4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases.	4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may only be exceeded only in duly justified cases and following approval by the Commission. [AM81]	4. A maximum of 15 50 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases. This ceiling shall not apply to ICT equipment.	T → P Trilogue 26.11.20 Provisionally agreed on: "4. A maximum of 15 35 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases <u>[tbc: and following approval by the Commission].</u>
212.	5. In their programmes, Member States shall give priority to addressing:	5. In their programmes, Member States shall give priority to addressing:	5. In their programmes, Member States shall give priority to addressing:	Provisionally agreed
213.	(a) Union priorities and <i>acquis</i> in the area of security in particular information exchange and interoperability of IT systems;	(a) Union priorities and <i>acquis</i> in the area of security in particular <i>the coordination and cooperation between law enforcement authorities and the efficient exchange of relevant and accurate information exchange and the implementation of the</i>	(a) Union priorities and <i>acquis</i> in the area of security in particular information exchange and interoperability of ICT systems;	T Provisionally agreed TM 10.07.20 "5(a). Union priorities and <i>acquis</i> in the area of security in particular <i>the efficient exchange of relevant and accurate information and the implementation of the components of</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>components of the framework for interoperability of EU information systems;</i> [AM82]		<i>the framework for interoperability of EU information Systems;</i> ”
214.	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	(b) recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation;	T Provisionally agreed TM 10.07.20 “5(b). recommendations with financial implications made in the framework of Regulation (EU) No 1053/2013 on the Schengen evaluation and monitoring mechanism in the area of police cooperation <u>and falling within the scope of this Regulation</u> ”
215.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	(c) country-specific deficiencies with financial implications identified in the framework of needs assessments such as European Semester recommendations in the area of corruption.	Provisionally agreed
216.	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5. Depending on the impact of the adjustment, the	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5 <i>and the progress</i>	6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5. Depending on the	Provisionally agreed HM 27.11.20 Where necessary, the programme in question shall be amended to take into

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	revised programme may be approved by the Commission.	<i>in achieving the milestones and targets as assessed in the annual performance reports as referred to in Article 26(2)(a)</i> . Depending on the impact of the adjustment, the revised programme may <i>shall</i> be approved by the Commission <i>in line with the procedure set out in Article 19 of Regulation (EU) No X [CPR]</i> . [AM83]	impact of the adjustment, the revised programme may be approved by the Commission.	account the recommendations referred to in paragraph 5. Depending on the impact of the adjustment, the revised programme shall be approved by the Commission in line with the procedures set out Article 19 of the [CPR regulation] . <i>EP can confirm</i>
217.	7. Member States shall pursue in particular the actions listed in Annex IV. In the event of unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex IV.	7. Member States shall pursue in particular the actions listed in Annex IV. In the event of unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex IV.	7. Member States may <i>shall</i> pursue in particular the actions listed in Annex IV. In the event of unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex IV.	<u>Possible compromise:</u> <u>COM proposal</u>
218.	8. Whenever a Member State decides to implement projects with or in a third country, with the support of the Fund, the Member State concerned shall consult the Commission prior to the start of the project.	8. Whenever a Member State decides to implement projects within or <i>in relation to</i> a third country <i>as referred to in Article 5</i> , with the support of the Fund, the Member State concerned shall consult the Commission prior to the start	8. Whenever a Member State decides to implement <i>new</i> projects with or in a third country, with the support of the Fund, the Member State concerned shall <i>inform</i> consult the Commission prior to the <i>approval</i> start of the project.	T→P,H <i>Council: changes proposed in order to exclude projects already running and to avoid time lapses.</i>

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		of the project. <i>The Commission shall assess the complementarity and coherence of the projects envisaged with the other actions of the Union and the Member States, in relation to the third country concerned. The Commission shall also check the conformity of the proposed projects with the fundamental rights requirements referred to in Article 3(4).</i> [AM84]		<p>EP: "consult" should stay; can be flexible regarding the timing of the consultation CION: flexible on "new" and "approval".</p> <p>Possible compromise - approach agreed in other two Home Funds:</p> <p>Whenever a Member State decides to implement projects with or in a third country, with the support of the Fund, the Member State concerned shall consult the Commission prior to the <i>approval</i> of the project.</p>
219.	9. Programming as referred to in Article 17(5) of Regulation (EU) No [CPR] shall be based on the types of intervention set out in Table 1 of Annex VI.	9. Programming as referred to in Article 17(5) <i>accordance with</i> Article 17 of Regulation (EU) No X [CPR], <i>each programme shall be based on set out for each specific objective</i> the types of intervention set out in <i>accordance with</i> Table 1 of Annex VI <i>and an indicative breakdown of the programmed resources by type</i>	9. Programming as referred to in Article 17(5) of Regulation (EU) No [CPR] shall be based on the types of intervention set out in Table 2 of Annex VI.	T HM 14.07.20 Provisionally agreed: "Programming as referred to in Article 17(5) of Regulation (EU) No [CPR] shall be based on the types of intervention set out in Table 2 of Annex VI and shall include an indicative breakdown of the programmed resources by type of intervention within each specific objective."

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		<i>of intervention or area of support.</i> [AM85]		Text the same, but table 1 in AMF and BMVI and table 2 in ISF (Title of Annex VI is “types of intervention”)
220.	<i>Article 13</i> Mid-term review	<i>Article 13</i> Mid-term review	<i>Article 13</i> Mid-term review	
221.	1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	1. In 2024, <i>after informing the European Parliament</i> , the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025. [AM86]	1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.	Trilogue 26.11.20 Provisionally agreed: 1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.
222.	2. If at least 10 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the	2. If at least 10 ³⁰ % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No X [CPR], the Member State concerned	2. If at least 10 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the	P, H Trilogue 26.11.20 Provisionally agreed: 2. If at least 10 % of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment

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	additional allocation for the programme referred to in paragraph 1.	shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1. [AM87]	additional allocation for the programme referred to in paragraph 1.	applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.
223.		2a. Paragraph 2 shall apply only if the relevant regulatory framework and related acts are in force on 1 January 2022. [AM 160]		Trilogue 26.11.20 Provisionally agreed: Amendment dropped
224.	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in Article 12 of Regulation (EU) No [CPR] and identified implementation shortcomings.	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in Article 12 of Regulation (EU) No X [CPR] and identified implementation shortcomings. [AM88]	3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in Article 12 of Regulation (EU) No [CPR] and identified implementation shortcomings.	HM 19.10.20 Provisionally agreed-EP text CNS has deleted “where appropriate” only in AMF EP: deletion of “where appropriate” does not change meaning of “take into account” COM: further clarifications could be in a recital if necessary
225.	<i>Article 14</i> Specific actions	<i>Article 14</i> Specific actions	<i>Article 14</i> Specific actions	Provisionally agreed
226.	1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States may receive an	1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States may receive an	1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States	<u>Provisionally agreed:</u> <u>Specific actions are transnational or national projects <i>bringing Union added value</i> in line with the objectives of this Regulation for</u>

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	additional allocation to their programmes.	additional allocation to their programmes.	may receive an additional allocation to their programmes.	<i>which one, several or all Member States may receive an additional allocation to their programmes. HM 14.07.20 “bringing Union added value” mentioned after “projects” in AMF and BMVI Council: will test with MS (nm: on EP side, ISF would align) Possible compromise: COM original proposal</i>
227.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	2. Member States may, in addition to their allocation calculated in accordance with Article 10(1), receive funding for specific actions, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation, including covering newly emerging threats.	Provisionally agreed
228.	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission	Provisionally agreed

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	through the amendment of the programme.	through the amendment of the programme.	through the amendment of the programme.	
229.	<i>Article 15</i> Operating support	<i>Article 15</i> Operating support	<i>Article 15</i> Operating support	Provisionally agreed
230.	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union <i>insofar as they contribute to ensuring a high level of security in the Union as a whole.</i> [AM89]	1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	TM 31.08.20 Provisionally agreed on: "Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union <i>insofar as they contribute to ensuring a high level of security in the Union.</i> "
231.	2. A Member State may use up to 10 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	2. A Member State may use up to 10 20 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union. [AM90]	2. A Member State may use up to 10-30 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.	Trilogue 26.11.20_Provisionally agreed: "2. A Member State may use up to 10 20 % of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union."

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232.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	3. A Member State using operating support shall comply with the Union <i>acquis</i> on security.	Provisionally agreed
233.	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms.	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as: the Schengen evaluation mechanism, <i>the vulnerability and risk assessment by the European Border and Coast Guard Agency (EBCGA)</i> and other quality control and evaluation mechanisms, <i>as applicable.</i> [AM91]	4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms.	TM 31.08.20 Provisionally agreed “Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism, and other quality control and evaluation mechanisms, <i>as applicable.</i> ”

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234.	5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.	5. Operating support shall be concentrated on specific tasks and services <i>actions</i> as laid down in Annex VII.[AM92]	5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.	T Terminology TM 13.10.20 Provisionally agreed - “eligible actions”
235.	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend the specific tasks and services in Annex VII.	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend the specific tasks and services in Annex VII.	6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend the specific tasks and services in Annex VII.	TM 13.10.20 Provisionally agreed - “eligible actions” "6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend the specific tasks and services <i>eligible actions</i> in Annex VII."
236.		<i>Article 15a</i> [AM93]		T, H TM 13.10.20 Provisionally agreed - EP AM dropped

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237.		<i>Visibility, transparency and communication</i> [AM93]		T, H TM 13.10.20 Provisionally agreed - EP AM dropped
238.		<i>The recipients of Union financing shall comply fully with the visibility, transparency and communication requirements set out in Regulation (EU) No X [CPR].</i> [AM93]		T, H TM 13.10.20 Provisionally agreed - EP AM dropped
238a				<u>[new COM proposal] Management verifications and audits when an international organisation is a beneficiary</u> <u>1. This Article applies to international organisations or their agencies as referred to in Article 62 (1) (c) (ii) of Regulation (EU, Euratom) No 2018/1046 (the ‘Financial Regulation’) whose systems, rules and procedures have been assessed ex ante as appropriate by the Commission pursuant to Article 154 (4) and (7) of that Regulation for the purpose of indirectly implementing grants financed from the Union budget, hereinafter referred as ‘international organisations’.</u>

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				<p>2. Without prejudice to Article 77 (a) [CPR] and to Article 129 of the Financial Regulation, where the international organisation is a beneficiary, the managing authority is not required to carry out the management verifications referred to in Article 68 (1)(a) [CPR] provided that the international organisation submits to the managing authority the documents required by Article 155 (1) (a), (b) and (c) of the Financial Regulation.</p> <p>Without prejudice to Article 155 (1) (c) of the Financial Regulation, the management declaration shall confirm that the project complies with applicable law and the conditions for support of the project.</p> <p>In addition, where costs are to be reimbursed pursuant to Article 48(1)(a) [CPR], the management declaration shall confirm that:</p> <p>a) the verification of invoices and proof of their payment by the beneficiary has been carried out;</p> <p>b) verification of the accounting records or accounting codes maintained by the beneficiary for transactions linked to the expenditure</p>

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				<p><u>declared to the managing authority has been carried out.</u></p> <p><u>Where the costs are to be reimbursed pursuant to points (b), (c) and (d) of Article 48(1) [CPR], the management declaration shall confirm that the conditions for reimbursement of expenditure have been met.</u></p> <p><u>The documents referred to in Article 155 (1) (a) and (c) of the Financial Regulation shall be provided to the managing authority together with each payment claim submitted by the beneficiary.</u></p> <p><u>The beneficiary shall submit to the managing authority annually and not later than 15 October the accounts accompanied by an opinion of an independent audit body, drawn up in accordance with internationally accepted audit standards. This opinion shall establish whether the control systems put in place function properly and are cost-effective, and whether the underlying transactions are legal and regular. The opinion shall also state whether the audit work puts in doubt the assertions made in the management declarations, including information on suspicion of fraud. It shall provide</u></p>

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				<p><u>assurance on the expenditure included in the payment claims submitted by the international organisation to the managing authority.</u></p> <p><u>Without prejudice to existing possibilities for carrying out further audits referred to in Article 127 of the Financial Regulation, the managing authority shall draw up the management declaration referred to in Article 68 (1)(f) [CPR] based on these documents, instead of relying on the management verifications referred to in Article 68 (1) [CPR].</u></p> <p><u>The document setting out the conditions for support referred to in Article 67(4) [CPR] shall include the requirements set out in this Article.</u></p> <p><u>3. Paragraph 2 shall not apply where:</u></p> <p><u>a) the managing authority identifies a specific risk of irregularity or an indication of fraud with respect to a project initiated or implemented by the international organisation;</u></p> <p><u>b) the international organisation fails to submit to the managing authority the documents listed in paragraph 2;</u></p>

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				<p>c) the documents listed in paragraph 2 and submitted by the international organisation are incomplete.</p> <p>4. Where a project initiated or initiated and implemented by an international organisation is part of a sample referred to in Article 73 [CPR], the audit authority may perform its work based on a sub-sample of transactions within this project. Where errors are found in the sub-sample, the audit authority, if relevant, may request the auditor of the international organisation to assess the full scope and the total amount of errors.</p> <p>Trilogue 10.12.20 - Provisionally agreed on the basis of the COM proposal</p>
239.	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	SECTION 3 SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT	See lines 140-148
240.			<i>Article 15a Eligible entities</i>	COM proposal 29.10.20: <i>Eligible entities</i>

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241.			<i>1. The following entities may be eligible:</i>	T, H COM proposal 29.10.20: <i>1. The following entities may be eligible:</i>
242.			<i>(a) legal entities established in any of the following countries:</i>	T, H COM proposal 29.10.20: <i>(a) legal entities established in any of the following countries:</i>
243.			<i>(i) a Member State or an overseas country or territory linked to it;</i>	T, H COM proposal 29.10.20: <i>(i) a Member State or an overseas country or territory linked to it;</i> <i>[AMF only: (ii) a third country associated to the Fund;]</i>
244.			<i>(ii) third country listed in the work programme under the conditions specified therein.</i>	T → P, H COM proposal 29.10.20+ update: <i>(ii) a third country listed in the work programme, under the conditions specified in paragraph (3).</i>
245.			<i>(b) any legal entity created under Union law or any international organisation.</i>	T, H COM proposal 29.10.20: <i>(b) any legal entity created under Union law or any international organisation relevant for the purposes of the Fund.</i>
246.			<i>2. Natural persons are not eligible.</i>	T, H COM proposal 29.10.20:

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247.			<p>3. <i>Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.</i></p>	<p>2. <i>Natural persons are not eligible.</i></p> <p>T → P, H COM proposal 29.10.20: 3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.</p> <p><u>New Council proposal:</u> <u>3. Entities referred to in paragraph (1)(a)(ii), above, shall participate as part of a consortium with at least two independent entities at least one of which is established in a Member State. Those entities shall ensure that the actions in which they participate are in compliance with the principles enshrined in the Charter of Fundamental Rights of the European Union and contribute to the achievement of the objectives of the Fund as laid down in Article 3 of this Regulation.</u></p>
248.			<p>4. <i>Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those</i></p>	<p>T → P, H COM proposal 29.10.20: 4. Legal entities participating in consortia of at least two independent entities, established in different Member States or <i>in</i> overseas</p>

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			states or in third countries, are eligible.	<p>countries or territories linked to those states or in third countries are eligible <i>where this contributes to the achievement of the objectives of the Fund as laid down in Article 3 of this Regulation.</i></p> <p><i>5. All actions implemented under the work programme, including the actions in or in relation to third countries, shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.</i></p> <p>HM 29.10.20 EP: par. 4 seems to be more open than par. 3; it is also not evident if there can be consortia with entities from 3rd countries only; those points should be clarified;</p> <p><u>New Council proposal: paragraphs 4 and 5 to be deleted</u></p>
249.	<i>Article 16 Scope</i>	<i>Article 16 Scope</i>	<i>Article 16 Scope</i>	Provisionally agreed
250.	Support under this section shall be implemented either directly by the Commission in accordance with point	Support under this section shall be implemented either directly by the Commission in	Support under this section shall be implemented either directly by the Commission in	T

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	(a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article.	accordance with point (a) of Article 62(1) of the Financial Regulation or indirectly in accordance with point (c) of that Article.	accordance with point (a) of Article 62(1) of Regulation (EU, Euratom) 2018/1046 the Financial Regulation or indirectly in accordance with point (c) of that Article.	Update of reference Provisionally agreed
251.	<i>Article 17</i> Union actions	<i>Article 17</i> Union actions	<i>Article 17</i> Union actions	Provisionally agreed
252.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	1. Union actions are transnational project or projects of particular interest to the Union, in line with the objectives of this Regulation.	Provisionally agreed
253.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.	Provisionally agreed
254.	3. Union actions may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	3. Union actions may provide funding in any of the forms laid down in the Financial Regulation, in particular grants, prizes and procurement. It may also provide financing in the form of financial instruments within blending operations.	3. Union actions may provide funding in any of the forms laid down in Regulation (EU, Euratom) 2018/1046 the Financial Regulation , in particular grants, prizes and procurement. It may also provide financing in the form of of financial instruments within blending operations.	T Update of reference Provisionally agreed

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255.		<i>3 a. Decentralised agencies may also be eligible for funding available within the framework of Union actions in order to support transnational actions with European added value.</i> [AM94]		Council: P EP: Technical → Political - additional resources needed for agencies for unforeseen important tasks Trilogue 26.11.20 Provisionally agreed: <i>Exceptionally</i> , decentralised agencies may also be eligible for funding within the framework of Union actions <i>when they assist in the implementation of Union actions falling within the agencies' competence and those actions are not covered by the Union contribution to the budget of the agencies through the annual budget.</i>
256.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of the Financial Regulation.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of the Financial Regulation.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	T Provisionally agreed
257.	5. The evaluation committee, assessing the proposals, may be composed of external experts.	5. The evaluation committee, assessing the proposals, may be composed of external experts.	5. The evaluation committee, assessing the proposals, may be composed of external experts.	Provisionally agreed
258.	6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of	6. Contributions to a mutual insurance mechanism may cover the risk associated	6. Contributions to a mutual insurance mechanism may cover the risk associated	Council:T, H(?) EP: Technical

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	funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of Regulation X [successor of the Regulation on the Guarantee Fund] shall apply.	with the recovery of funds due by recipients and shall be considered a sufficient guarantee under the Financial Regulation. The provisions laid down in [Article X of] Regulation X [successor of the Regulation on the Guarantee Fund] shall apply.	with the recovery of funds due by recipients and shall be considered a sufficient guarantee under Regulation (EU, Euratom) 2018/1046 the Financial Regulation . The provisions laid down in [Article X of] Regulation X [successor of the Regulation on the Guarantee Fund] shall apply.	Update of reference Provisionally agreed
259.	<i>Article 18</i> Blending operations	<i>Article 18</i> Blending operations	<i>Article 18</i> Blending operations	Provisionally agreed
260.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁸⁰ and Title X of the Financial Regulation.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁸¹ and Title X of the Financial Regulation.	Blending operation decided under this Fund shall be implemented in accordance with the InvestEU Regulation ⁸² and Title X of Regulation (EU, Euratom) 2018/1046 the Financial Regulation .	T Provisionally agreed
261.	<i>Article 19</i> Technical assistance at the initiative of the Commission	<i>Article 19</i> Technical assistance at the initiative of the Commission	<i>Article 19</i> Technical assistance at the initiative of the Commission	Provisionally agreed
262.	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100%.	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures, namely preparatory,	The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures	T COM: T, H TM 14/7/2020 Provisionally agreed as follows:

⁸⁰ Full reference.

⁸¹ Full reference.

⁸² Full reference.

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		<i>monitoring, control, audit, evaluation, communication, including corporate communication on the political priorities of the Union in the area of security, visibility and all administrative and technical assistance actions necessary for the implementation of this Regulation and, where appropriate, with third countries, may be financed at the rate of 100%. [AM95]</i>	may be financed at the rate of 100%.	"In accordance with Article 29 of Regulation (EU) No [CPR], the instrument[Fund] may support technical assistance implemented at the initiative of, or on behalf of, the Commission at a financing rate of 100 %. " COM: CPR applies exceptionally also to technical assistance at the initiative of the Commission and the scope of that is defined and specified in detail following EP amendments (article 29 of CPR).
263.	<i>Article 20 Audits</i>	<i>Article 20 Audits</i>	<i>Article 20 Audits</i>	Provisionally agreed
264.	Audits on the use of Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].	Audits on the use of Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].	Audits on the use of Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of the Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union]. Regulation (EU, Euratom) 2018/1046.	T COM: T, H Update of reference Provisionally agreed

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265.	<i>Article 21</i> Information, communication and publicity	<i>Article 21</i> Information, communication and publicity	<i>Article 21</i> Information, communication and publicity	Provisionally agreed
266.	1. The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including media and the public.	1. The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting promote the actions and their results by providing coherent, effective and proportionate targeted meaningful information to multiple relevant audiences, including media and the public in the relevant language. To ensure the visibility of Union funding, recipients of Union funding shall make reference to its origin when communicating the action. To that end, recipients shall ensure that any communication to the media and the general public displays the Union's emblem and mentions explicitly the Union's financial support. [AM96]	The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including media and the public, except where it is restricted due to its classified or confidential nature, particularly concerning security, public order, criminal investigations and the protection of personal data, according to applicable law.	Provisionally agreed: 1. The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results by providing coherent, effective, meaningful and proportionate information to multiple audiences, including the media and the public. Visibility shall be ensured and information shall be provided except in duly justified cases where public display is not possible or appropriate or information is restricted by law in particular due to reasons of security, public order, criminal investigations or the protection of personal data. To ensure the visibility of Union funding, recipients of Union funding should refer to its origin when communicating on the action and display the Union emblem. Accompanying recital: When promoting the actions supported by this Fund, the recipients of Union funding should provide

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				information in the languages relevant to the target audience. To ensure the visibility of Union funding, recipients of Union funding should refer to its origin when communicating on the action. To this end, recipients should ensure that all communications to the media and the public, display the Union emblem, and explicitly mention the Union's financial support.
267.	2. The Commission shall implement information and communication actions relating to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives of this Regulation.	2. <i>To reach the widest possible audience</i> , the Commission shall implement information and communication actions relating to the Fund and its actions and results. <i>In particular, the Commission shall publish information concerning the development of the annual and multiannual programmes of the thematic facility. The Commission shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list regularly.</i> Financial resources allocated	2. The Commission shall implement information and communication actions relating to the Fund and its actions and to the results obtained . Financial resources allocated to the Fund shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the objectives of this Regulation.	T, P, H HM 29.10.20 <u>Provisionally agreed, as edited at HM 19/11:</u> "To reach the widest possible audience, the Commission shall implement information and communication actions relating to this Fund, its actions and results. Financial resources allocated to this instrument shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation. <u>Accompanying recital</u> (could be added to the recital on Union Actions): "The Commission may use

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		to the Fund shall also contribute to the <i>communication, notably</i> corporate communication, of the political priorities of the Union, as far as they are related to the objectives of this Regulation. [AM97]		financial resources under this Fund to promote best practices and exchange information as regards to the implementation of the Fund."
268.		<i>2 a. The Commission shall publish the information referred to in paragraph 2 in open, machine readable formats that allow data to be sorted, searched, extracted, compared and reused, as set out in Article 5(1) of Directive 2003/98/EC of the European Parliament and of the Council^{1a}. It shall be possible to sort the data by priority, specific objective, total eligible cost of operations, total cost of projects, total cost of procurement procedures, name of beneficiary and name of contractor.</i> [AM98]		<u>Provisionally agreed (Recital to be checked at the end):</u> COM compromise proposal (19/12+23/3/20): "The Commission shall publish the programmes of the thematic facility. For support provided under direct and indirect management, the Commission shall publish the information referred to in Article 38(2) of Regulation (EU, Euratom) 1046/2018 on a publicly available website and shall update that information regularly. This information shall be published in open, machine-readable format which allows data to be sorted, searched, extracted and compared.

^{1a} Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (OJ L 345, 31.12.2003, p. 90).

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				<p><u>Accompanying recital</u>: The Commission should publish information on the support provided from the thematic facility under direct or indirect management in a timely manner and update this information where appropriate. It should be possible to sort the data by specific objective, maximum funding from the EU budget, name of beneficiary and nature and purpose of the measure."</p> <p>HM 29.10.20 <u>EP: possible provisional agreement tbc; to check if all categories in Art. 38 FR are reflected in the recital</u> Text agreed, recital not yet agreed.</p> <p>EP can confirm; text might still change to fully reflect the FR, namely by adding the “address” of the beneficiary and the “amount legally committed”</p> <p>Revised text of recital to be submitted by COM</p>
269.	SECTION 4 SUPPORT AND IMPLEMENTATION UNDER	SECTION 4 SUPPORT AND IMPLEMENTATION	SECTION 4 SUPPORT AND IMPLEMENTATION	Provisionally agreed

Commented [JS3]: To be checked if right reference

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	SHARED, DIRECT AND INDIRECT MANAGEMENT	UNDER SHARED, DIRECT AND INDIRECT MANAGEMENT	UNDER SHARED, DIRECT AND INDIRECT MANAGEMENT	
270.	<i>Article 22</i> Emergency assistance	<i>Article 22</i> Emergency assistance	<i>Article 22</i> Emergency assistance	Provisionally agreed
271.	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from a security-related incident or newly emerging threat within the scope of this Regulation which has or may have a significant adverse impact on the security of people in one or more Member States;	1. The Fund shall The Commission may decide to provide financial assistance from the Fund to address urgent and specific needs in the event of an <i>duly justified</i> emergency situation resulting. Those situations can result from a security-related incident, or newly emerging threat or newly detected vulnerability within the scope of this Regulation which has or may have a significant adverse impact on the security of people, <i>public spaces or critical infrastructure</i> in one or more Member States. In such cases, it shall inform the European Parliament and the Council in a timely manner. [AM99]	1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from a security-related incident or newly emerging threat within the scope of this Regulation which has or may have a significant adverse impact on the security of people in one or more Member States;	T, P, H <u>Provisionally agreed:</u> The Fund shall provide financial assistance to address urgent and specific needs in the event <i>of a duly justified emergency situation, as defined in point [...] of Article 2. In response to such a duly justified emergency situation, the Commission may decide to provide emergency assistance within the limits of available resources.</i>
272.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.	Provisionally agreed

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273.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.	3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is earmarked as such in the programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme. <u>Pre-financing for emergency assistance may amount to 95% of the Union contribution, subject to the availability of funds.</u>	Provisionally agreed
274.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of the Financial Regulation.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of the Financial Regulation.	4. Grants implemented under direct management shall be awarded and managed in accordance with Title VIII of Regulation (EU, Euratom) 2018/1046 the Financial Regulation.	T, H Update of reference Provisionally agreed
275.		<i>4 a. Where necessary for the implementation of the action, emergency assistance may cover expenditure that was incurred prior to the date of submission of the grant</i>		T, H TM 13.10.20 Provisionally agreed – EP AM dropped

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		<i>application or the request for assistance, but not prior to 1 January 2021.</i> [AM100]		Provisionally agreed - Trilogue 10.12.20 <i>4a. Where necessary for the implementation of the action, emergency assistance may cover expenditure which was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.</i>
<u>275a</u>				Provisionally agreed - Trilogue 10.12.20 Special committee procedure to be applied for emergency assistance COM text proposal for AMIF To ensure a timely availability of resources, the Commission may separately adopt a financing decision for emergency assistance by way of immediately applicable implementing acts in accordance with the examination procedure referred to in Article 29(2b).
276.	<i>Article 23</i>	<i>Article 23</i>	<i>Article 23</i>	Provisional agreement reached at the technical level on the following:

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	Cumulative, complementary and combined funding	Cumulative, complementary and combined funding	<u>Cumulative, complementary and combined Alternative funding</u>	“Cumulative, complementarity and alternative-combined funding”
277.	1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	1. An action operation that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action operation and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.[AM101]	1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.	<p>⌘</p> <p><u>An action that has received a contribution under the instrument may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.</u>COM: T, H</p> <p>TM on horizontal issues: use “action” instead of “operation”</p> <p>HM 14.07.20 COM to propose a recital for AMF as a possible compromise.</p> <p>Horizontal mtg 19.11:</p>

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				Postponed since CPR negotiations are still ongoing.
278.	2. Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:	Actions <i>Operations</i> awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:[AM102]	2. Actions awarded a seal of Excellence certification <u>under this Fund by complying, or which comply</u> with the following cumulative comparable conditions:	T COM: T, H TM 14.7.20 Provisionally agreed: Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions: Text proposed by EP LS following the inclusion of a definition of "seal of excellence" and other relevant provisions in CPR: "In accordance with Article [67 paragraph 5] of Regulation (EU) .../... [CPR] the European Regional Development Fund and the European Social Fund+ may support actions that have been awarded a Seal of Excellence as defined in Article [2 point 41] of Regulation (EU) .../... [CPR], provided that they comply with all of the following conditions:

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				(a) they have been assessed in a call for proposals under the [Fund / Instrument] (b) they comply with the minimum quality requirements of that call for proposals; and (c) they cannot be financed under that call for proposals due to budgetary constraints."
279.	(a) they have been assessed in a call for proposals under the Fund;	(a) they have been assessed in a call for proposals under the Fund;	(a) they have been assessed in a call for proposals under the Fund;	(a) — they have been assessed in a call for proposals under the Fund; See new text proposal in line 278
280.	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	(b) they comply with the minimum quality requirements of that call for proposals;	(b) — they comply with the minimum quality requirements of that call for proposals; See new text proposal in line 278
281.	(c) they may not be financed under that call for proposals due to budgetary constraints	(c) they may not be financed under that call for proposals due to budgetary constraints	(c) they may not be financed under that call for proposals due to budgetary constraints	(c) — they may not be financed under that call for proposals due to budgetary constraints See new text proposal in line 278
282.	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [Financing,	may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X	may receive support from the European Regional Development Fund, the Cohesion Fund, or the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and	<u>may receive support from the European Regional Development Fund or the European Social Fund+, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation].</u> † COM: T, H

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	<p>management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.</p>	<p>[CPR] and Article [8] or Regulation (EU) X [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions <i>operations</i> are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.[AM103]</p>	<p>Article [8] of Regulation (EU) X [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.</p>	<p>TM on horizontal issues</p> <p>COM: “the Cohesion Fund” and “or the European Agricultural Fund for Rural Development” should be deleted</p> <p>COM proposal: may receive support from the European Regional Development Fund or the European Social Fund+, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation]</p> <p>+ new Recital (horizontal to all directly managed programmes):</p> <p>In order to optimise the added value from investments funded wholly or in part through the budget of the Union, synergies should be sought in particular between the [insert name of the programme covered by the given basic act] and other Union programmes, including those under shared-management. To maximise those synergies, key enabling mechanisms should be ensured, including cumulative funding in an</p>

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				<p>action from [the Fund/Instrument] and another Union programme, as long as such cumulative funding does not exceed the total eligible costs of the action. For that purpose, this Regulation should set out appropriate rules, in particular on the possibility to declare the same cost or expenditure on a pro-rata basis to [the Fund/Instrument] and another Union programme.</p> <p><i>EP: could accept the compromise proposal for the article if the text on CPR has been agreed upon in trilogues. EP is not convinced about the need for this new recital, in particular as EP is not sure that rules on the possibility to declare the same cost or expenditure on a pro-rata basis are actually laid down in the operative part of the JHA Fund regulations. Council: positive scrutiny</i></p>
283.	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	SECTION 5 MONITORING, REPORTING AND EVALUATION	

Commented [JS4]: Com to check

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
284.	Sub-section 1 Common provisions	Sub-section 1 Common provisions	Sub-section 1 Common provisions	
285.	<i>Article 24</i> Monitoring and reporting	<i>Article 24</i> Monitoring and reporting	<i>Article 24</i> Monitoring and reporting	
286.	1. In compliance with its reporting requirements pursuant to Article [43(3)(h)(i)(iii)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.	1. In compliance with its reporting requirements pursuant to Article [43(3)(h)(i)(iii)] of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.	1. In compliance with its reporting requirements pursuant to Article 41(3)(h)(iii) [43(3)(h)(i)(iii)] of Regulation (EU, Euratom) 2018/1046 the Financial Regulation , the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.	T COM: T, H HM 9/9/20: Provisionally agreed: "In compliance with its reporting requirements pursuant to Article 41(3)(h)(iii) of Regulation (EU, Euratom) 2018/1046, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V."
287.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.	Provisionally agreed
288.	3. The indicators to report on progress of the Fund, towards the achievement of the specific objectives	3. The indicators to report on progress of the Fund, towards the achievement of the	3. The indicators to report on progress of the Fund, towards the achievement of the specific	Provisionally agreed EP can drop AM

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	specific objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative. <i>Upon request, the Commission shall make the data on the output and result indicators it has received available to the European Parliament and to the Council.</i> [AM104]	objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.	
288 a			3a. The Commission shall also report on the share of the thematic facility used for supporting actions in or in relation to third countries.	<u>Provisionally agreed - to be moved to line 176a (Article 8(6a))</u> HM 19.10.20 COM: difficult to define what “in or in relation to” means (but also used by EP), no indicators are foreseen EP: would be in favour of reporting
289.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and where relevant Member States.	4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds	4. The performance reporting system shall ensure that data for monitoring programme implementation and the results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds	<u>Provisionally agreed: CNS drops amendment</u> <u>Possible compromise: Council to drop its AM</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		and where relevant Member States.	and, where <u>relevant appropriate</u> <u>on</u> Member States.	
290.	5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States.	5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. <i>Qualitative indicators shall be included for the assessment.</i> [AM105]	5. <u>In order to</u> ensure effective assessment of the <u>progress of the Fund's progress</u> towards the achievement of its objectives, the Commission <u>shall be</u> empowered to adopt delegated acts in accordance with Article 28 to amend Annex VIII to review <u>and/or</u> complement the indicators where <u>considered</u> necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. <u>Any amendment to the content of Annex VIII shall only start to apply in the first accounting year following the year of adoption of the delegated act.</u>	Provisionally agreed "5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. Any amendment to Annex VIII shall apply only to projects selected after its entry into force. " <i>EP can confirm</i>
291.	<i>Article 25</i> Evaluation	<i>Article 25</i> Evaluation	<i>Article 25</i> Evaluation	
292.	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation,	1. <i>By 31 December 2024,</i> the Commission shall carry out <i>present a mid-</i> a mid-term and a retrospective	1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the	Provisionally agreed <i>HM 19.11.20</i> <i>Possible compromise:</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	including the actions implemented under this Fund.	term evaluation of this Regulation, including the actions implemented under this Fund. <i>The mid-term evaluation shall examine the effectiveness, efficiency, relevance and coherence of the Fund. More specifically, it shall include an assessment of:</i> [AM106]	actions implemented under this Fund.	" 1. <i>By 31 December 2024</i> , the Commission shall carry out <i>a mid-term</i> evaluation of this Regulation. <i>[In addition to Article 40(1) of the Regulation [CPR],] the mid-term evaluation shall assess the following:</i> CNS can agree EP can confirm
293.		<i>(a) the progress made towards the achievement of the objectives of this Regulation, taking into account all relevant information already available, in particular the annual performance reports referred to in Article 26 and the output and result indicators set out in Annex VIII;</i> [AM106]		HM 19.11.20: Provisionally agreed <i>(a) the effectiveness of the Fund, including the progress made towards the achievement of the objectives of this Regulation, taking into account all relevant information already available, in particular the annual performance reports referred to in Article 26 and the output and result indicators set out in Annex VIII;</i> EP can confirm
294.		<i>(b) the European added value of actions and operations implemented under this Fund;</i> [AM106]		HM 19.11.20: Provisionally agreed <i>(b) the efficiency of the use of resources allocated to the Fund and of the management and control measures put in place to implement</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<i>it;</i> EP can confirm
295.		<i>(c) the appropriateness of the implementation measures set out in Article 3 a to address existing and emerging security challenges;</i> [AM106]		Provisionally agreed (c) the continued relevance and appropriateness of the implementation measures set out in Annex II; CNS can agree with COM compromise text EP can confirm
296.		<i>(d) the longer-term impacts and the sustainability effects of the Fund;</i> [AM106]		Provisionally agreed (d) the coordination, coherence and complementarity between the actions supported under the Fund and support provided by other Union funds; CNS can agree with the latest COM compromise text EP can confirm
297.		<i>(e) the complementarity and coherence between the actions supported under this Fund and support provided by other Union funds.</i> [AM106]		Provisionally agreed (e) the European <i>EU</i> added value of actions implemented under the Fund- CNS can agree with the latest COM compromise text EP can confirm
298.		<i>That compulsory midterm evaluation shall take into account retrospective</i>		Provisionally agreed COM proposal 28.10.20:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>evaluation results on the long-term impact of the previous instrument for financial support for internal security for the period 2014-2020, the Internal Security Fund-Police. The evaluation shall, as appropriate, be accompanied by a legislative proposal for the revision of this Regulation.</i> [AM106]		That midterm evaluation shall take into account retrospective evaluation results on the long-term impact effects of the previous instrument for financial support for Internal Security Fund for the period 2014-2020. The evaluation shall, as appropriate, be accompanied by a legislative proposal for the revision of this Regulation. CNS can agree with agree with the latest COM compromise text EP can confirm
299.		<i>1 a. By 31 January 2030, the Commission shall carry out a retrospective evaluation of this Regulation. By the same date, the Commission shall submit an evaluation report to the European Parliament and to the Council, which includes the elements listed in paragraph 1. In that regard, the longer-term impacts of the instrument shall be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund.</i> [AM107]		Provisionally agreed COM proposal 28.10.20: 1 a. By 31 December 2030, the Commission shall present a retrospective evaluation of this Regulation. By the same date, the Commission shall submit an evaluation report to the European Parliament and to the Council, which [In addition to Article 40(2) of the Regulation [CPR],] the retrospective evaluation shall include the elements listed in paragraph 1. In addition, the longer-term impacts of the Fund shall

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund. CNS can agree with agree with the latest COM compromise text EP can confirm
300.	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR].	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR]. <i>made publicly available and submitted to the Parliament without delay to ensure full transparency. The Commission shall ensure that the evaluations do not include information the dissemination of which may create a risk for the safety or privacy of individuals or jeopardise security operations.</i> [AM108]	2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR].	Provisionally agreed COM proposal 2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process, including, where appropriate, revisions of this Regulation. 2a. The Commission shall ensure that the evaluations do not include information the dissemination of which may jeopardise security operations. 3. In its mid-term and retrospective evaluations, the Commission shall pay particular attention to the evaluation of actions by, in or in relation to third countries in accordance with Article 5 and 12 (8).

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				CNS can agree with agree with the latest COM compromise text EP can confirm
301.	Sub-section 2 Rules for shared management	Sub-section 2 Rules for shared management	Sub-section 2 Rules for shared management	
302.	<i>Article 26</i> Annual performance reports	<i>Article 26</i> Annual performance reports	<i>Article 26</i> Annual performance review reports fa	HM 19.11.20: Provisionally agreed: Annual performance reports
303.	1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU) No [CPR]. The report submitted in 2023 shall cover the implementation of the programme until 30 June 2022.	1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU) No X [CPR]. The report submitted in 2023 shall cover the implementation of the programme until 30 June 2022. Member States shall publish those reports on a dedicated website and forward them to the European Parliament and the Council. [AM109]	1. <i>For the purpose of the annual performance review as referred to in article 36 of Regulation (EU)...</i> ... <i>[CPR],</i> by 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU)... /2021 [Common Provisions Regulation]. <i>The reporting period shall cover the last accounting year as defined in Article 2(28) of Regulation (EU)...</i> ... <i>[CPR], preceding</i>	HM 19.11.20 Provisionally agreed: 1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. <i>The reporting period shall cover the last accounting year as defined in Article 2(28) of Regulation (EU)...</i> ... <i>[CPR], preceding the year of submission of the report.</i> The report submitted in <i>by 15 February 2023 shall cover the implementation</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			<i>the year of submission of the report.</i> The report submitted in <i>on 15 February</i> 2023 shall cover the implementation of the programme in the period <i>from 1 January 2021 to 30 June 2022.</i>	of the programme in the period <i>from 1 January 2021 to 30 June 2022.</i> EP can confirm
304.	2. The annual performance report shall in particular include information on:	2. The annual performance report shall in particular include information on:	2. The annual performance report shall in particular include information on:	Council: T EP: Technical, Horizontal COM: T, H HM 19.11.20 Provisionally agreed: 2. The annual performance report shall in particular set out information on:
305.	(a) the progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article 37 of Regulation (EU) No [CPR];	(a) the progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article 37 of Regulation (EU) No [CPR];	(a) the progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article 37 of Regulation (EU) No [CPR];	Provisionally agreed EP agrees to revert to COM text also in AMF/BMVI (a) the progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article 37 of Regulation (EU) No [CPR];
306.		(a a) <i>a breakdown of the annual accounts of the national programme into recoveries, pre-financing to</i>		Council: T EP: Technical, Horizontal. HM 19.11.20:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>final beneficiaries and expenditure actually incurred;</i> [AM110]		Provisionally agreed: [...] <i>EP can confirm</i>
307.	(b) any issues affecting the performance of the programme and the actions taken to address them;	(b) any issues affecting the performance of the programme and the actions taken to address them, <i>including reasoned opinions issued by the Commission in respect of an infringement procedure under Article 258;</i> [AM111]	(b) any issues affecting the performance of the programme and the actions taken to address them;	Provisionally agreed COM proposal 28.10.20: (b) any issues affecting the performance of the programme and the action taken to address them, <i>including information on any reasoned opinion issued by the Commission in respect of an infringement under Article 258 TFEU linked to the implementation of the Fund;</i> <i>EP can confirm</i>
308.	(c) the complementarity between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;	(c) the complementarity, <i>coordination and coherence</i> between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries. [AM112]	(c) the complementarity between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;	Provisionally agreed COM proposal 28.10.20: (c) the complementarity between the actions supported under this Fund and <i>the</i> support provided by other Union funds, in particular those in or in relation to third countries; <i>EP can confirm</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
309.	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	(d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;	Provisionally agreed (d) the contribution of the programme to the implementation of the relevant Union <i>acquis</i> and action plans;
310.		<i>(d a) compliance with fundamental rights requirements;</i> [AM113]		Provisionally agreed COM proposal 28.10.20: See line 312 EP can confirm
311.	(e) the implementation of communication and visibility actions;	(e) the implementation of communication and visibility actions;	(e) the implementation of communication and visibility actions;	Provisionally agreed COM proposal 28.10.20: (e) the implementation of communication and visibility actions; CNS can agree EP can confirm
312.	(f) the fulfilment of the enabling conditions and their application throughout the programming period.	(f) the fulfilment of the enabling conditions and their application throughout the programming period.	(e f) the fulfilment of the enabling conditions and their application throughout the programming period.	Provisionally agreed HM 19.11.20: "(f) "the fulfilment of the applicable enabling conditions and their application throughout the programming period, <i>in particular</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><i>compliance with fundamental rights;"</i></p> <p>(g) the implementation of projects in, or in relation to a third country.</p> <p>The annual performance report shall include a summary covering all the points set out in this paragraph in a widely spoken official language of the Union other than the official language or languages of the Member State concerned.</p> <p><u>New Council proposal for second subparagraph ("The annual...)</u></p> <p><i>The annual performance report shall include a summary covering all the points set out in this paragraph. The Commission shall ensure that the summaries are available in a widely spoken official language [or in a working language] of the Union other than the official language or languages of the Member State concerned.</i></p> <p><i>EP can confirm</i></p>
313.	3. The Commission may make observations on the annual	3. The Commission may make observations on the	3. The Commission may make observations on the annual	Provisionally agreed

Commented [EP5]: seems different from AMIF

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	performance report within two months of the date of its receipt. Where the Commission does not provide observations within that deadline, the report shall be deemed to have been accepted.	annual performance report within two months of the date of its receipt. Where the Commission does not provide observations within that deadline, the report shall be deemed to have been accepted.	performance report within two months of the date of its receipt. Where the Commission does not provide observations within that deadline, the report shall be deemed to have been accepted.	COM proposal 28.10.20: 3. The Commission may make observations on the annual performance report within two months of the date of its receipt. Where the Commission does not provide observations by that deadline, the report shall be deemed to have been accepted. CNS can agree EP can confirm
314.		<i>3 a. Once accepted, the Commission shall make summaries of the annual performance reports available to the European Parliament and the Council and shall publish them on a dedicated website. If not forwarded by the Member States in accordance with paragraph 1, the full text of the annual performance reports shall be made available to the European Parliament and to the Council upon request.</i> [AM114]		Provisionally agreed COM proposal 28.10.20: [...] New Council proposal: <i>4. On its website, the Commission shall provide the links to Member States' websites referred to in Art. 44(1) [CPR].</i> EP can confirm
315.	4. In order to ensure uniform conditions for the implementation of	4. In order to ensure uniform conditions for the	4. In order to ensure uniform conditions for the	<u>Provisionally agreed - Trilogue</u> <u>10.12.20</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 29(2).	implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 29(2).	implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the examination advisory procedure referred to in Article 29(2).	<p>Council: T, P, H EP: Political, Horizontal</p> <p>HM 14.07.20: To be discussed at political level Consequence for 332</p> <p>COM proposal 28.10.20:</p> <p>4. In order to ensure uniform conditions for the implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 29(2).</p> <p>CNS insists on examination procedure EP: applicable procedure the following agreement on Art. 29</p>
316.	<i>Article 27</i> Monitoring and reporting	<i>Article 27</i> Monitoring and reporting	<i>Article 27</i> Monitoring and reporting	HM 27.11.20 - provisionally agreed: <i>'Specific monitoring and reporting requirements under shared management'</i>
317.	1. Monitoring and reporting, in accordance with Title IV of	1. Monitoring and reporting, in accordance with	1. Monitoring and reporting, in accordance with	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2 and 3 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts to amend Annex VI in accordance with Article 28.	Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2 and 3 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts to amend Annex VI in accordance with Article 28.	Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2, and 3 and 4 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts to amend Annex VI in accordance with Article 28.	<u>1. Monitoring and reporting, in accordance with Title IV of Regulation (EU) No [CPR], shall be based on types of intervention set out in Tables 1, 2, and 3 and 4 of Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts to amend Annex VI in accordance with Article 28.</u> EP could agree to wording of Council – the together with table 4 of Annex VI EP can confirm
318.	2. The indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	2. The indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	2. The indicators <i>set in Annex VIII</i> shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].	<u>Provisionally agreed</u> Council: T EP: Technical, Horizontal COM: T, H EP could agree to wording of Council – the together with table 4 of Annex V <u>2. The indicators set in Annex VIII shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No [CPR].</u> †
319.			Article 27a Processing of personal data	HM 19.11.20 -provisionally agreed CNS drops its amendment in lines 319-321

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
320.			<i>1. For the purposes of the implementation of the Fund with a view to achieving the objectives set out in Article 3, the Managing Authority, the Audit Authority and the beneficiaries, as data controllers, shall process, in accordance with Regulation (EU) 2016/679, the personal data necessary for the common indicators in Annex VIII, for monitoring, evaluation, control and audit and, where applicable, for determining the eligibility of participants.</i>	HM 19.11.20 -provisionally agreed [...]
321.			<i>2. The personal data referred to in paragraph 1 shall be retained in accordance with Article 76 Regulation (EU).../... [CPR].</i>	HM 19.11.20 -provisionally agreed [...]
322.	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	CHAPTER III TRANSITIONAL AND FINAL PROVISIONS	
323.	<i>Article 28</i> Exercise of the delegation	<i>Article 28</i> Exercise of the delegation	<i>Article 28</i> Exercise of the delegation	Provisionally agreed
324.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
325.	2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.	2. The power to adopt delegated acts referred to in Articles 8, 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028. [AM115]	2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.	<p>Council: T EP: Technical, Horizontal COM: T, H</p> <p>TM 09.09.20</p> <p>EP, Council: need to agree which articles to be included, need for further discussion Provisionally agreed - Trilogue 10.12.20</p> <p><u>2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.</u></p>
326.	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 8, 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified	3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of	<p><u>Provisionally agreed - Trilogue 10.12.20</u></p> <p>Council: T, P, H the whole issue EP: Technical, Horizontal COM: T, H</p> <p><u>3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the</u></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		therein. It shall not affect the validity of any delegated acts already in force. [AM116]	any delegated acts already in force.	<u>publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</u>
327.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	Provisionally agreed
328.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council thereof.	Provisionally agreed
329.	6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.	6. A delegated act adopted pursuant to Articles 8, 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be	6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the	<u>Provisionally agreed- Trilogue 10.12.20</u> <u>Council: T, P, H the whole issue</u> <u>EP: Technical, Horizontal</u> <u>COM: T, H</u> <u>6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		extended by two months at the initiative of the European Parliament or the Council. [AM117]	initiative of the European Parliament or the Council.	<u>within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.</u>
330.	<i>Article 29</i> Committee procedure	<i>Article 29</i> Committee procedure	<i>Article 29</i> Committee procedure	
331.	1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a Coordination Committee for the Asylum, and Migration and Integration Fund, the Internal Security Fund and the Instrument for Border Management and Visa. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁸³ .	Council: T, partly P to be solved in AMF Provisionally agreed 09.09.20 "1. The Commission shall be assisted by the Coordination Committee for the Asylum, and Migration and Integration Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011." EP: Technical, to be aligned with AMF

⁸³ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
332.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 54 of Regulation (EU) No 182/2011 shall apply. <i>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i>	<p><u>Provisionally agreed - Trilogue 10.12.20 - Text for AMIF</u></p> <p><u>2. — Where reference is made to this paragraph, Article 54 of Regulation (EU) No 182/2011 shall apply. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</u> Council: T, P EP: Technical, horizontal COM: T, P, H HM 09.09.20</p> <p>Council stated that the correct procedure for these cases is the examination procedure, not the advisory procedure as proposed by the commission.</p> <p>Council also stated that the no opinion clause should apply to all acts adopted through the examination procedure.</p> <p>It was agreed for the Legal services of the three institutions to meet with a view to clarify the legal aspects of the procedure and on the non opinion clause (line 333)</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><u>2.</u> Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply."</p> <p><u>2a.</u> Where reference is made to this paragraph, Article 5-4 of Regulation (EU) No 182/2011 shall apply. <i>Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</i></p> <p>"<u>2b.</u> Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, <i>in conjunction with Article 5 thereof,</i> shall apply."</p> <p><u>Accompanying recital:</u></p> <p>"Given the nature and purpose of emergency assistance provided for by this Regulation, it is appropriate to provide for the use of immediately applicable implementing acts in accordance with Article 8 of Regulation 182/2011 for the adoption of decisions to award such assistance."</p>
333.	3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This	3. Where the Committee delivers no opinion, the Commission shall not adopt	3. Where the Committee delivers no opinion, the Commission shall not adopt the	Provisionally agreed Council: T, P EP: Technical, horizontal

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	shall not apply to the implementing act referred to in Article 26(4).	the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).	draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).	COM: T, P, H [...]
334.	<i>Article 30</i> Transitional provisions	<i>Article 30</i> Transitional provisions	<i>Article 30</i> Transitional provisions	
335.	1. Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	1. Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	1. Regulation (EU) No 513/2014 is repealed with effect from 1 January 2021.	Council: T, P EP: Technical, horizontal Provisionally agreed EP agrees to Council AM as it is in line with proposals for BMVI and AMF
336.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	2. Without prejudice to paragraph 1, this Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under the Police Instrument of the Internal Security Fund, which shall continue to apply to those actions concerned until their closure.	Council: T, P EP: Technical, horizontal Provisionally agreed EP agrees to Council AM as it is in line with proposals for BMVI and AMF
337.	3. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Police Instrument of the Internal	3. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its	3. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Police	Identical - Provisionally agreed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	Security Fund established by Regulation (EU) No 513/2014.	predecessor, the Police Instrument of the Internal Security Fund established by Regulation (EU) No 513/2014.	Instrument of the Internal Security Fund established by Regulation (EU) No 513/2014.	
337a			<u>4. Where Member States continue after [insert the date of application of CPR] to support a project selected and started under Regulation (EC) No 513/2014, in accordance with Regulation 514/2014, they shall ensure that the following cumulative conditions are met:</u>	Provisionally agreed: <i>"3. Where Member States continue after [insert the date of application of CPR] to support a project selected and started under Regulation (EC) No 513/2014, in accordance with Regulation 514/2014, they shall ensure that the following cumulative conditions are met:"</i> <i>EP can confirm</i>
337b			<u>(a) the project so selected has two phases identifiable from a financial point of view with separate audit trails:</u>	Provisionally agreed: <i>"(a) the project so selected has two phases identifiable from a financial point of view with separate audit trails;"</i> <i>EP can confirm</i>
337c			<u>(b) the total cost of the project exceeds EUR 500 000:</u>	Provisionally agreed: <i>"(b) the total cost of the project exceeds EUR 500 000;"</i> <i>EP can confirm</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
337d			<u>(c) payments for the first phase of the project shall be included in payment requests under Regulation (EU) 514/2014. Expenditure for the second phase of the project shall be included in payment applications under Regulation (EU) No .../... [CPR];</u>	Provisionally agreed: " <i>(c) payments for the first phase of the project shall be included in payment requests under Regulation (EU) 514/2014. Expenditure for the second phase of the project shall be included in payment applications under Regulation (EU) No .../... [CPR];</i> " EP can confirm
337e			<u>(d) the second phase of the project complies with the applicable law and is eligible for support from the Fund under this Regulation and Regulation (EU) No .../... [CPR];</u>	Provisionally agreed: " <i>(d) the second phase of the project complies with the applicable law and is eligible for support from the Fund under this Regulation and Regulation (EU) No .../... [CPR];</i> " EP can confirm
337f			<u>(e) the Member State commits to complete the project, render it operational and report it in the annual performance report submitted by 15 February 2024.</u>	Provisionally agreed: HM-19.11.20 Possible compromise: " <i>(e) the Member State commits to complete the project, render it operational and report it in the annual performance report submitted by 15 February 2023.</i> " EP can confirm, date tbe

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
337g			The provisions of this Regulation and of Regulation (EU) No .../... [CPR] shall apply to the second phase of the project.	Provisionally agreed: "The provisions of this Regulation and of Regulation (EU) No .../... [CPR] shall apply to the second phase of the project." EP can confirm
338.	<i>Article 31</i> Entry into force and application			
339.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	Provisionally agreed - Trilogue 10.12.20 A "retroactivity clause" covering the period between 1st January 2021 and entry into force of the regulation will be inserted - Exact wording to be further agreed based on ongoing discussions between lawyer-linguists of EP and Council EP suggestion: "This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> ."

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<i>Exact wording of retroactivity clause and related recitals to be further discussed</i>
340.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	It shall apply from 1 January 2021.	
341.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	
342.	Done at Brussels,	Done at Brussels,	Done at Brussels,	
343.	For the European Parliament The President	For the European Parliament The President	For the European Parliament The President	
344.	For the Council The President	For the Council The President	For the Council The President	
345.	ANNEX I Criteria for the allocation of funding to the programmes under shared management	ANNEX I Criteria for the allocation of funding to the programmes under shared management	ANNEX I⁸⁴ Criteria for the allocation of funding to the programmes under shared management	TM 13.10.20 CNS: Changes in the Council mandate are a higher fixed amount (in 2021 prices) and introduction of a fixed reference year (2019) for statistical data to be used
346.	The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	The financial envelope referred to in Article 10 shall be allocated to the Member States programmes as follows:	

⁸⁴ *A majority of Member States welcomed the proposed criteria for the allocation of funding to programmes based on their GDP, population and the size of their territories. Other additional criteria suggested by Member States were the number of criminal offences and the number of visitors. Some Member States also indicated that the fixed amount allocated at the start of the programming could be increased up to EUR 10 million, in line with the reinforced financial envelope of the Fund, with the aim of facilitating implementation.*

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
347.	(1) a one-time fixed amount of EUR 5 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	(1) a one-time fixed amount of EUR 5 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	(1) a one-time fixed amount of EUR 8 000 000 will be allocated to each Member State at the start of the programming period to ensure a critical mass for each programme and to cover needs that would not be directly expressed through the criteria indicated below;	Provisionally agreed EP can confirm CNS AM
348.	(2) the remaining resources will be distributed according to the following criteria:	(2) the remaining resources will be distributed according to the following criteria:	(2) the remaining resources will be distributed according to the following criteria:	
349.	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	(a) 45 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant),	
350.	(b) 40 % in proportion to the size of their population,	(b) 40 % in proportion to the size of their population,	(b) 40 % in proportion to the size of their population,	
351.	(c) 15 % in proportion to the size of their territory.	(c) 15 % in proportion to the size of their territory.	(c) 15 % in proportion to the size of their territory.	
352.	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat)	The initial allocation shall be based on the latest annual statistical data produced by the Commission (Eurostat) covering the preceding calendar year 2019 . For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission	Provisionally agreed EP can confirm CNS AM

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	calendar year available at the time of the mid-term review in 2024.	covering the preceding calendar year available at the time of the mid-term review in 2024.	(Eurostat) covering the preceding calendar year available at the time of 2023 prior to the mid-term review in 2024.	
353.	ANNEX II Implementation measures	ANNEX II Implementation measures [AM119]	ANNEX II Implementation measures	TM 31.08.20 Provisionally agreed “Implementation measures”
354.	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures: [AM119] 1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:[AM50]	The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:	T, P, H the method and the place EP – linguistic change; should be aligned in all paragraphs (1-3) TM 04.02.20 Provisionally agreed (EP text) 1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:
355.	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of	(a) to ensure the uniform application of the Union <i>acquis</i> on security supporting information exchange for example via Prüm, EU PNR and SIS II, including through the implementation of	TM 04.02.20 Provisionally agreed: "(a) to ensuring the uniform application of the Union <i>acquis</i> on

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	<p>mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;</p>	<p>recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;[AM119]</p> <p>(a) <i>ensuring</i> uniform application of the Union acquis on security, supporting <i>the exchange of relevant information</i> for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;[AM50]</p>	<p>recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;</p>	<p>security <i>by supporting the exchange of relevant</i> information for example via Prüm, EU PNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;"</p>

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356.	(b) to set up, adapt and maintain security relevant Union IT systems and communication networks, including their interoperability, and to develop appropriate tools to address identified gaps;	(b) to set up, adapt and maintain security relevant Union and national ICT systems and communication networks, including their interoperability, and to develop appropriate tools to address identified gaps; [AM119] (b) <i>setting up, adapting and maintaining</i> security-relevant Union IT systems and communication networks, including <i>ensuring</i> their interoperability, and <i>developing</i> appropriate tools to address identified gaps;[AM50]	(b) to set up, adapt and maintain security relevant Union <i>and national ICT</i> systems and communication networks, including their interoperability, and to develop appropriate tools to address identified gaps;	TM 04.02.20 Provisionally agreed: "(b) to setting up, adapting and maintaining security relevant Union IT systems and communication networks, including <i>ensuring</i> their interoperability, and to developing appropriate tools to address identified gaps;"
357.	(c) to increase the active use of Union security relevant information exchange tools, systems and databases	(c) to increase the active use of Union and national security relevant information	(c) to increase the active use of Union <i>and national</i> security relevant information exchange	TM 04.02.20 Provisionally agreed:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	ensuring that these are fed with high quality data;	exchange tools, systems and databases ensuring that these are fed with high quality data;[AM119] (c) <i>increasing</i> the active use of Union security-relevant information exchange tools, systems and databases, <i>improving the interconnection of security-relevant national databases as well as their connection to Union databases when foreseen in relevant legal bases</i> , ensuring that <i>those databases</i> are fed with <i>relevant</i> high quality data; <i>and</i> [AM50]	tools, systems and databases ensuring that these are fed with high quality data;	"(c) to <i>increasing</i> the active use of Union security relevant information exchange tools, systems and databases ensuring that these are fed with high quality data; and" p.m.: Use of different terminology around "IT systems/ICT systems/communication networks" should be clarified throughout the text
358.	(d) to support relevant national measures if relevant to implement the specific objectives set out in Article 3(2)(a).	(d) to support relevant national and Union measures if relevant to implement the specific objectives set out in Article 3(2)(a). [AM119]	(d) to support relevant national <i>and Union</i> measures if relevant to implement the specific objectives set out in Article 3(2)(a).	TM 04.02.20 Provisionally agreed: "(d) to <i>supporting</i> relevant national and Union measures <i>including the interconnection of security-relevant national databases and their connection to Union databases when foreseen in relevant legal bases</i> , if

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		(d) <i>supporting</i> relevant national measures if relevant to implement the specific objectives set out in Article 3(2)(a). [AM50]		relevant to implement the specific objectives set out in Article 3(2)(a)."
359.	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures: [AM119] The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures: [AM50]	The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:	T, P, H the method and the place Provisionally agreed (potentially add 'contribute <i>to achieving</i> ') The Fund shall contribute to <i>achieving</i> the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures;
360.	(a) to increase law enforcement operations between Member States, including when appropriate with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot	(a) — to increase law enforcement operations between Member States, including when appropriate with other relevant actors, in particular to facilitate and	(a) to increase law enforcement operations between Member States, including when appropriate with other relevant actors, in particular to facilitate and improve the use of joint	TM 04.02.20 Provisionally agreed: "(a) to increasing law enforcement operations between Member States, including, where appropriate, with

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;	improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations; [AM119] (a) <i>increasing relevant</i> law enforcement operations between Member States, including, when appropriate, with other relevant actors, in particular to facilitate and improve the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;[AM50]	investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;	other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;"
361.	(b) to increase coordination and cooperation of law enforcement and	(b) to increase coordination and cooperation of law	(b) to increase coordination and cooperation of law	Nb: to be adjusted to definition of "competent authorities"

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	other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;	enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres; [AM119] (b) <i>increasing</i> coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;[AM50]	enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;	TM 04.02.20 Provisionally agreed: "(b) to <i>increasing</i> coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;"
362.	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at national level among	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at national level among	(c) to improve inter-agency cooperation and at Union level between the Member States, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand as well as at national level among	TM 04.02.20 Provisionally agreed: "(c) to <i>improving</i> inter-agency cooperation and at Union level between the Member States, or and between Member States, on the one

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	national authorities in each Member State.	the national authorities in each Member State. [AM119] (c) <i>improving</i> inter-agency cooperation and, at Union level, between the Member States <i>themselves</i> , or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand, as well as at national level among the <i>competent</i> national authorities in each Member State; [AM50]	the national authorities in each Member State.	hand, and the relevant Union bodies, offices and agencies on the other hand as well as at national level among the <i>competent national</i> authorities in each Member State." Nb: to be adjusted to definition of competent authorities: delete national
363.	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures. [AM119] The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures: [AM50]	The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:	T, P, H the method and the place Provisionally agreed (potentially add 'contribute <i>to achieving</i> ') The Fund shall contribute to <i>achieving</i> the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures;

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
364.	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors;	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors; [AM119] (a) <i>increasing</i> law enforcement training, exercises <i>and</i> mutual learning, <i>notably by including elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism,</i> specialised exchange programmes <i>between Member States, including for junior law-enforcement staff,</i> and sharing of best practice including with third countries and other relevant actors; [AM50]	(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third countries and other relevant actors;	Nb: to be adjusted to definition of competent authorities: see below in yellow TM 31.08.20 Provisionally agreed References to radicalisation, violent extremism and racism to be moved to line 45, delete line 20 TM 04.02.20 EP (lines 364/365): proposes to move LE exchange programmes and awareness raising on radicalisation to recital 31 (line 45); since ‘crime prevention’ is a specific objective of the Fund and ‘sharing of best practice’ should apply to different areas, the EP addition to line 365 (EP: line 120) can be deleted and the ‘local’ level added to line 365 as well as recital 31. COM – considers radicalisation and racism to be too specific to be included: (a) <i>increasing</i> law enforcement training, exercises, <i>and</i> mutual learning, including awareness-raising on radicalisation and racism, notably... 15.04.20:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>CNS could be flexible.</p> <p>EP 30.04.20: can accept the COMP proposal of the Commission if the EP proposal on line 45 with the addition of racism is accepted by CSL</p> <p><i>“increasing law enforcement training, exercises and mutual learning notably by including on elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism, specialised exchange programmes between Member States, including for junior law enforcement staff, and sharing of best practice in and between Member States’ competent authorities, including at local level, and with third countries and other relevant actors;”</i></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
365.	(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations;	(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations; [AM119] (b) exploiting synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations, or the sharing of best practices in preventing crime at the local level; [AM50]	(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations;	TM 04.02.20 Provisionally agreed: "(b) to exploiting synergies by pooling resources and knowledge and sharing good best practices among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations; "
366.	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification, protection and support	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification,	(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification,	TM 04.02.20 Provisionally agreed:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;	protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect; [AM119] (c) <i>promoting and developing</i> measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect; [AM50]	protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;	"(c) to promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;"
367.	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats.	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats. [AM119]	(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats.	TM 04.02.20 Provisionally agreed: "(d) to acquiring relevant equipment and to setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		(d) <i>acquiring</i> relevant equipment and <i>setting</i> up or <i>upgrading</i> specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats;[AM50]		awareness and adequate response to security threats."
1.		<i>(d a) detecting, assessing and closing vulnerabilities in critical infrastructure and IT equipment with high market penetration in order to prevent attacks against information systems and critical infrastructure, for instance by code auditing of free and open source software, by establishing and supporting bug bounty programmes, or by penetration testing.</i> [AM50]		See line 123 TM 13.10.20 Provisionally agreed - EP compromise proposal of 25.09.20 <i>“protecting critical infrastructure against security-related incidents by detecting, assessing and closing vulnerabilities”</i>
1.		4. The Fund shall contribute to the achievement of the specific objective set out in Article 3(2)(c a) by focusing on the following implementation measures: <i>(a) improving cooperation and coordination among the</i>		Trilogue 26.11.20 Provisionally agreed to drop

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>intelligence services of the Member States and between these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations and threat assessment;</i> <i>(b) the exchange of and training of intelligence officers.</i> [AM50]		
368.	ANNEX III Actions to be supported by the Fund in-line with Article 4	ANNEX III <i>Examples of eligible actions to be supported by the Fund in-line with Article 4.</i> [AM120]	ANNEX III <i>List of indicative</i> Actions to be supported by the Fund in-line with Article 4	TM 04.02.20 Provisionally agreed “ <i>Scope of support</i> ”
369.		<i>Support from the Internal Security Fund may, inter alia, be targeted towards the following types of actions:</i> [AM121]		TM 04.02.20 Provisionally agreed (EP text)
370.	• IT systems and networks contributing to the achievement of the objectives of this Regulation, training on the use of such systems, testing and	— <i>setting up of</i> IT systems and networks contributing to the achievement of the objectives	• ICT systems and networks contributing to the achievement of the objectives of this Regulation, training on the	TM 04.02.20 Provisionally agreed:

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	improving interoperability and data quality of such systems;	of this Regulation, training on the use of such systems, testing and improving <i>the interoperability components</i> and data quality of such systems; [AM122]	use of such systems, testing and improving interoperability and data quality of such systems;	"- <i>setting up, adapting and maintaining</i> IT systems and <i>communication</i> networks contributing to the achievement of the objectives of this Regulation, training on the use of such systems, testing and improving <i>the interoperability components</i> and data quality of such systems"
371.	• monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems;	— monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems, <i>in particular data protection, privacy and data security</i> ; [AM123]	• monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems;	T TM 04.02.20 Provisionally agreed: EP proposal: "monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems, <i>including data protection, privacy and data security</i> ;"
372.	• EMPACT actions implementing or facilitating the implementation of the EU Policy Cycle;	• EMPACT actions implementing or facilitating the implementation of the EU Policy Cycle;	• EMPACT <i>EU policy cycle operational</i> actions implementing or facilitating the implementation of the EU Policy Cycle ;	T Provisionally agreed, in line with rewording of the definition
373.		— <i>support of decentralised agencies with a view to facilitate the</i>		<u>Possible compromise: EP to drop amendment</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>cooperation during cross-border operations;</i> [AM124]		
374.	<ul style="list-style-type: none"> actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection and terrorism; 	<ul style="list-style-type: none"> actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection, terrorism and cybercrime; [AM125]	<ul style="list-style-type: none"> actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection and terrorism; 	T Provisionally agreed (EP AM) — <u>actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection, terrorism and cybercrime;</u>
375.	<ul style="list-style-type: none"> actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially projects aiming at testing and validating the outcome of Union-funded security research projects; 	<ul style="list-style-type: none"> actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially projects aiming at testing and validating the outcome of Union-funded security research projects; 	<ul style="list-style-type: none"> actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially projects aiming at testing and validating the outcome of Union-funded security research projects; 	Provisionally agreed
376.		<ul style="list-style-type: none"> <i>actions that promote research and exchange of expertise improving resilience to emerging threats including trafficking via online channels, hybrid threats and chemical, biological, radiological and nuclear threats.</i>[AM126] 		T, P TM 31.08.20 Provisionally agreed <u>actions that promote research and exchange of expertise improving resilience to emerging threats including trafficking via online channels, hybrid threats,</u>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<i>malicious use of unmanned aerial systems and chemical, biological, radiological and nuclear threats</i>
377.		— <i>actions and networks of national contact points that facilitate the cross-border exchange of data acquired by surveillance systems, such as cameras and other sensors, combined with artificial intelligence algorithms, subject to robust safeguards, including data minimisation, prior validation by a judicial authority, and access to judicial redress;</i> [AM127]		TM 04.02.20 Provisionally agreed to merge with line 378 (see wording below)
378.	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices, pooling of resources and expertise in joint centres of excellence;	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices, pooling of resources and expertise in joint centres of excellence;	• support to thematic or cross-theme networks of specialised national units to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices, pooling of resources and expertise in joint centres of excellence;	TM 04.02.20 Provisionally agreed:"- support to thematic or cross-theme networks of specialised national units and national contact points to improve mutual confidence, exchange and dissemination of know-how, information, experiences and best practices, pooling of resources and expertise in joint centres of excellence"

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
379.		— <i>support for initiatives to network the intelligence services of the Member States to foster a common intelligence culture, improve mutual trust, exchange and dissemination of know-how, information, experience and good practice;</i> [AM128]		Trilogue 26.11.20 Provisionally agreed to drop
380.	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network;	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network;	• education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network;	TM 04.02.20 Provisionally agreed (lines 380/381): “education and training of staff and experts of relevant law enforcement and judicial authorities and administrative agencies, taking into account operational needs and risk analyses, based on the LETS and in cooperation with CEPOL and, when applicable, the European Judicial Training Network in particular including on prevention policies with special emphasis on fundamental rights training ”
381.		— <i>education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies in prevention</i>		TM 04.02.20

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		<i>policies with special emphasis on fundamental rights training, including measures to detect and avoid racism, and exchange of best practices;</i> [AM129]		Provisionally agreed to merge with line 380 [...]
382.	<ul style="list-style-type: none"> cooperation with the private sector in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure; 	<ul style="list-style-type: none"> cooperation with the private sector, <i>in particular in the field of cybersecurity</i>, in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure;[AM130] 	<ul style="list-style-type: none"> cooperation with the private sector in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure; 	TM 04.02.20 Provisionally agreed: “cooperation with the private sector, <i>for instance in the fight against cybercrime</i> , in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure;
383.	<ul style="list-style-type: none"> actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies; 	<ul style="list-style-type: none"> actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies; 	<ul style="list-style-type: none"> actions empowering communities to develop local approaches and prevention policies, and awareness-raising and communication activities among stakeholders and the general public on Union security policies; 	Provisionally agreed

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384.	• equipment, means of transport, communication systems and essential security-relevant facilities;	• equipment, means of transport, communication systems and essential security-relevant facilities;	• equipment, means of transport, communication systems and essential security-relevant facilities;	Provisionally agreed
385.	• cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	• cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	• cost of staff involved in the actions that are supported by the Fund or actions requiring involvement of staff for technical or security-related reasons.	Provisionally agreed
386.	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(2) and 12(6)	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(2) 11(3) and 12(6) 12(7)[AM131]	ANNEX IV Actions eligible for higher co-financing in-line with Articles 11(23) and 12(6)	Provisionally agreed: Actions referred to in Articles 11(3) and 12(6)
387.	• Projects which aim to prevent and counter radicalisation.	— Projects which aim to prevent and counter <i>violent extremism, including radicalisation, intolerance and discrimination, in particular measures to address their root causes and to prevent radicalisation in prisons, and projects providing specific training for law-enforcement authorities.</i> [AM132]	• Projects which aim to prevent and counter radicalisation.	Provisionally agreed COM proposal 12.10.20: discrimination to be mentioned in line 380 instead of 387: “ <i>with special emphasis on fundamental rights and non-discrimination training</i> ” TM 13.10.20

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				CNS: can accept COM proposal above EP: positive scrutiny on COM proposal EP can confirm
388.	• Projects which aim at improving the interoperability of IT systems and communication networks. ⁸⁵	— Projects which aim at improving the interoperability of IT systems and communication networks, <i>insofar as provided for by Union or Member State law.</i> [AM133]	• Projects which aim at improving the interoperability of ICT systems and communication networks. ⁸⁶	TM 31.08.20 Provisionally agreed CNS can accept EP AM
389.		— <i>Projects which aim to fight organised crime structures that are particularly dangerous according to EMPACT.</i> [AM134]		Provisionally agreed “Projects which aim to fight the most important threats posed by <u>serious and organised and serious international</u> crime, in the framework of EU policy cycle <u>EMPACT</u> operational actions <u>plans, in particular through the identification and investigation of organised crime groups, or high value targets, that require a coordinated approach.</u> ” CNS agrees with the text. EP can confirm

⁸⁵ In line with the Commission Communication on stronger and smarter information systems for borders and security COM(2016) 205.

⁸⁶ In line with the Commission Communication on stronger and smarter information systems for borders and security COM(2016) 205.

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390.		— <i>Projects which aim to prevent and fight cybercrime, in particular child sexual exploitation online, including measures to prevent attacks against information systems and critical infrastructure by detecting and closing vulnerabilities.</i> [AM135]	• <i>Projects which aim to fight all forms of cyber-crime.</i>	Provisionally agreed TM 31.08.20 EP and CNS agree <i>'Projects which aim to prevent and fight cybercrime, in particular child sexual exploitation online, and crimes where the Internet is the primary platform for evidence collection'.</i>
1.			• <i>Projects which aim at strengthening critical infrastructures.</i>	02-10-20 COM-proposal for rewording: <u>Provisionally agreed:</u> Projects which aim at improving the security and resilience of critical infrastructure EP can confirm new COM-proposal
391.		— <i>Projects which aim to fight against trafficking via online channels.</i> [AM136]		T, P See line 390

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392.	ANNEX V Core performance indicators referred to in Article 24(1)	ANNEX V Core performance indicators referred to in Article 24(1)	ANNEX V Core performance indicators referred to in Article 24(1)	Provisionally agreed Annex V to cover all result indicators listed in Annex VIII - see separate document
393.	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	
394.			<i>1. Number of ICT systems and networks made interoperable</i>	
395.			<i>2. Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/ tools/guidance for exchange of information with other Member States/EU agencies/ international organisations/third countries</i>	
396.			<i>3. Number of participants who report a more effective use of EU information exchange mechanisms after the training activity</i>	
397.	Use of EU information exchange mechanisms,.	Use of EU information exchange mechanisms,.	Use of EU information exchange mechanisms,.	
398.	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU- LISA, Council, Member States</i>	<i>data source: Europol, EU LISA, Council, Member States</i>	

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399.	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	
400.	(1) Number of joint operational actions supported by the Fund.	(1) Number of joint operational actions supported by the Fund.	(1) Number of joint operational actions supported by the Fund.	
401.	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	
402.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(2) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	
403.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
404.	(3) Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.	Value <i>of seizures</i> of illicit <i>drugs, weapons, wildlife products and trafficking of cultural goods</i> achieved with involvement of cross-border cooperation between law enforcement agencies <i>implemented with the support of the Fund.</i> [AM137]	(3) <i>I. Quantity</i> The value of illicit drug seizures achieved with involvement of <i>seized in the context of</i> cross-border <i>operations</i> cooperation between law enforcement agencies.	
405.	<i>data source: Member States, Union action grant beneficiaries</i>	<i>data source: Member States, Union action grant beneficiaries</i>	<i>data source: Member States, Union action grant beneficiaries</i>	
406.			2. <i>Number of cross-border operations</i>	
407.			3. <i>Number of Schengen Evaluation Recommendations</i>	

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			<i>with a financial implication in the area of security addressed</i>	
408.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(4) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	
409.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
410.	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	
411.			<i>1. Number of initiatives developed or expanded to prevent radicalisation and violent extremism</i>	
412.			<i>2. Number of critical infrastructure/public spaces with new/adapted facilities protecting against security related risks</i>	
413.			<i>3. Number of participants who completed the training activity/the exchange programme</i>	
414.			<i>4. Number of victims of crimes assisted</i>	

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415.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	(5) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund.	
416.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
417.	(6) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	Number of of public spaces and scale and public spaces of critical infrastructures of which the protection against security-related incidents has been improved with the help of the Fund.[AM138]	(6) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	
418.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	
419.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	(7) Number of initiatives to prevent radicalisation leading to violent extremism.	
420.	<i>data source: RAN</i>	<i>data source: RAN</i>	<i>data source: RAN</i>	
421.	ANNEX VI Types of intervention	ANNEX VI Types of intervention	ANNEX VI Types of intervention	
422.	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION	
423.	1 TER-Countering Terrorist Financing	1 TER-Countering Terrorist Financing	1 TER-Countering Terrorist Financing	

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424.	2 TER-Prevention and countering of radicalisation	2 TER-Prevention and countering of radicalisation	2 TER-Prevention and countering of radicalisation	
425.	3 TER-Protection and resilience of public spaces and other soft targets	3 TER-Protection and resilience of public spaces and other soft targets	3 TER-Protection and resilience of public spaces and other soft targets	
426.	4 TER- Protection and resilience of critical infrastructure	4 TER- Protection and resilience of critical infrastructure	4 TER- Protection and resilience of critical infrastructure	
427.	5 TER-Chemical Biological Radioactive Nuclear	5 TER-Chemical Biological Radioactive Nuclear	5 TER-Chemical Biological Radioactive Nuclear	
428.	6 TER-Explosives	6 TER-Explosives	6 TER-Explosives	
429.	7 TER-Crisis Management	7 TER-Crisis Management	7 TER-Crisis Management	
430.	8 TER-Other	8 TER-Other	8 TER-Other	
431.	9 OC-Corruption	9 OC-Corruption	9 OC-Corruption	
432.	10 OC-Economic and Financial Crime	10 OC-Economic and Financial Crime	10 OC-Economic and Financial Crime	
433.		<i>10a OC - Laundering of the proceeds of crime</i> [AM139]		TM 31.08.20 Provisionally agreed (EP AM) T, P CNS: open to consider new items if Annex VI is a reporting tool and does not limit transfers of funds between different categories - ensure that list is not expanded too much
434.	11 OC-Drugs	11 OC-Drugs	11 OC-Drugs	

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435.	12 OC-Firearms trafficking	12 OC-Firearms trafficking	12 OC-Firearms trafficking	
436.		<i>12a Trafficking of cultural objects</i> [AM140]		TM 31.08.20 Provisionally agreed(EP AM)
437.		<i>12b Trafficking of endangered species</i> [AM141]		T, P Provisionally agreed - EP to withdraw its AM
438.	13 OC-Trafficking in Human Beings	13 OC-Trafficking in Human Beings	13 OC-Trafficking in Human Beings	
439.	14 OC-Migrant Smuggling	14 OC-Migrant Smuggling	14 OC-Migrant Smuggling	
440.	15 OC-Environmental Crime	15 OC-Environmental Crime	15 OC-Environmental Crime	
441.	16 OC-Organised Property Crime	16 OC-Organised Property Crime	16 OC-Organised Property Crime	
442.	17 OC-Other	17 OC-Other	17 OC-Other	
443.	18 CC-Cybercrime - Other	18 CC-Cybercrime - Other	18 CC-Cybercrime - Other	
444.	19 CC-Cybercrime – Prevention	19 CC-Cybercrime – Prevention	19 CC-Cybercrime – Prevention	
445.	20 CC-Cybercrime - Facilitating investigations	20 CC-Cybercrime - Facilitating investigations	20 CC-Cybercrime - Facilitating investigations	
446.	21 CC-Cybercrime - Victims assistance	21 CC-Cybercrime - Victims assistance	21 CC-Cybercrime - Victims assistance	
447.	22 CC-Child Sexual Exploitation - Prevention	22 CC-Child Sexual Exploitation - Prevention	22 CC-Child Sexual Exploitation - Prevention	

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448.	23 CC-Child Sexual Exploitation – Facilitating investigations	23 CC-Child Sexual Exploitation – Facilitating investigations	23 CC-Child Sexual Exploitation – Facilitating investigations	
449.	24 CC-Child Sexual Exploitation - Victims assistance	24 CC-Child Sexual Exploitation - Victims assistance	24 CC-Child Sexual Exploitation - Victims assistance	
450.		24a CC - Distribution of child abuse images and child pornography [AM142]		COM: T TM 13.10.20 Provisionally agreed - merge with line 451 (see below)
451.	25 CC- Child Sexual Exploitation – Other	25 CC- Child Sexual Exploitation – Other	25 CC- Child Sexual Exploitation – Other	TM 13.10.20 Provisionally agreed - text below CC - Child Sexual Exploitation, including distribution of child abuse images and child pornography ENS: positive scrutiny
452.	26 CC-Other	26 CC-Other	26 CC-Other	
453.	27 GEN-Information exchange	27 GEN-Information exchange	27 GEN-Information exchange	
454.	28 GEN-Police or interagency cooperation (customs, border guards, intelligence services)	28 GEN-Police or interagency cooperation	28 GEN-Police or interagency cooperation (<i>e.g.</i>	Provisionally agreed - Council drops its AM

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		(customs, border guards, intelligence services)	customs, border guards, intelligence services)	
455.	29 GEN-Forensics	29 GEN-Forensics	29 GEN-Forensics	
456.	30 GEN-Victim support	30 GEN-Victim support	30 GEN-Victim support	
457.	31 GEN-Operating support	31 GEN-Operating support	31 GEN-Operating support	
458.	32 TA-Technical assistance - information and communication	32 TA-Technical assistance - information and communication	32 TA-Technical assistance information and communication	Council drops its AM
459.	33 TA-Technical assistance - preparation, implementation, monitoring and control	33 TA-Technical assistance - preparation, implementation, monitoring and control	33 TA Technical assistance preparation, implementation, monitoring and control	Council drops its AM
460.	34 TA-Technical assistance - evaluation and studies, data collection	34 TA-Technical assistance - evaluation and studies, data collection	34 TA Technical assistance evaluation and studies, data collection	Council drops its AM
461.	35 TA-Technical assistance - capacity building	35 TA-Technical assistance - capacity building	35 TA Technical assistance capacity building	T TM 13.10.20 Council drops its AM
462.	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION	
463.	1 IT-systems, interoperability, data quality, communication systems (excluding equipment)	1 IT-systems, interoperability, data quality,	1 IT-systems, interoperability, data quality,	

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		communication systems (excluding equipment)	communication systems (excluding equipment)	
464.	2 Networks, centres of excellence, cooperation structures, joint actions and operations	2 Networks, centres of excellence, cooperation structures, joint actions and operations	2 Networks, centres of excellence, cooperation structures, joint actions and operations	
465.	3 Joint Investigation Teams (JITs) or other joint operations	3 Joint Investigation Teams (JITs) or other joint operations	3 Joint Investigation Teams (JITs) or other joint operations	
466.	4 Secondment or deployment of experts	4 Secondment or deployment of experts	4 Secondment or deployment of experts	
467.	5 Training	5 Training	5 Training	
468.	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	6 Exchange of best practices, workshops, conferences, events, awareness raising campaigns, communication activities	
469.	7 Studies, pilot projects, risk assessments	7 Studies, pilot projects, risk assessments	7 Studies, pilot projects, risk assessments	
470.	8 Equipment (included in calculation of 15% cap)	8 Equipment (included in calculation of 15% cap)	8 Equipment (included in calculation of 15% cap)	Provisionally agreed T, P CNS: AM linked to discussion on line 211 TM 13.10.20 - Lines 470-472: CNS suggests accepting CNS text irrespective of the final solution on line 211 as this would have no impact on the cap COM to check if the text in () is needed

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p><u>Possible compromise - without text in (...)</u></p> <p><u>8 Equipment (included in calculation of 15% cap)</u></p>
471.	9 Means of transport (included in calculation of 15% cap)	9 Means of transport (included in calculation of 15% cap)	9 Means of transport (included in calculation of 15% cap)	<p>T, P TM 13.10.20 Lines 470-472: CNS suggests accepting CNS text irrespective of the final solution on line 211 as this would have no impact on the cap COM to check if the text in () is needed</p> <p><u>Possible compromise - without text in (...)</u></p> <p><u>9 Means of transport</u></p>
472.	10 Buildings, facilities (included in calculation of 15% cap)	10 Buildings, facilities (included in calculation of 15% cap)	10 Buildings, facilities (included in calculation of 15% cap)	<p><u>Provisionally agreed</u></p> <p>10 Buildings, facilities (included in calculation of 15% cap)T, P TM 13.10.20 Lines 470-472: CNS suggests accepting CNS text irrespective of the final solution on line 211 as this would have no impact on the cap COM to check if the text in () is needed</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				Possible compromise - without text in (...) 10 Buildings, facilities
473.	11 Deployment or other follow-up of research projects	11 Deployment or other follow-up of research projects	11 Deployment or other follow-up of research projects	
474.	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION	Possible compromise - Table 3 as proposed by Council
475.	1 Cooperation with third countries	1 Cooperation with third countries	1 Cooperation with third countries <i>Actions as per Art. 11.1</i>	T, P CNS (lines 475-485): table was split into two to cover the same items but ensure transparency as regards additional criteria such as cooperation with third countries since expenditure can be categorised under one item only in each table
476.	2 Actions in third countries	2 Actions in third countries	2 Actions in third countries	T, P
477.	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	3 Implementation of Schengen evaluation recommendations in the area of police cooperation	T, P
478.	4 Specific Actions (not known at programming stage)	4 Specific Actions (not known at programming stage)	4.2 Specific Actions (not known at programming stage)	T, P
479.	5 Emergency Assistance (not known at programming stage)	5 Emergency Assistance (not known at programming stage)	5 Emergency Assistance (not known at programming stage)	T, P
480.	6 Actions listed in Annex IV	6 Actions listed in Annex IV	6 Actions listed in Annex IV IV.3 Actions listed in Annex IV	T, P

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1.			<i>4 Operating support</i>	
481.			<i>5 Other actions (as per Art. 11.1) Emergency Assistance</i>	T, P
482.			TABLE 4: CODES FOR SECONDARY IMPLEMENTATION MODALITIES DIMENSION	Possible compromise - Table 4 as proposed by Council
483.			<i>1 Cooperation with third countries</i>	T, P
484.			<i>2 Actions in third countries</i>	T, P
485.			<i>3 Implementation of Schengen evaluation recommendations in the area of police cooperation</i>	T, P
486.	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	ANNEX VII Eligible actions for operating support	
487.	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	Within specific objective <i>better information exchange</i> , operating support within the programmes shall cover:	
488.	• maintenance and helpdesk of Union and where relevant national IT systems contributing to the achievement of the objectives of this Regulation.	• maintenance and helpdesk of Union and where relevant national IT systems contributing to the achievement of the objectives of this Regulation.	• maintenance and helpdesk of Union and where relevant national ICT systems and networks contributing to the achievement of the objectives of this Regulation.	T CSL to come back with reason for change 27.11.20 CNS proposes maintenance and helpdesk of Union and where relevant national ICT systems and databases contributing to

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				the achievement of the objectives of this Regulation.
489.	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	
490.	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	Within specific objective <i>increased operational cooperation</i> , operating support within the national programmes shall cover:	
491.	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension. 	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension. 	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and organised crime with a cross-border dimension. 	
492.	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	<ul style="list-style-type: none"> staff costs contributing to the achievement of the objectives of this Regulation 	
493.	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	Within specific objective <i>strengthened capabilities to prevent and to combat crime</i> , operating support within the national programmes shall cover:	
494.	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious 	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of 	<ul style="list-style-type: none"> maintenance of technical equipment or means of transport used for actions in the area of prevention, detection and investigation of serious and 	

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	and organised crime with a cross-border dimension.	serious and organised crime with a cross-border dimension.	organised crime with a cross-border dimension.	
495.	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	• staff costs contributing to the achievement of the objectives of this Regulation	
496.	Actions which are not eligible under Article 4(3) shall not be covered.	Actions which are not eligible under Article 4(3) shall not be covered.	Actions which are not eligible under Article 4(3) shall not be covered.	
497.	ANNEX VIII Output and result indicators referred to in Article 24(3)	ANNEX VIII Output and result indicators referred to in Article 24(3)	ANNEX VIII Output and result indicators referred to in Article 24(3)	Provisionally agreed - see separate document
498.	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	Specific Objective 1: Better information exchange	
499.			<u>Output indicators</u>	<p>CNS: it was necessary to think of a complete revision of the indicators part, a workshop was organised. Special focus was given to distinguish between output and result indicators and the availability and ease-of-collection of the data.</p> <p>CION: link of some proposed indicators with ISF funding was not clear; guidance will be issued by COM to MS with clear definitions to ensure harmonised application</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				EP: needs to thoroughly study CNS proposal to make sure all its points are covered
500.			1. <i>Number of participants in training activities</i>	Provisionally agreed - CNS text
501.			2. <i>Number of expert meetings/workshops/study visits</i>	TM 31.08.20 Provisionally agreed - CSL text
502.			3. <i>Number of ICT systems/functionalities/services developed/maintained/ upgraded</i>	<p>TM 27/11/19 CNS/CION: further breakdown of data could be considered</p> <p>CNS: Defining the each sub-category would be difficult and therefore have an impact on the comparability of the data.</p> <p>EP 30.4.20 With addition (covers proposed indicator 2)</p> <p>3. Number of <i>information ICT systems and databases /networks/ functionalities/ services of competent authorities developed-set up /adapted/ maintained/ upgraded</i></p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				TM 31.08.20 Should be aligned with e.g. line 356 as regards set up/adapted/maintained/upgraded; ICT/info systems/data bases should be checked (e.g. line 358) regarding inconsistencies, lawyer linguists opinion to be requested
503.			4. Number of equipment items purchased	TM 31.08.20 Provisionally agreed EP 30.04.20 Ok for Council proposal 4.Number of equipment items purchased
504.			5. Number of transport means purchased	EP 30.04.20 Deletion Number of transport means purchased TM 31.08.20 CNS to check internally EP - not relevant under the specific objective

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
505.			<u>Result indicators</u>	
506.			<i>1. Number of ICT systems and networks made interoperable</i>	<p>EP 30.04.20</p> <p>Proposed addition covers proposed indicator 2</p> <p>1. Number of ICT systems, databases and networks of competent authorities made interoperable-connected, including within Member States, with EU information systems and, where relevant, with international databases</p> <p>TM 31.08.20 COM will make compromise drafting with clearer wording, including the word "interoperable"</p>
507.			<i>2. Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/tools/guidance for exchange of information with other Member States/EU agencies/international organisations/third countries</i>	<p>Provisionally agreed - EP proposal without "maintained"</p> <p>2. Number of administrative units that have newly put in place or upgraded set up new or adapted existing information exchange mechanisms/ procedures/ tools*/ guidance for exchange of</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				information with other Member States/ EU agencies/ international organisations/ third countries
508.			<p>3. <i>Number of participants who report a more effective use of EU information exchange mechanisms after the training activity</i></p>	<p>TM 27/11/19 EP/CION: example of qualitative indicator</p> <p>EP 30.04.20</p> <p>3. Number of participants who report a more effective and consistent use* of EU information systems and exchange mechanisms after the training activity</p> <p>6. results of trainings/workshops/exchanges/study visits</p> <p>a. participant satisfaction b. the knowledge and contacts acquired by training participants c. use and dissemination of contacts within Member States d. impact of trainings on the job or on the organisation's results**</p> <p>* EP AMs 143/144 are deemed implicitly covered here</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>- covers proposed indicators 1 and 3 **- 6(a)-(d) - qualitative indicators were added to allow for better monitoring of performance</p> <p>TM 31.08.20 EP insists to have qualitative indicators measuring the effectiveness of the ISF included; proposal for point 6 is based on suggestions in ECA report "SR 13/2018 - Tackling radicalisation that leads to terrorism" (point 31)</p> <p>COM will make a draft for a compromise</p>
509.	(1) Use of EU information exchange mechanisms measured through the:	(1) Use of EU information exchange mechanisms measured through the:	(1) Use of EU information exchange mechanisms measured through the:	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
510.	(a) number of searches performed in the Schengen Information System (SIS);	(a) number of <i>alerts introduced and</i> searches performed in the Schengen Information System (SIS);[AM143]	(a) number of searches performed in the Schengen Information System (SIS);	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
511.	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member States	(b) number of searches in the system for transnational exchange of forensic data (DNA, fingerprints, number plates) between Member States	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

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	States (Prüm automated data exchange system);	(Prüm automated data exchange system);	(Prüm automated data exchange system);	
512.	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	(c) number of messages exchanged through Europol's Secure Information Exchange Network Application (SIENA);	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
513.	(d) number of searches performed in Europol's Information System (EIS);	(d) number of searches performed in Europol's Information System (EIS);	(d) number of searches performed in Europol's Information System (EIS);	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
514.	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	(e) total number of passengers whose EU Passenger Name Record (PNR) data have been collected and exchanged;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
515.		<i>(e a) number of searches performed in the European Criminal Record Information system for third Country nationals (ECRIS-TCN).[AM144]</i>		TM 31.08.20 EP agrees to drop its AM following agreement on the revised structure proposed by CSL
516.	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	<i>data source: Europol, EU-LISA, Council, Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
517.	(2) Number of new connections between security-relevant databases made with support of the Fund:	(2) Number of new connections <i>of competent authorities</i> between security-	(2) Number of new connections between security-	TM 31.08.20

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		relevant databases made with support of the Fund: [AM145]	relevant databases made with support of the Fund:	Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
518.	(a) with EU and where relevant international databases;	(a) with EU and where relevant international databases;	(a) with EU and where relevant international databases;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
519.	(b) within the Member State;	(b) within the Member State;	(b) within the Member State;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
520.	(c) with one or more other Member States;	(c) with one or more other Member States;	(c) with one or more other Member States;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
521.	(d) with one or more third countries.	(d) with one or more third countries.	(d) with one or more third countries.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
522.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
523.	(3) Number of active users of EU and where relevant national security	(3) Number of active users of EU and where relevant	(3) Number of active users of EU and where relevant	TM 31.08.20

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users.	Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
524.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
525.	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	Specific Objective 2: Increased operational cooperation	EP 30.04.20 Specific Objective 2: Increased <i>cross-border operational coordination and cooperation</i> TM 31.08.20 Decision on title to be postponed pending agreement on line 102
526.			<u><i>Output indicators</i></u>	
527.			<i>1. Number of expert meetings/workshops/study visits/common exercises/manuals of best practice/ contributions to manuals prepared by another Member State</i>	EP 30.04.20 <i>1. Number of cross-border joint operations (covers proposed indicator 4)</i>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>1.1. Of which number of joint investigation teams (covers proposed indicator 4a)</p> <p>1.2. Of which number of EU policy cycle operational actions (covers proposed indicator 4b)*</p> <p>2. Number of expert meetings/workshops/study visits/common exercises/manuals of best practice/contributions to manuals prepared by another Member State**</p> <p>*- points 1./1.1/1.2 were moved up from „result indicators“</p> <p>** - The number of manuals and contributions thereto should be deleted as they risk to distort the indicator. Moreover, they will likely only be published once during the programming period. Alternatively, they should be moved into a separate indicator.</p> <p>- covers proposed indicator 8 and 11 TM 31.08.20</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				COM agrees with EP deletion in pt. 2, sees benefits in putting number of operations as result or output indicator EP sticks to its proposal but to check internally if 'joint' in point 1 can be dropped CNS to come back on deletion in point 2
528.			2. <i>Number of ICT systems/functionalities/services developed/maintained/upgraded</i>	EP 30.04.20 <i>Number of ICT systems/functionalities/services developed/maintained/upgraded</i> TM 31.08.20 EP + COM: redundant CNS positive scrutiny
529.			3. <i>Number of equipment items purchased</i>	EP 30.04.20 – ok <i>3. Number of equipment items purchased</i> Provisonally agreed TM 31.08.20
530.			4. <i>Number of transport means purchased</i>	Provisonally agreed TM 31.08.20 COM proposes "for cross-border" ..." instead of "which are used in ..." EP + CNS agree

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				EP 30.04.20 4. Number of transport means purchased <i>which are used in cross- border joint operations</i>
531.			<u>Result indicators</u>	
532.			<i>1. The estimated value of assets frozen in the context of cross-border operations</i>	EP 30.04.20 1. The estimated value of assets frozen in the context of cross-border <i>joint</i> * operations *-language has been aligned with the objective - covers proposed indicator 6 TM 31.08.20 EP open to drop “joint” if consistent with title of SO 2 and other indicators
533.			<i>2. Quantity of illicit drug seized in the context of cross- border operations</i>	See line 549 EP 30.04.20 2. Quantity of illicit drugs seized in the context of cross-border <i>joint</i> operations <i>by type of product</i> * -covers proposed indicator 7

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>*- to address differences in weight, value etc.</p> <p>3. <i>Quantity of weapons seized in the context of cross-border joint operations by type of weapon**</i></p> <p>4. <i>Number of cross-border joint operations in which wildlife were seized</i></p> <p>5. <i>Number of cross-border joint operations in which cultural goods were seized</i></p> <p>**- covers EP AM 137</p> <p>TM 31.08.20 COM against “quantity” as a list would have to be agreed and MS might now have the data CNS to check internally re value vs quantity EP - could agree to value</p>
534.			<p>3. <i>Number of administrative units that have newly put in place or upgraded existing mechanisms/procedures/tools/guidance for cooperation with other Member States/EU</i></p>	<p>EP 30.04.20</p> <p>6. Number of administrative units that have <i>developed, adapted newly put in place</i> or <i>maintained upgraded</i> existing mechanisms/procedures/tools/guidance for cooperation</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
			<i>agencies/international organisations/third countries</i>	with other Member States/EU agencies/international organisations/third countries - covers proposed indicator 5 TM 31.08.20 EP to come back re maintained (see line 507) CNS would be flexible
535.			4. Number of cross-border operations	EP 30.04.20 moved up to output indicators TM 31.08.20 CNS flexible
536.			4.1. Of which number of joint investigation teams	EP 30.04.20 moved up to output indicators TM 31.08.20 CNS flexible
537.			4.2. Of which number of EU policy cycle operational actions	EP 30.04.20 moved up to output indicators TM 31.08.20 CNS flexible
538.			5. Number of staff involved in cross-border operations	TM 31.08.20 EP 30.04.20

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				7. Number of staff involved in cross-border <i>joint</i> operations - covers proposed indicator 5 TM 31.08.20 EP open to drop “joint” if consistent with title of SO 2 and other indicators
539.			6. Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed	Provisionally agreed TM 31.08.20 EP 30.04.20 - ok 8. Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed - covers proposed indicator 9
540.	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	(4) Number of joint operational actions supported by the Fund, including the participating Member States and authorities and broken down by area (counter-terrorism, organised crime general, organised crime firearms, cybercrime, other):	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
541.	(a) number of joint investigation teams (JITs);	(a) number of joint investigation teams (JITs);	(a) number of joint investigation teams (JITs);	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
542.	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	(b) number of European Multidisciplinary Platform against Criminal Threats (EMPACT) operational projects;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
543.	(c) other joint operational actions.	(c) other joint operational actions.	(c) other joint operational actions.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
544.	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	<i>data source: Europol, Eurojust, Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
545.	(5) Participation in transnational networks operating with support of the Fund.	(5) Participation in transnational networks operating with support of the Fund.	(5) Participation in transnational networks operating with support of the Fund.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
546.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
547.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	(6) The estimated value of assets frozen, estimated value of assets confiscated with the help of the Fund.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
548.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
549.	(7) Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.	Value <i>of seizures</i> of illicit <i>drugs, weapons, wildlife products and trafficking of cultural goods</i> achieved with involvement of cross-border cooperation between law enforcement agencies.[AM146]	(7) Value of illicit drug seizures achieved with involvement of cross border cooperation between law enforcement agencies.	CIION: is favour of keeping the value of drugs seized calculated using the data collected by EMCDDA on national value of different drugs. It is not possible to add up different quantities of different types of drugs ie tables and kilos and tons etc. Otherwise the indicators should be split into different drug types. (see line 533)
550.	<i>data source: Member States, Union action grant beneficiaries</i>	data source: <i>Europol</i> , Member States, Union action grant beneficiaries[AM147]	<i>data source: Member States, Union action grant beneficiaries</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
551.	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example manuals on best practices, workshops, common exercises.	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example	(8) Number of outputs of existing transnational networks generated with the help of the Fund, such as for example	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		manuals on best practices, workshops, common exercises.	manuals on best practices, workshops, common exercises.	
552.	<i>data source: Union action grant beneficiaries</i>	<i>data source: Union action grant beneficiaries</i>	<i>data source: Union action grant beneficiaries</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
553.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	(9) Number of Schengen Evaluation Recommendations with a financial implication in the area of security addressed with the support of the Fund, as compared to the total number of recommendations with a financial implication in the area of security.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
554.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
555.	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	Specific Objective 3: Strengthened capabilities to combat and to prevent crime	
556.			<u><i>Output indicators</i></u>	
557.			<i>1. Number of participants in training activities/exchange programmes</i>	Provisionally agreed TM 31.08.20 CNS accepts EP proposal from 30/4; under point 2, “participants in” is deleted to align with lines 500-501

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				<p>EP 30.04.20</p> <p>1. Number of participants in training activities</p> <p>2. <i>Number of participants in exchange programmes/workshops/study visits</i></p> <p>- covers proposed indicator 10 - Former point 1 was divided in two points in line with indicators under SO 1</p>
558.			2. <i>Number of equipment items purchased</i>	<p>TM 31.08.20 Provisionally agreed</p> <p>EP 30.04.20 OK</p>
559.			3. <i>Number of transport means purchased</i>	<p>TM 31.08.20 Provisionally agreed</p> <p>EP 30.04.20 Ok</p>
560.			4. <i>Number of items of infrastructure/security relevant facilities/tools/mechanisms constructed/purchased/upgraded</i>	<p>TM 31.08.20 Provisionally agreed</p> <p>EP 30.04.20 Ok</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
561.			5. <i>Number of activities to prevent crime and to assist victims of crimes</i>	<p>EP 30.04.20</p> <p>6. Number of activities to prevent crime</p> <p>7. <i>Number of activities and</i> to assist victims of crime (covers proposed indicator 12)*</p> <p>8. <i>Number of initiatives developed or expanded to prevent radicalisation (covers proposed indicator 14)**</i></p> <p>9. <i>Number of initiatives developed or expanded to protect or support witnesses and whistle-blowers**</i></p> <p>*- points 6 and 7 should be separate **- moved up from result indicators</p> <p>CNS agrees to divide No. 5. in two as proposed by EP (prevention and victims) EP to check points 8+9 internally</p>
562.			<u>Result indicators</u>	
563.			1. <i>Number of initiatives developed or expanded to prevent radicalisation and violent extremism</i>	<p>EP 30.04.20</p> <p>1. Number of initiatives developed or expanded to prevent radicalisation and violent extremism (covers proposed indicator 14)</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				- duplication with output indicator TM 31.08.20 Classification as output/result indicator to be further discussed
564.			2. Number of critical infrastructure/public spaces with new/adapted facilities protecting against security related risks	TM 31.08.20 Provisionally agreed EP 30.04.20 - ok 2. Number of critical infrastructure/public spaces with new/adapted facilities protecting against security related risks - covers proposed indicator 13
565.			3. Number of participants who completed the training activity/the exchange programme	TM 31.08.20 Provisionally agreed - deletion EP 30.04.20 3. Number of participants who completed the training activity/the exchange programme (covers proposed indicator 10) duplication with output indicator

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
566.			4. <i>Number of victims of crimes assisted</i>	<p>EP 30.04.20</p> <p>4. Number of victims of crimes assisted, <i>broken down by type of crime</i> *</p> <p>- covers proposed indicator 12 *- to cover EP AM 149</p> <p>5. <i>Number of joint centres of excellence or common operational support centres created</i></p> <p>6. <i>results of trainings/workshops/exchanges/study visits</i></p> <p><i>a. participant satisfaction</i> <i>b. the knowledge and contacts acquired by training participants</i> <i>c. use and dissemination of contacts within Member States</i> <i>d. impact of trainings on the job or on the organisation's results</i></p> <p>- qualitative indicators were added under point 6 to allow for better monitoring of performance</p> <p>TM 31.08.20 COM: proposed point 4 (victimes by type of crime) is difficult to implement as often several types of</p>

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				crimes for each victim; open regarding point 5 EP proposes to have overall number and specify number for some types of crimes: victims of terrorism and child sexual exploitation COM to submit proposal For point 6, COM proposal under line 508 could be applicable
567.			<i>Data source for all indicators is Member States</i>	EP 30.04.20 If agencies can receive funding, their data has to be eligible to be used for the indicators. TM 31.08.20 Political question of funding of agencies via ISF; discussion postponed. COM - irrespective of political question of funding of agencies under ISF, outside of shared management also other data than just from MS should be reported
568.	(10) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund, broken down by the following areas:	(10) Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of	(10) — Number of law enforcement officials that completed training, exercises, mutual learning or specialised exchange programmes on cross-border related topics provided with the support of the Fund,	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		the Fund, broken down by the following areas:	broken down by the following areas:	
569.	(a) counter terrorism;	(a) counter terrorism;	(a) counter terrorism;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
570.	(b) organised crime;	(b) organised crime;	(b) organised crime;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
571.	(c) cybercrime;	(c) cybercrime;	(c) cybercrime;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
572.	(d) other areas of operational cooperation.	(d) other areas of operational cooperation.	(d) other areas of operational cooperation.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
573.	<i>data source: Member States</i>	data source: Member States, Europol, ENISA [AM148]	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
574.	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools developed with support of	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools	(11) Number of manuals on best practices and investigation techniques, standard operating procedures and other tools	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
	the Fund as a result of interaction between different organisations across the EU.	developed with support of the Fund as a result of interaction between different organisations across the EU.	developed with support of the Fund as a result of interaction between different organisations across the EU.	
575.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
576.	(12) Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings, migrant smuggling, terrorism, serious and organised crime, cybercrime, child sexual exploitation).	Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings <i>and organs</i> , migrant smuggling, terrorism, serious and organised crime, cybercrime, <i>sexual exploitation and child sexual exploitation, torture or inhuman or degrading treatment</i>) [AM149]	(12) — Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings, migrant smuggling, terrorism, serious and organised crime, cybercrime, child sexual exploitation).	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
577.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
578.	(13) Number of critical infrastructures and public spaces of which the protection against security-related incidents has been improved with the help of the Fund.	Number <i>of public spaces and scale</i> and public spaces of critical infrastructures of which the protection against security-related incidents has been	(13) — Number of critical infrastructures and public spaces of which the protection against security-related incidents has	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		improved with the help of the Fund; [AM150]	been improved with the help of the Fund.	
579.	<i>data source: Member States</i>	<i>data source: Member States</i>	<i>data source: Member States</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
580.	(14) Number of initiatives to prevent radicalisation leading to violent extremism:	(14) Number of initiatives to prevent radicalisation leading to violent extremism:	(14) Number of initiatives to prevent radicalisation leading to violent extremism:	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
581.	(a) number of hits on the website of the Radicalisation Awareness Network (RAN);	(a) number of hits on the website of the Radicalisation Awareness Network (RAN); [AM151]	(a) number of hits on the website of the Radicalisation Awareness Network (RAN);	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
582.	(b) number of participants in the RAN broken down by type of expert;	(b) number of participants in the RAN broken down by type of expert;	(b) number of participants in the RAN broken down by type of expert;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
583.	(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).	(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other) and	(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
		<i>feedback of participants.</i> [AM152]		
584.	<i>data source: RAN</i>	data source: RAN, <i>Member States</i> [AM153]	<i>data source: RAN</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
585.	(15) Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	(15) Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	(15) — Number of partnerships established with the support of the Fund contributing to improving support of witnesses, whistle-blowers and victims of crime:	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
586.	(a) with the private sector;	(a) with the private sector;	(a) — with the private sector;	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
587.	(b) with civil society.	(b) with civil society.	(b) — with civil society.	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
588.	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	<i>data source: Member States, Union action or EMAS grant beneficiaries</i>	TM 31.08.20 Provisionally agreed - deleted following agreement on the revised structure proposed by CSL
589.		<i>Specific objective 3 a: Development of a common intelligence culture:</i> [AM154]		T, P TM 31.08.20

	Commission proposal COM(2018) 472 final (10154/18 + ADD 1)	EP amendments - Position at first reading (13 March 2019)	Council general approach (10137/19+10972/2/20*)	Compromise text proposals
				EP agrees to drop its AM following agreement on horizontal coverage of intelligence services in all objectives
590.		<i>(15a) Number of exchanges between Member States in the field of intelligence.</i> [AM154]		T, P TM 31.08.20 EP agrees to drop its AM following agreement on horizontal coverage of intelligence services in all objectives
591.		<i>(15b) Number of law enforcement and intelligence officers involved in training, exercises, mutual learning programs or specialised exchange programs on cross-border issues organised with support from the Fund.</i> [AM154]		T, P TM 31.08.20 EP agrees to drop its AM following agreement on horizontal coverage of intelligence services in all objectives
592.		<i>data source: Member States</i> [AM154]		T, P TM 31.08.20 EP agrees to drop its AM following agreement on horizontal coverage of intelligence services in all objectives