

Draft
Regulation of the European Parliament and of the Council establishing
the Neighbourhood, Development and International Cooperation Instrument
(NDICI)*

Budgetary provisions

- Version of 24 September-

- Article 6 – Budget
- Article 22 – Methods of cooperation
- Article 23 – Forms of EU funding and methods of implementation
 - *Article 23a - Small projects funds (EP)*
- Article 24 – Eligible persons and entities
- Article 25 – Budgetary provisions

The proposed Regulation is part of the package of proposals linked to the MFF 2021-2027 and therefore dependent on the outcome of the horizontal negotiations. Pending these, the reference amounts in Article 6 are put within square brackets. Other provisions of the draft NDICI Regulation appear in square brackets due to their inclusion in the draft Negotiating Box set out in ST 10010/19. All provisions which appear between square brackets are excluded from the Council negotiating mandate at this stage. Moreover, other provisions, on which the discussions are ongoing have been deleted, as they do not form part of the Council partial negotiating mandate. Provisions related to the participation of non-EU countries have not been amended due to the horizontal nature of such provisions.

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
|-------------|---|---|--|---|-----------------|
| 118. | Article 6 Budget | Article 6 Budget | Article 6 Budget | Article 6 Budget | |
| 119. | 1. The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR 89 200 million in current prices. | 1. The financial envelope for the implementation application of this Regulation for the period 2021 – 2027 shall be EUR 89 200 82 451 million in 2018 prices (EUR 93 154 million in current prices) [100 %] . | 1. The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR 89 200 79 462 million in current prices. | 1. The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR 89 200 79 462 million in current prices/. | |
| 120. | 2. The financial envelope referred to in paragraph 1 shall be composed of: | 2. The financial envelope referred to in paragraph 1 shall be composed of: | 2. The financial envelope referred to in paragraph 1 shall be composed of: | 2. The financial envelope referred to in paragraph 1 shall be composed of: | |
| 121. | (a) EUR 68 000 million for geographic programmes: | (a) EUR 68 000 63 687 million in 2018 prices (EUR 71 954 million in current prices) [77,24 %] for geographic programmes: | (a) EUR 68 000 60 388 million for geographic programmes: | (a) EUR 68 000 60 388 million for geographic programmes: | |
| 122. | – Neighbourhood at least EUR 22 000 million, | – Neighbourhood at least EUR 22 000 20 572 million in 2018 prices (EUR 23 243 million in current prices) [24,95 %] , | – Neighbourhood at least EUR 22 000 19 323 million, | – Neighbourhood at least EUR 22 000 19 323 million, | |
| 123. | – Sub-Saharan Africa at least EUR 32 000 million, | – Sub-Saharan Africa at least EUR 32 000 30 723 million in 2018 prices (EUR 34 711 million in | – Sub-Saharan Africa at least EUR 32 000 29 181 million, | – Sub-Saharan Africa at least EUR 32 000 29 181 million, | |

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| | | <i>current prices</i>) [37,26 %], | | | |
| 124. | – Asia and the Pacific EUR 10 000 million, | – Asia and the Pacific EUR 8 851 <i>million in 2018 prices</i> (EUR 10 000 million <i>in current prices</i>) [10,73 %], <i>including at least EUR 620 million in 2018 prices</i> (EUR 700 million <i>in current prices</i>) for the Pacific, | – Asia and the Pacific EUR 10 000 8 489 million, | – Asia and the Pacific EUR [10 000 million], | |
| 125. | – Americas and the Caribbean EUR 4 000 million, | – Americas and the Caribbean EUR 3 540 <i>million in 2018 prices</i> (EUR 4 000 million <i>in current prices</i>) [4,29 %], <i>including EUR 1 062 million in 2018 prices</i> (EUR 1 200 million <i>in current prices</i>) for the Caribbean, | – Americas and the Caribbean EUR 4 000 3 395 million, | – Americas and the Caribbean EUR [4 000 million], | |
| 126. | (b) EUR 7 000 million for thematic programmes: | (b) EUR 7 000 9 471 <i>million in 2018 prices</i> (EUR 10 700 million <i>in current prices</i>) [11,49 %] for thematic programmes: | (b) EUR 7 000 6 358 million for thematic programmes: | (b) EUR [7 000 million] for thematic programmes: | |
| 127. | – Human Rights and Democracy EUR 1 500 million, | – Human Rights and Democracy EUR 1 500 at least EUR 1 770 <i>million in 2018 prices</i> (EUR 2 000 million <i>in current prices</i>) | – Human Rights and Democracy EUR 1 500 1 362 million, | – Human Rights and Democracy EUR [1 500 million], | |

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| | | <i>[2,15 %], with up to 25 % of the programme to be devoted to the funding of EU Election Observation Missions,</i> | | | |
| 128. | – Civil Society Organisations EUR 1 500 million, | – Civil Society Organisations EUR 1 500 (CSOs) and Local Authorities (LAs) EUR 2 390 million in 2018 prices (EUR 2 700 million in current prices) [2,90 %], of which EUR 1 947 million in 2018 prices (EUR 2 200 million in current prices) [2,36 %] for CSOs and EUR 443 million in 2018 prices (EUR 500 million in current prices) [0,54 %] for LAs, | – Civil Society Organisations EUR 1 500 1 362 million, | – Civil Society Organisations EUR [1 500 million] , | |
| 129. | – Stability and Peace EUR 1 000 million | – Stability and Peace EUR 885 million in 2018 prices (EUR 1 000 million in current prices) [1,07 %], | – Peace , Stability and Peace -Conflict Prevention EUR 1 000 908 million, | – Peace , Stability and Peace -Conflict Prevention EUR [1 000 million] , | |
| 130. | – Global Challenges EUR 3 000 million, | – Global Challenges EUR 3 000 3 983 million in 2018 prices (EUR 4 500 million in current prices) [4,83 %], | – Global Challenges EUR 3 000 2 726 million, | – Global Challenges EUR [3 000 million] , | |
| 130. | | – Foreign Policy Needs | | | |

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| bis | | <i>and Priorities EUR 443 million in 2018 prices (EUR 500 million in current prices) [0,54 %],</i> | | | |
| 131. | (c) EUR 4 000 million for rapid response actions. | (c) EUR 4 000 098 million <i>in 2018 prices (EUR 3 500 million in current prices) [3,76 %]</i> for rapid response actions: | (c) EUR 4 000 3 182 million for rapid response actions. | (c) EUR [4 000 million] for rapid response actions. | |
| 131. bis | | <i>– Stability and conflict prevention in situations of urgency, emerging crisis, crisis and post-crisis EUR 1 770 million in 2018 prices (EUR 2 000 million in current prices) [2,15 %],</i> | | | |
| 131. ter | | <i>– Strengthening resilience of states, societies, communities and individuals and linking humanitarian aid and development action EUR 1 328 million in 2018 prices (EUR 1 500 million in current prices) [1,61 %],</i> | | | |
| 132. | 3. The emerging challenges and priorities cushion of an amount of EUR 10 200 million shall increase the amounts referred to in | 3. The emerging challenges and priorities cushion of an amount of EUR 10 200 196 million <i>in 2018 prices</i> | 3. The emerging challenges and priorities cushion of an amount of EUR 10 200 9 534 million shall increase the amounts referred to in | 3. The emerging challenges and priorities cushion of an amount of EUR 10 200 million] shall increase the amounts referred to in | |

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| | paragraph 2 in accordance with Article 15. | (EUR 7 000 million in current prices) [7,51 %] , shall increase the amounts referred to in paragraph 2 in accordance with Article 15. | paragraph 2 (a), (b) and (c) in accordance with Article 15. | paragraph 2 (a), (b) and (c) in accordance with Article 15. | |
| 133. | 4. The financial envelope referred to in paragraph 2 (a) shall correspond to at least 75 % of the financial envelope referred to in paragraph 1. | 4. The financial envelope referred to in paragraph 2 (a) shall correspond to at least 75 % of the financial envelope referred to in paragraph 1. | 4. The financial envelope referred to in paragraph 2 (a) shall correspond to at least 75 % of the financial envelope referred to in paragraph 1. | 4. The financial envelope referred to in paragraph 2 (a) shall correspond to at least 75 % of the financial envelope referred to in paragraph 1. | |
| 133. bis | | 4a. The actions under Article 9 shall be financed to up to the amount of EUR 270 million. | | | |
| 133. ter | | 4b. The annual appropriations shall be authorised by the European Parliament and by the Council within the limits of the multiannual financial framework during the budgetary procedure, after the priorities have been agreed by the Institutions. | | | |
| 267. | Article 22 Methods of cooperation | Article 22 Methods of cooperation | Article 22 Methods of cooperation | Article 22 Methods of cooperation | <i>Provisionally closed</i> |
| 268. | 1. Financing under this Instrument shall be | 1. Financing under this Instrument shall be | 1. As provided for by the Financial Regulation and | 1. Financing under this Instrument shall be | <i>Provisionally closed</i> |

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| | implemented by the Commission, as provided for by the Financial Regulation, either directly by the Commission itself, by Union delegations and by executive agencies, or indirectly through any of the entities listed in Article 62 (1) c) of the Financial Regulation. | implemented by the Commission, as provided for by the Financial Regulation, either directly by the Commission itself, by Union delegations and by executive agencies, or indirectly through any of the entities listed in Article 62 (1) c) of the Financial Regulation. | <i>while fostering enhanced cooperation, including by making full use of Member States actors' expertise and competences,</i> Financing under this Instrument shall be implemented by the Commission, as provided for by the Financial Regulation, either directly by the Commission itself, by Union delegations and by executive agencies, or indirectly through any of the entities listed in Article 62(1)(c) of the Financial Regulation. | implemented by the Commission, as provided for by the Financial Regulation, either directly by the Commission itself, by Union delegations and by executive agencies, or indirectly through any of the entities listed in Article 62 (1) c) of the Financial Regulation. | |
| 269. | 2. Financing under this Instrument may also be provided through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, or other donors. | 2. Financing under this Instrument may also be provided through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, or other donors. | 2. Financing under this Instrument may also be provided through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, or other donors. | 2. Financing under this Instrument may also be provided through contributions to international, regional or national funds, such as those established or managed by the EIB, by Member States, by partner countries and regions or by international organisations, or other donors. | <i>Provisionally closed</i> |
| 270. | 3. The entities listed in Article 62(1)(c) of the | 3. The entities listed in Article 62(1)(c) of the | 3. The entities listed in Article 62(1)(c) of the | 3. The entities listed in Article 62(1)(c) of the | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | Financial Regulation and in Article 29(1) of this Regulation shall annually fulfil their reporting obligations under Article 155 of the Financial Regulation. The reporting requirements for any of these entities are laid down in the framework partnership agreement, the contribution agreement, the agreement on budgetary guarantees or the financing agreement. | Financial Regulation and in Article 29(1) of this Regulation shall annually fulfil their reporting obligations under Article 155 of the Financial Regulation. The reporting requirements for any of these entities are laid down in the framework partnership agreement, the contribution agreement, the agreement on budgetary guarantees or the financing agreement. | Financial Regulation and in Article 29(1) of this Regulation shall annually fulfil their reporting obligations under Article 155 of the Financial Regulation. The reporting requirements for any of these entities are laid down in the <i>financial</i> framework partnership agreement, the contribution agreement, the agreement on budgetary guarantees or the financing agreement. | Financial Regulation and in Article 29(1) of this Regulation shall annually fulfil their reporting obligations under Article 155 of the Financial Regulation. The reporting requirements for any of these entities are laid down in the <i>financial</i> framework partnership agreement, the contribution agreement, the agreement on budgetary guarantees or the financing agreement. | |
| 271. | 4. Actions financed under the Instrument may be implemented by means of parallel or joint co-financing. | 4. Actions financed under the Instrument may be implemented by means of parallel or joint co-financing. | 4. Actions financed under the Instrument may be implemented by means of parallel or joint co-financing. | 4. Actions financed under the Instrument may be implemented by means of parallel or joint co-financing. | <i>Provisionally closed</i> |
| 272. | 5. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified. | 5. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified. | 5. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified <i>and duplication of financing is avoided.</i> | 5. In the case of parallel co-financing, an action is split into a number of clearly identifiable components which are each financed by the different partners providing co-financing in such a way that the end-use of the financing can always be identified <i>and duplication of financing is avoided.</i> | <i>Provisionally closed</i> |

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| 273. | 6. In the case of joint co-financing, the total cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action. | 6. In the case of joint co-financing, the total cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action. | 6. In the case of joint co-financing, the total cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action. | 6. In the case of joint co-financing, the total cost of an action is shared between the partners providing the co-financing and the resources are pooled in such a way that it is no longer possible to identify the source of financing for any given activity undertaken as part of the action. | <i>Provisionally closed</i> |
| 274. | 7. Cooperation between the Union and its partners may take the form, inter alia, of: | 7. Cooperation between the Union and its partners may take the form, inter alia, of: | 7. Cooperation between the Union and its partners may take the form, inter alia, of: | 7. Cooperation between the Union and its partners may take the form, inter alia, of: | <i>Provisionally closed</i> |
| 275. | (a) triangular arrangements whereby the Union coordinates with third countries its assistance funding to a partner country or region; | (a) triangular arrangements whereby the Union coordinates with third countries its assistance funding to a partner country or region; | (a) triangular arrangements whereby the Union coordinates with third countries its assistance funding to a partner country or region; | (a) triangular arrangements whereby the Union coordinates with third countries its assistance funding to a partner country or region; | <i>Provisionally closed</i> |
| 276. | (b) administrative cooperation measures such as twinning between public institutions, local authorities, national public bodies or private law entities entrusted with public service tasks of a Member State and those of a partner country or region, as well as cooperation | (b) administrative cooperation measures such as twinning between public institutions, local authorities, national public bodies or private law entities entrusted with public service tasks of a Member State and those of a partner country or region, as well as cooperation | (b) administrative and technical cooperation measures, as well as capacity building, including to share transitional or reform implementation experiences of Member States , such as twinning between public institutions, local authorities, national | (b) administrative and technical cooperation measures, as well as building capacity, including to share transitional or reform implementation experiences of Member States , such as decentralised cooperation through partnerships or | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | measures involving public sector experts dispatched from the Member States and their regional and local authorities; | measures involving public sector experts dispatched from the Member States and their regional and local authorities; | public law bodies or private law entities entrusted with public service tasks of a Member State and those of a partner country or region, as well as cooperation measures involving public sector experts dispatched from the Member States and their regional and local authorities; | twinning, between public institutions, including local authorities, national public law bodies or private law entities entrusted with public service tasks of a Member State and those of a partner country or region, as well as cooperation measures involving public sector experts dispatched from the Member States and their regional and local authorities; | |
| 277. | (c) contributions to the necessary costs of setting up and administering a public-private partnership; | (c) contributions to the necessary costs of setting up and administering a public-private partnership including support of broad participation by setting up independent third party CSO body to assess and monitor public-private partnership set-ups; | (c) contributions to the necessary costs of setting up and administering a public-private partnership; | (c) contributions to the necessary costs of setting up and administering a public-private partnership, including those for their independent assessment and monitoring, whenever possible by civil society organisations; | <i>Provisionally closed</i> |
| 277. bis | | | (c bis) decentralised cooperation through partnerships between local or regional authorities from Member States and partner countries; | | <i>Provisionally closed</i> <i>Content moved to 276</i> |
| 278. | (d) sector policy support programmes whereby the | (d) sector policy support programmes whereby the | (d) sector policy support programmes whereby the | (d) sector policy support programmes whereby the | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | Union provides support to a partner country's sector programme | Union provides support to a partner country's sector programme | Union provides support to a partner country's sector programme; | Union provides support to a partner country's sector programme; | |
| 279. | (e) contributions to the cost of the countries' participation in Union programmes and actions implemented by Union agencies and bodies, as well as bodies or persons entrusted with implementation of specific actions in the Common Foreign and Security Policy pursuant to Title V of the Treaty on European Union; | (e) contributions to the cost of the countries' participation in Union programmes and actions implemented by Union agencies and bodies, as well as bodies or persons entrusted with implementation of specific actions in the Common Foreign and Security Policy pursuant to Title V of the Treaty on European Union TEU ; | (e) contributions to the cost of the countries' participation in Union programmes, and to actions implemented by Union agencies and bodies, as well as to bodies or persons entrusted with the implementation of specific actions in the Common Foreign and Security Policy pursuant to Title V of the Treaty on European Union;. | (e) contributions to the cost of the countries' participation in Union programmes, and to actions implemented by Union agencies and bodies, as well as to bodies or persons entrusted with the implementation of specific actions in the Common Foreign and Security Policy pursuant to Title V of the TEU Treaty on European Union ; | <i>Provisionally closed</i> |
| 280. | (f) interest rate subsidies. | (f) interest rate subsidies. | (f) interest rate subsidies. | | <i>Provisionally closed</i> |
| 281. | Article 23 Forms of EU funding and methods of implementation | Article 23 Forms of EU Union funding and methods of implementation application | Article 23 Forms of EU funding and methods of implementation | Article 23 Forms of Union funding | <i>Provisionally closed</i> |
| 282. | 1. The Union funding may be provided through the types of financing envisaged by the Financial Regulation and in particular: | 1. The Union funding may be provided through the types of financing envisaged by the Financial Regulation and in particular: | 1. The Union funding may be provided through the types of financing and procedures envisaged by the Financial Regulation and in particular: | 1. The Union funding may be provided through the types of financing envisaged by the Financial Regulation and in particular: | <i>Provisionally closed</i> |
| 283. | (a) grants; | (a) grants; | (a) grants; | (a) grants; | <i>Provisionally closed</i> |
| 284. | (b) procurement contracts for services, supplies or | (b) procurement contracts for services, supplies or | (b) procurement contracts for services, supplies or | (b) procurement contracts for services, supplies or | <i>Provisionally closed</i> |

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| | works; | works; | works; | works; | |
| 285. | (c) budget support; | (c) budget support; | (c) budget support; | (c) budget support; | <i>Provisionally closed</i> |
| 286. | (d) contributions to trust funds set up by the Commission, in accordance with Article 234 of the Financial Regulation; | (d) contributions to trust funds set up by the Commission, in accordance with Article 234 of the Financial Regulation; | (d) contributions to trust funds set up by the Commission, in accordance with Article 234 of the Financial Regulation; | (d) contributions to trust funds set up by the Commission, in accordance with Article 234 of the Financial Regulation; | <i>Provisionally closed</i> |
| 287. | (e) financial instruments; | (e) financial instruments; | (e) financial instruments; | (e) financial instruments; | <i>Provisionally closed</i> |
| 288. | (f) budgetary guarantees; | (f) budgetary guarantees; | (f) budgetary guarantees; | (f) budgetary guarantees; | <i>Provisionally closed</i> |
| 289. | (g) blending; | (g) blending; | (g) blending operations ; | (g) blending operations ; | <i>Provisionally closed</i> |
| 290. | (h) debt relief in the context of internationally agreed debt relief programme; | (h) debt relief in the context of internationally agreed debt relief programme; | (h) debt relief in the context of internationally agreed debt relief programme; | (h) debt relief in the context of internationally agreed debt relief programme; | <i>Provisionally closed</i> |
| 291. | (i) financial assistance; | (i) financial assistance; | (i) financial assistance; | (i) financial assistance; | <i>Provisionally closed</i> |
| 292. | (j) remunerated external experts. | (j) remunerated external experts. | (j) remunerated external experts. | (j) remunerated external experts. | <i>Provisionally closed</i> |
| 293. | 2. When working with stakeholders of partner countries, the Commission shall take into account their specificities, including their needs and the relevant context, when defining the financing modalities, the type of contribution, the award modalities and the administrative provisions for the management of grants, with a view to reaching and best | 2. When working with stakeholders of partner countries, the Commission shall take into account their specificities, including their needs and the relevant context, when defining the financing modalities, the type of contribution, the award modalities and the administrative provisions for the management of grants, with a view to reaching and best | 2. When working with stakeholders of partner countries, the Commission shall take into account their specificities, including their needs and the relevant context, when defining the financing modalities, the type of contribution, the award modalities and the administrative provisions for the management of grants, with a view to reaching and best | 2. When working with stakeholders of partner countries such as those mentioned in Article 8 (4) , the Commission shall take into account their specificities, including their needs and the relevant context, when defining the financing modalities, the type of contribution, the award modalities and the administrative provisions for the management of | <i>Provisionally closed</i> |

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| | responding to the widest possible range of such stakeholders. Specific modalities shall be encouraged in accordance with the Financial Regulation, such as partnership agreements, authorisations of financial support to third parties, direct award or eligibility-restricted calls for proposals, or lump sums, unit costs and flat-rate financing as well as financing not linked to costs as envisaged in Article 125(1) of the Financial Regulation. | responding to the widest possible range of such stakeholders. <i>That assessment shall take into account the conditions for a meaningful participation and involvement of all stakeholders, in particular local civil society.</i> Specific modalities shall be encouraged in accordance with the Financial Regulation, such as partnership agreements, authorisations of financial support to third parties, direct award or eligibility-restricted calls for proposals, or lump sums, unit costs and flat-rate financing as well as financing not linked to costs as envisaged in Article 125(1) of the Financial Regulation. <i>Those different modalities shall ensure transparency, traceability and innovation. Cooperation between local and international NGOs shall be encouraged in order to</i> | responding to the widest possible range of such stakeholders. Specific modalities shall be encouraged in accordance with the Financial Regulation, such as partnership agreements, authorisations of financial support to third parties, direct award or eligibility-restricted calls for proposals, or lump sums, unit costs and flat-rate financing as well as financing not linked to costs as envisaged in Article 125(1) of the Financial Regulation. | grants, with a view to reaching and best responding to the widest possible range of such stakeholders. Specific modalities shall be encouraged in accordance with the Financial Regulation, such as partnership agreements, authorisations of financial support to third parties, direct award or eligibility-restricted calls for proposals, or lump sums, unit costs and flat-rate financing as well as financing not linked to costs as envisaged in Article 125(1) of the Financial Regulation. | |

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| | | <i>bolster local civil society's capacities with a view to achieving its full participation in development programmes.</i> | | | |
| 293. bis | | | <i>When working with Member States, in cases in which only public administrations are involved, such as twinning, simplified implementing and contractual provisions shall be discussed with Member States and applied in compliance with the Financial Regulation.</i> | | <i>Provisionally closed</i> Content in recital. |
| 294. | 3. In addition of the cases referred to in Article 195 of the Financial Regulation, the direct award procedure may be used for; | 3. In addition of the cases referred to in Article 195 of the Financial Regulation, the direct award procedure may be used for; | 3. In addition of to the cases referred to in Article 195 of the Financial Regulation, the direct award procedure may be used for;: | 3. In addition of to the cases referred to in Article 195 of the Financial Regulation, the direct award procedure may be used for;: | <i>Provisionally closed</i> |
| 295. | (a) low-value grants to human rights defenders to finance urgent protection actions, where appropriate without the need for co-financing; | (a) low-value grants to human rights defenders <i>and to mechanisms for the protection of human rights defenders at risk</i> , to finance urgent protection actions, where appropriate without the need for co-financing, <i>as well as to</i> | (a) low-value grants to human rights defenders to finance urgent protection actions <i>and needs</i> , where appropriate without the need for co-financing; | (a) low-value grants to human rights defenders to finance urgent protection actions <i>and needs</i> , <i>including through mechanisms for the protection of human rights defenders at risk, as well as to mediators and other</i> | <i>Provisionally closed</i> |

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| | | <i>mediators and other civil society actors involved in crisis and armed conflict related dialogue, conflict resolution, reconciliation and peace-building;</i> | | <i>civil society actors involved in crisis and armed conflict related dialogue, conflict resolution, reconciliation and peace-building, where appropriate without the need for co-financing;</i> | |
| 296. | (b) grants, where appropriate without the need for co-financing, to finance actions in the most difficult conditions where the publication of a call for proposals would be inappropriate including situations where there is a serious lack of fundamental freedoms, where human security is most at risk or where human rights organisations and defenders operate under the most difficult conditions. Such grants shall not exceed EUR 1 000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the event of objective and unforeseen obstacles to their | (b) grants, where appropriate without the need for co-financing, to finance actions in the most difficult conditions where the publication of a call for proposals would be inappropriate including situations where there is a serious lack of fundamental freedoms, <i>threats to democratic institutions, escalation of crisis, armed conflict</i> where human security is most at risk or where human rights organisations and defenders, <i>mediators and other civil society actors involved in crisis and armed conflict related dialogue, reconciliation and peace-building</i> operate under the most difficult | (b) grants, where appropriate without the need for co-financing, to finance actions in the most difficult conditions where the publication of a call for proposals would be inappropriate, including situations where there is a serious <i>violation of human rights, a</i> lack of fundamental freedoms, where human security is most at risk or where human rights organisations and defenders operate under the most difficult conditions. Such grants shall not exceed EUR 1 000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the event of | (b) grants, where appropriate without the need for co-financing, to finance actions in the most difficult conditions where the publication of a call for proposals would be inappropriate, including situations where there is a serious lack of fundamental freedoms, <i>including violation of human rights, threats to democratic institutions, escalation of crisis or armed conflict</i> , where human security is most at risk or where human rights organisations and defenders, <i>mediators and other civil society actors involved in crisis and armed conflict related dialogue, reconciliation and peace-building</i> operate | <i>Provisionally closed pending governance discussion</i> {1} EP: implementation <i>application</i> CL: implementation |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | implementation; | conditions. Such grants shall not exceed EUR 1 000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the event of objective and unforeseen obstacles to their implementation application ; | objective and unforeseen obstacles to their implementation; | under the most difficult conditions. Such grants shall not exceed EUR 1 000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the event of objective and unforeseen obstacles to their{1}; | |
| 297. | (c) grants to the Office of the UN High Commissioner for Human Rights as well as to Global Campus, the European Inter-University Centre for Human Rights and Democratisation, providing a European Master's Degree in Human Rights and Democratisation, and its associated network of universities delivering human rights postgraduate diplomas, including scholarships to students and human rights defenders from third countries. | (c) grants to the Office of the UN High Commissioner for Human Rights as well as to Global Campus, the European Inter-University Centre for Human Rights and Democratisation, providing a European Master's Degree in Human Rights and Democratisation, and its associated network of universities delivering human rights postgraduate diplomas, including scholarships to students, researchers, teachers , and human rights defenders from third countries. | (c) grants to the Office of the UN High Commissioner for Human Rights as well as to Global Campus, the European Inter-University Centre for Human Rights and Democratisation, providing a European Master's Degree in Human Rights and Democratisation, and its associated network of universities delivering human rights postgraduate diplomas, including scholarships to students and human rights defenders from third countries. | (c) grants to the Office of the UN High Commissioner for Human Rights as well as to Global Campus, the European Inter-University Centre for Human Rights and Democratisation, providing a European Master's Degree in Human Rights and Democratisation, and its associated network of universities delivering human rights postgraduate diplomas, including scholarships to students and human rights defenders from third countries {1}; | {1} EP (proposal in relation with annex line 121): and networks providing support to European and other regional and global platforms and organisations of civil society election observation and democracy promotion organizations. CL: no text |
| 297. bis | | (ca) Small projects as described in article 23a | | (ca) low value grants to civil society organisations | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | | | | <i>using to the extent possible, simplified forms of financing in accordance with article 125 of the Financial Regulation.</i> | |
| 298. | Budget support as referred to in point (c) of paragraph 1, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and shared commitments to universal values, democracy, human rights, the rule of law, and aims at strengthening partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity development, and improved governance, complementing partners' efforts to collect more and spend better in order to support sustainable and inclusive economic growth and jobs and poverty eradication. | Budget support as referred to in point (c) of paragraph 1, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and shared commitments to universal values, democracy, human rights, gender equality, social inclusion and human development and the rule of law, and aims at strengthening partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity development, and improved governance, complementing partners' efforts to collect more and spend better in order to support sustainable and inclusive economic growth and jobs socio-economic development which | Budget support as referred to in point (c) of paragraph 1, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and shared commitments to universal values, democracy, human rights, the rule of law, and aims at strengthening partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity development building , and improved governance, complementing partners' efforts to collect more and spend better in order to support sustainable and inclusive economic growth and jobs and poverty eradication. Budget support shall also contribute to the | Budget support as referred to in point (c) of paragraph 1, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and the commitment of partner countries, taking into account their record and progress, with regard to universal values, democracy, human rights, the rule of law, and aims at strengthening partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity development building , and improved governance, complementing partners' efforts to collect more and spend better in order to support sustainable, and inclusive economic growth and jobs and decent job | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | | <i>benefits all, decent job creation and poverty eradication with due regard to local economies, environmental and social rights.</i> | <i>realisation of gender equality.</i> | <i>creation, including for young people, and poverty eradication, inequality reduction, and to build and consolidate democracies and peaceful societies. Budget support shall also contribute to gender equality.</i> | |
| 299. | Any decision to provide budget support shall be based on budget support policies agreed by the Union, a clear set of eligibility criteria and a careful assessment of the risks and benefits. | Any decision to provide budget support shall be based on budget support policies agreed by the Union, a clear set of eligibility criteria and a careful assessment of the risks and benefits. <i>One of the key determinants of that decision shall be an assessment of the commitment, record and progress of partner countries with regard to democracy, human rights and the rule of law.</i> | Any decision to provide budget support shall be based on budget support policies agreed by the Union, a clear set of eligibility criteria and a careful assessment of the risks and benefits. | Any decision to provide budget support shall be based on budget support policies agreed by the Union, a clear set of eligibility criteria and a careful assessment of the risks and benefits. | <i>Provisionally closed</i> EP amendment integrated into line 298 |
| 300. | 4. Budget support shall be differentiated in such a way as to respond better to the political, economic and social context of the partner country, taking into account situations of | 4. Budget support shall be differentiated in such a way as to respond better to the political, economic and social context of the partner country, taking into account situations of | 4. Budget support shall be differentiated in such a way as to respond better to the political, economic and social context of the partner country, taking into account situations of | 4. Budget support shall be differentiated in such a way as to respond better to the political, economic and social and <i>and environmental</i> context of the partner country, taking into | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | fragility. | fragility. | fragility and environmental considerations. | account situations of fragility. | |
| 301. | When providing budget support in accordance with Article 236 of the Financial Regulation, the Commission shall clearly define and monitor criteria for budget support conditionality, including progress in reforms and transparency, and shall support the development of parliamentary control, national audit capacities and increased transparency and public access to information. | When providing budget support in accordance with Article 236 of the Financial Regulation, the Commission shall clearly define and monitor criteria for budget support conditionality, including progress in reforms and transparency, and shall support the development of parliamentary control, national audit capacities, CSO participation in monitoring and increased transparency and public access to information and development of strong public procurement systems that support local economic development and local businesses. | When providing budget support in accordance with Article 236 of the Financial Regulation, the Commission shall clearly define and monitor criteria for budget support conditionality, including progress in reforms and transparency, and shall support the development of parliamentary control, national audit capacities and increased transparency and public access to information. | When providing budget support in accordance with Article 236 of the Financial Regulation, the Commission shall clearly define and monitor criteria for budget support conditionality, including progress in reforms and transparency, and shall support the development of parliamentary control, national audit capacities and increased transparency and public access to information. | <i>Provisionally closed</i> |
| 302. | 5. Disbursement of the budget support shall be based on indicators demonstrating satisfactory progress being made towards achieving the objectives agreed with the | 5. Disbursement of the budget support shall be based on indicators demonstrating satisfactory progress being made towards achieving the objectives agreed with the | 5. Disbursement of the budget support shall be based on indicators demonstrating satisfactory progress being made towards achieving the objectives agreed with the | 5. Disbursement of the budget support shall be based on indicators demonstrating satisfactory progress being made towards achieving the objectives agreed with the | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | partner country. | partner country. | partner country. | partner country. | |
| 303. | 6. Financial instruments under this Regulation may take forms such as loans, guarantees, equity or quasi-equity, investments or participations, and risk-sharing instruments, whenever possible and in accordance with the principles laid down in Article 209(1) of the Financial Regulation under the lead of the EIB, a multilateral European finance institution, such as the European Bank for Reconstruction and Development, or a bilateral European finance institution, such as bilateral development banks, possibly pooled with additional other forms of financial support, both from Member States and third parties. | 6. Financial instruments under this Regulation may take forms such as loans, guarantees, equity or quasi-equity, investments or participations, and risk-sharing instruments, whenever possible and in accordance with the principles laid down in Article 209(1) of the Financial Regulation under the lead of the EIB, a multilateral European finance institution, such as the European Bank for Reconstruction and Development, or a bilateral European finance institution, such as bilateral development banks, possibly pooled with additional other forms of financial support, both from Member States and third parties. | 6. Financial instruments and blending operations under this Regulation may take forms such as loans, guarantees, equity or quasi-equity, investments or participations, and risk-sharing instruments, whenever possible and shall be implemented in accordance with the principles laid down in Article 209(1) of the Financial Regulation and whenever possible under the lead of the EIB, a multilateral European finance institution, such as the European Bank for Reconstruction and Development, or a bilateral European finance institution, such as bilateral development banks, possibly pooled with additional other forms of financial support, both from Member States and third parties. | 6. Financial instruments and budgetary guarantees under this Regulation may take forms such as loans, guarantees, equity or quasi-equity, investments or participations, and risk-sharing instruments, whenever possible and shall be implemented in accordance with the principles laid down in Article 209(1) of the Financial Regulation and whenever possible under the lead of the EIB, a multilateral European finance institution, such as the European Bank for Reconstruction and Development, or a bilateral European finance institution, such as bilateral development banks, possibly pooled with additional other forms of financial support, both from Member States and third parties. | <i>Provisionally closed</i> |
| 304. | Contributions to Union financial instruments under | Contributions to Union financial instruments under | Contributions to Union financial instruments under | Contributions to Union financial instruments under | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | this Regulation may be made by Member States as well as any entity referred to in Article 62(1)(c) of the Financial Regulation. | this Regulation may be made by Member States as well as any entity referred to in Article 62(1)(c) of the Financial Regulation. | this Regulation may be made by Member States as well as any entity referred to in Article 62(1)(c) of the Financial Regulation. | this Regulation may be made by Member States as well as any entity referred to in Article 62(1)(c) of the Financial Regulation. | |
| 305. | 7. Those financial instruments may be grouped into facilities for implementation and reporting purposes. | 7. Those financial instruments may be grouped into facilities for implementation application and reporting purposes. | 7. Those financial instruments may be grouped into facilities for implementation and reporting purposes. | 7. Those financial instruments may be grouped into facilities for {1} and reporting purposes. | <i>Provisionally closed pending governance discussion</i> {1} EP: implementation application CL: implementation |
| 305. bis | | <i>7a. The Commission and the EEAS shall not enter into new or renewed operations with entities incorporated or established in jurisdictions defined under the relevant Union policy as non-cooperative, or that are identified as high risk third countries pursuant to Article 9(2) of Directive(EU) 2015/849 of the European Parliament and of the Council, or that do not effectively comply with Union or</i> | | | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | | <i>internationally agreed tax standards on transparency and exchange of information.</i> | | | |
| 306. | 8. The Union's funding shall not generate or activate the collection of specific taxes, duties or charges. | 8. The Union's funding shall not generate or activate the collection of specific taxes, duties or charges. | 8. The Union's funding shall not generate or activate the collection of specific taxes, duties or charges. | 8. The Union's funding shall not generate or activate the collection of specific taxes, duties or charges. | <i>Provisionally closed</i> |
| 307. | 9. Taxes, duties and charges imposed by partner countries may be eligible for financing under this Regulation. | 9. Taxes, duties and charges imposed by partner countries may be eligible for financing under this Regulation. | 9. Taxes, duties and charges imposed by partner countries may be eligible for financing under this Regulation. | 9. Taxes, duties and charges imposed by partner countries may be eligible for financing under this Regulation. | <i>Provisionally closed</i> |
| 307. bis | | <i>Article 23a Small projects funds</i> | | | <i>Provisionally closed</i> <i>Inserted in line 297bis.</i> |
| 307. ter | | <i>1. Financing under this Regulation may be provided to small projects funds, aimed at the selection and implementation of projects of limited financial volume.</i> | | | <i>Provisionally closed</i> |
| 307. quater | | <i>2. The beneficiaries of a small project fund shall be civil society organisations.</i> | | | <i>Provisionally closed</i> |
| 307. quinquies | | <i>3. The final recipients within a small project fund shall receive support</i> | | | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | | <i>under this Regulation, through the beneficiary, and implement the small projects within that small project fund ('small project').</i> | | | |
| 307. sexies | | <i>4. Where the public contribution to a small project does not exceed EUR 50 000, it shall take the form of unit costs or lump sums or include flat rates.</i> | | | <i>Provisionally closed</i> |
| 308. | Article 24 Eligible persons and entities | Article 24 Eligible persons and entities | Article 24 Eligible persons and entities | Article 24 Eligible persons and entities | <i>Provisionally closed</i> |
| 309. | 1. Participation in procurement, grant and prize award procedures for actions financed under geographic programmes and under the Civil Society Organisations and Global Challenges programmes shall be open to international organisations and to all other legal entities who are nationals of and, in the case of legal persons, who are also effectively established in, the following countries or | 1. Participation in procurement, grant and prize award procedures for actions financed under geographic programmes and under the Civil Society Organisations and Global Challenges programmes shall be open to international organisations and to all other legal entities who are nationals of and, in the case of legal persons, who are also effectively established in, the following countries or | 1. Participation in procurement, grant and prize award procedures for actions financed under geographic programmes and under the Civil Society Organisations and Global Challenges programmes shall be open to international organisations and to all other legal entities, including civil society organisations , who are nationals of and, in the case of legal persons, who are also effectively | 1. Participation in procurement, grant and prize award procedures for actions financed under geographic programmes and under the Civil Society Organisations and Global Challenges programmes shall be open to international organisations and to all other legal entities, including civil society organisations , who are nationals of and, in the case of legal persons, who are also effectively | <i>Provisionally closed</i> <i>Linked to discussion on Art.2.9</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | territories: | territories: | established in, the following countries or territories: | established in, the following countries or territories: | |
| 310. | (a) Member States, beneficiaries of the Regulation (EU) .../... (IPA III), and contracting parties to the Agreement on the European Economic Area; | (a) Member States, beneficiaries of the IPA III Regulation, and contracting parties to the Agreement on the European Economic Area; | (a) Member States, beneficiaries of the Regulation (EU) .../... (IPA III), and contracting parties to the Agreement on the European Economic Area; | (a) Member States, beneficiaries of the IPA III Regulation, and contracting parties to the Agreement on the European Economic Area; | <i>Provisionally closed</i> |
| 311. | (b) Neighbourhood partner countries and the Russian Federation when the relevant procedure takes place in the context of the programmes referred to in Annex I in which it participates; | (b) Neighbourhood partner countries and the Russian Federation when the relevant procedure takes place in the context of the programmes referred to in Annex I in which it participates; | (b) Neighbourhood partner countries and the Russian Federation when the relevant procedure takes place in the context of the programmes referred to in Annex I in which it participates; | (b) Neighbourhood partner countries and the Russian Federation when the relevant procedure takes place in the context of the programmes referred to in Annex I in which it participates; | <i>Provisionally closed</i> |
| 312. | (c) developing countries and territories, as included in the list of Official Development Assistance recipients published by the Development Assistance Committee of the Organisation for Economic Cooperation and Development, which are not members of the G-20 group, and overseas countries and territories as defined in Council Decision .../... (EU); | (c) developing countries and territories, as included in the list of Official Development Assistance recipients published by the Development Assistance Committee of the Organisation for Economic Cooperation and Development, which are not members of the G-20 group, and overseas countries and territories as defined in Council Decision .../... (EU); | (c) developing countries and territories, as included in the list of Official Development Assistance recipients published by the Development Assistance Committee of the Organisation for Economic Cooperation and Development, which are not members of the G-20 group, and overseas countries and territories as defined in Council Decision .../... (EU); | (c) developing countries and territories, as included in the list of Official Development Assistance recipients published by the Development Assistance Committee of the Organisation for Economic Cooperation and Development, which are not members of the G-20 group, and overseas countries and territories as defined in Council Decision .../... (EU); | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| 313. | (d) developing countries, as included in the list of Official Development Assistance recipients, which are members of the G-20 group, and other countries and territories, when the relevant procedure takes place in the context of an action financed by the Union under this Regulation in which they participate; | (d) developing countries, as included in the list of Official Development Assistance recipients, which are members of the G-20 group, and other countries and territories, when the relevant procedure takes place in the context of an action financed by the Union under this Regulation in which they participate; | (d) developing countries, as included in the list of Official Development Assistance recipients, which are members of the G-20 group, and other countries and territories, when the relevant procedure takes place in the context of an action financed by the Union under this Regulation in which they participate; | (d) developing countries, as included in the list of Official Development Assistance recipients, which are members of the G-20 group, and other countries and territories, when the relevant procedure takes place in the context of an action financed by the Union under this Regulation in which they participate; | <i>Provisionally closed</i> |
| 314. | (e) countries for which reciprocal access to external funding is established by the Commission; that access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from countries eligible under this Regulation; the Commission shall decide on the reciprocal access and on its duration after consultation of the recipient country or countries concerned; | (e) countries for which reciprocal access to external funding is established by the Commission; that access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from countries eligible under this Regulation; the Commission shall decide on the reciprocal access and on its duration after consultation of the recipient country or countries concerned; | (e) countries for which reciprocal access to external funding is established by the Commission; that access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from countries eligible under this Regulation; the Commission shall decide on the reciprocal access and on its duration after consultation of the recipient country or countries concerned; | (e) countries for which reciprocal access to external funding is established by the Commission; that access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from countries eligible under this Regulation; the Commission shall decide on the reciprocal access and on its duration after consultation of the recipient country or countries concerned; | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| 315. | (f) member countries of the Organisation for Economic Cooperation and Development, in the case of contracts implemented in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of Official Development Assistance recipients. | (f) member countries of the Organisation for Economic Cooperation and Development, in the case of contracts implemented applied in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of Official Development Assistance recipients. | (f) member countries of the Organisation for Economic Cooperation and Development, in the case of contracts implemented in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of Official Development Assistance recipients. | (f) member countries of the Organisation for Economic Cooperation and Development, in the case of contracts {1} in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of Official Development Assistance recipients. | <i>Provisionally closed pending governance discussion</i> {1} <i>EP:</i> implemented applied <i>CL:</i> implemented |
| 316. | 2. Without prejudice to the limitations inherent to the nature and objectives of the action, participation in procurement, grant and prize award procedures for actions financed under the Human Rights and Democracy and Stability and Peace programmes as well as rapid response actions, shall be open without limitations. | 2. Without prejudice to the limitations inherent to the nature and objectives of the action, participation in procurement, grant and prize award procedures for actions financed under the Human Rights and Democracy and Stability and Peace programmes as well as rapid response actions, shall be open without limitations. | 2. Without prejudice to the limitations inherent to the nature and objectives of the action, participation in procurement, grant and prize award procedures for actions financed under the Human Rights and Democracy and the Peace, Stability and Peace Conflict Prevention programmes as well as rapid response actions, shall be open without limitations. | 2. Without prejudice to the limitations inherent to the nature and objectives of the action, participation in procurement, grant and prize award procedures for actions financed under the Human Rights and Democracy and the Peace, Stability and Peace Conflict Prevention programmes as well as rapid response actions, shall be open without limitations. | <i>Provisionally closed</i> |
| 317. | 3. All supplies and materials financed under this Regulation may originate from any country. | 3. All supplies and materials financed under this Regulation may originate from any country. | 3. All supplies and materials financed under this Regulation may originate from any country. | 3. All supplies and materials financed under this Regulation may originate from any country. | <i>Provisionally closed</i> |
| 318. | 4. The rules laid down in | 4. The rules laid down in | 4. The rules laid down in | 4. The rules laid down in | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | this Article shall not apply to, and shall not create, nationality restrictions for natural persons employed or otherwise legally contracted by an eligible contractor or, where applicable, subcontractor. | this Article shall not apply to, and shall not create, nationality restrictions for natural persons employed or otherwise legally contracted by an eligible contractor or, where applicable, subcontractor. | this Article shall not apply to, and shall not create, nationality restrictions for natural persons employed or otherwise legally contracted by an eligible contractor or, where applicable, subcontractor. | this Article shall not apply to, and shall not create, nationality restrictions for natural persons employed or otherwise legally contracted by an eligible contractor or, where applicable, subcontractor. | |
| 319. | 5. For actions jointly co-financed by an entity, or implemented in direct or indirect management with entities as referred to point (c) (ii) to (viii) of Article 62(1) of the Financial Regulation, the eligibility rules of those entities shall also apply. | 5. For actions jointly co-financed by an entity, or implemented applied in direct or indirect management with entities as referred to point (c) (ii) to (viii) of Article 62(1) of the Financial Regulation, the eligibility rules of those entities shall also apply. | 5. For actions jointly co-financed by an entity, or implemented in direct or indirect management with entities as referred to point (c) (ii) to (viii) of Article 62(1) of the Financial Regulation, the eligibility rules of those entities shall also apply. | 5. For actions jointly co-financed by an entity, or {1} in direct or indirect management with entities as referred to point (c) (ii) to (viii) of Article 62(1) of the Financial Regulation, the eligibility rules of those entities shall also apply. | <i>Provisionally closed pending governance discussion</i> {1} EP: implemented applied CL: implemented |
| 320. | 6. Where donors provide financing to a trust fund established by the Commission or through external assigned revenues, the eligibility rules in the constitutive act of the trust fund or in the agreement with the donor in case of external assigned revenues shall apply. | 6. Where donors provide financing to a trust fund established by the Commission or through external assigned revenues, the eligibility rules in the constitutive act of the trust fund or in the agreement with the donor in case of external assigned revenues shall apply. | 6. Where donors provide financing to a trust fund established by the Commission or through external assigned revenues, the eligibility rules in the constitutive act of the trust fund or in the agreement with the donor in case of external assigned revenues shall apply. | 6. Where donors provide financing to a trust fund established by the Commission or through external assigned revenues, the eligibility rules in the constitutive act of the trust fund or in the agreement with the donor in case of external assigned revenues shall apply. | <i>Provisionally closed</i> |
| 321. | 7. In the case of actions financed under this Regulation and by another | 7. In the case of actions financed under this Regulation and by another | 7. In the case of actions financed under this Regulation and by another | 7. In the case of actions financed under this Regulation and by another | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | Union Programme, eligible entities under any of those Programmes shall be considered eligible. | Union Programme, eligible entities under any of those Programmes shall be considered eligible. | Union Programme, eligible entities under any of those Programmes shall be considered eligible. | Union Programme, eligible entities under any of those Programmes shall be considered eligible. | |
| 322. | 8. In the case of multi-country actions legal entities who are nationals of and, in the case of legal entities who are also effectively established in, the countries and territories covered by the action may be considered eligible. | 8. In the case of multi-country actions legal entities who are nationals of and, in the case of legal entities who are also effectively established in, the countries and territories covered by the action may be considered eligible. | 8. In the case of multi-country actions legal entities who are nationals of and, in the case of legal entities who are also effectively established in, the countries and territories covered by the action may be considered eligible. | 8. In the case of multi-country actions legal entities who are nationals of and, in the case of legal entities who are also effectively established in, the countries and territories covered by the action may be considered eligible. | <i>Provisionally closed</i> |
| 323. | 9. The eligibility rules of this Article may be restricted with regard to the nationality, geographical location or nature of applicants, where such restrictions are required on account of the specific nature and the objectives of the action and where they are necessary for its effective implementation. | 9. The eligibility rules of this Article may be restricted with regard to the nationality, geographical location or nature of applicants, where such restrictions are required on account of the specific nature and the objectives of the action and where they are necessary for its effective implementation application. Nationality restrictions shall not apply to international organisations. | 9. The eligibility rules of this Article may be restricted with regard to the nationality, geographical location or nature of applicants, where such restrictions are required on account of the specific nature and the objectives of the action and where they are necessary for its effective implementation. | 9. The eligibility rules of this Article may be restricted with regard to the nationality, geographical location or nature of applicants, where such restrictions are required on account of the specific nature and the objectives of the action and where they are necessary for its effective {1} . | <i>Provisionally closed pending governance discussion</i> {1} <i>EP: implementation application</i> <i>CL: implementation</i> |
| 324. | 10. Tenderers, applicants and candidates from non-eligible countries may be | 10. Tenderers, applicants and candidates from non-eligible countries may be | 10. Tenderers, applicants and candidates from non-eligible countries may be | 10. Tenderers, applicants and candidates from non-eligible countries may be | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | accepted as eligible in the case of urgency or the unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of an action impossible or exceedingly difficult. | accepted as eligible in the case of urgency or the unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of an action impossible or exceedingly difficult. | accepted as eligible in the case of urgency or the unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of an action impossible or exceedingly difficult. | accepted as eligible in the case of urgency or the unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of an action impossible or exceedingly difficult. | |
| 325. | 11. In order to promote local capacities, markets and purchases, priority shall be given to local and regional contractors when the Financial Regulation provides for an award on the basis of a single tender. In all other cases, participation of local and regional contractors shall be promoted in accordance with the relevant provisions of that Regulation. | 11. In order to promote local capacities, markets and purchases, priority shall be given to local and regional contractors, <i>while paying attention to their track record in environmental sustainability or fair trade</i> when the Financial Regulation provides for an award on the basis of a single tender. In all other cases, participation of local and regional contractors shall be promoted in accordance with the relevant provisions of that Regulation. <i>In all cases sustainability and due diligence criteria shall be</i> | 11. In order to promote local capacities, markets and purchases, priority shall be given to local and regional contractors when the Financial Regulation provides for an award on the basis of a single tender. In all other cases, participation of local and regional contractors shall be promoted in accordance with the relevant provisions of that Regulation. | 11. In order to promote local capacities, markets and purchases, priority shall be given to local and regional contractors when the Financial Regulation provides for an award on the basis of a single tender. In all other cases, participation of local and regional contractors shall be promoted in accordance with the relevant provisions of that Regulation. <i>Sustainability and due diligence criteria shall be promoted.</i> | <i>Provisionally closed</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | | <i>applied.</i> | | | |
| 326. | 12. Under the Democracy and Human Rights programme, any entity not covered under the definition of legal entity in Article 2(6) shall be eligible when this is necessary to pursue the areas of intervention of this programme. | 12. Under the Democracy and Human Rights programme, any entity not covered under the definition of legal entity in Article 2(6) shall be eligible when this is necessary to pursue the areas of intervention of this programme. | 12. Under the Democracy and Human Rights programme, any entity not covered under the definition of legal entity in Article 2(6) shall be eligible when this is necessary to pursue the areas of intervention of this programme. | 12. Under the Democracy and Human Rights programme, any entity not covered under the definition of legal entity in Article 2(6) shall be eligible when this is necessary to pursue the areas of intervention of this programme. | <i>Provisionally closed</i> |
| 326. bis | | <i>12a. The Neighbourhood, Development and International Cooperation Instrument shall not support actions that, according to the environmental screening referred to in Article 21, cause harm to the environment or climate. Allocations shall be fully compatible with the Paris Agreement and overall, European financing dedicated to external action shall contribute to the Paris agreement's long term objectives. In particular, the instrument shall not support:</i> | | | <i>Issue to be discussed later, linked to art.21, and excluded areas of cooperation</i> |
| 326. | | <i>(a) Actions incompatible</i> | | | <i>Issue to be discussed later,</i> |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| ter | | <i>with recipient countries' Nationally Determined Contributions under the Paris Agreement;</i> | | | <i>linked to art.21, and excluded areas of cooperation</i> |
| 326. quarter | | <i>(b) investment in upstream, midstream and downstream fossil fuels.</i> | | | <i>Issue to be discussed later, linked to art.21, and excluded areas of cooperation</i> |
| 327. | Article 25 Carry-overs, annual instalments, commitment appropriations, re-payments and revenue generated by financial instruments | Article 25 Carry-overs, annual instalments, commitment appropriations, re-payments and revenue generated by financial instruments | Article 25 Carry-overs, annual instalments, commitment appropriations, re-payments and revenue generated by financial instruments | Article 25 Carry-overs, annual instalments, commitment appropriations, re-payments and revenue generated by financial instruments | |
| 328. | 1. In addition to Article 12(2) of the Financial Regulation, unused commitment and payment appropriations under this Regulation shall be automatically carried over and may be committed up to 31 December of the following financial year. The carried-over amount shall be used first in the following financial year. | 1. In addition to Article 12(2) of the Financial Regulation, unused commitment and payment appropriations under this Regulation shall be automatically carried over and may be committed up to 31 December of the following financial year. The carried-over amount shall be used first in the following financial year. | 1. In addition to Article 12(24) of the Financial Regulation, unused commitment and payment appropriations under this Regulation shall be automatically carried over and may be respectively committed and used up to 31 December of the following financial year. The carried-over amount shall be used first in the following financial year. | 1. In addition to Article 12(2) of the Financial Regulation, unused commitment and payment appropriations under this Regulation shall be automatically carried over and may be committed up to 31 December of the following financial year. The carried-over amount shall be used first in the following financial year. | |
| 329. | The Commission shall inform the European Parliament and the Council | The Commission shall inform submit to the European Parliament and to | The Commission shall inform the European Parliament and the Council | The Commission shall inform the European Parliament and the Council | |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | of carried over commitment appropriations in line with Article 12(6) of the Financial Regulation. | the Council of carried over commitment information on appropriations which were automatically carried over, including the amounts involved , in line with Article 12(6) of the Financial Regulation. | of carried over commitment appropriations in line with Article 12(6) of the Financial Regulation. | of carried over commitment appropriations in line with Article 12(6) of the Financial Regulation. | |
| 330. | 2. In addition to the rules laid down in Article 15 of the Financial Regulation on making appropriations available again, commitment appropriations corresponding to the amount of decommitments made as a result of total or partial non implementation of an action under this Regulation shall be made available again to the benefit of the budget line of origin. | 2. In addition to the rules laid down in Article 15 of the Financial Regulation on making appropriations available again, commitment appropriations corresponding to the amount of decommitments made as a result of total or partial non implementation of an action under this Regulation shall be made available again to the benefit of the budget line of origin. | 2. In addition to the rules laid down in Article 15 of the Financial Regulation on making appropriations available again, commitment appropriations corresponding to the amount of decommitments made as a result of total or partial non implementation of an action under this Regulation shall be made available again to the benefit of the budget line of origin. | 2. In addition to the rules laid down in Article 15 of the Financial Regulation on making appropriations available again, commitment appropriations corresponding to the amount of decommitments made as a result of total or partial non implementation of an action under this Regulation shall be made available again to the benefit of the budget line of origin. | |
| 331. | References to Article 15 of the Financial Regulation in Article 12(1)(b) of Regulation laying down the multi annual financial framework shall be understood as including a reference to this paragraph for the purpose of this | References to Article 15 of the Financial Regulation in Article 12(1)(b) of Regulation laying down the multi annual financial framework shall be understood as including a reference to this paragraph for the purpose of this | References to Article 15 of the Financial Regulation in Article 12(1)(b) of Regulation laying down the multi annual financial framework shall be understood as including a reference to this paragraph for the purpose of this | References to Article 15 of the Financial Regulation in Article 12(1)(b) of Regulation laying down the multi annual financial framework shall be understood as including a reference to this paragraph for the purpose of this | |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | Regulation. | Regulation. | Regulation. | Regulation. | |
| 332. | 3. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments, in line with Article 112(2) of the Financial Regulation. | 3. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments, in line with Article 112(2) of the Financial Regulation. | 3. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments, in line with Article 112(2) of the Financial Regulation. | 3. Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments, in line with Article 112(2) of the Financial Regulation. | |
| 333. | The third subparagraph of Article 114(2) of the Financial Regulation shall not apply to these multiannual actions. The Commission shall automatically de-commit any portion of a budgetary commitment for an action that by 31 December of the fifth year following that of the budgetary commitment has not been used for the purpose of pre-financing or making interim payments or for which no certified statement of expenditure or any payment request has been submitted. | The third subparagraph of Article 114(2) of the Financial Regulation shall not apply to these multiannual actions. The Commission shall automatically de-commit any portion of a budgetary commitment for an action that by 31 December of the fifth year following that of the budgetary commitment has not been used for the purpose of pre-financing or making interim payments or for which no certified statement of expenditure or any payment request has been submitted. | The third subparagraph of Article 114(2) of the Financial Regulation shall not apply to these multiannual actions. The Commission shall automatically de-commit any portion of a budgetary commitment for an action that by 31 December of the fifth year following that of the budgetary commitment has not been used for the purpose of pre-financing or making interim payments or for which no certified statement of expenditure or any payment request has been submitted. | The third subparagraph of Article 114(2) of the Financial Regulation shall not apply to these multiannual actions. The Commission shall automatically de-commit any portion of a budgetary commitment for an action that by 31 December of the fifth year following that of the budgetary commitment has not been used for the purpose of pre-financing or making interim payments or for which no certified statement of expenditure or any payment request has been submitted. | |
| 334. | Paragraph 2 of this Article shall also apply to annual instalments. | Paragraph 2 of this Article shall also apply to annual instalments. | Paragraph 2 of this Article shall also apply to annual instalments. | Paragraph 2 of this Article shall also apply to annual instalments. | |
| 335. | 4. By way of derogation | 4. By way of derogation | 4. By way of derogation | 4. By way of derogation | |

| <i>Line</i> | <i>Commission proposal</i> | <i>EP position</i> | <i>Council mandate</i> | <i>Possible compromise</i> | <i>Comments</i> |
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| | from Article 209(3) of the Financial Regulation repayments and revenues generated by a financial instrument shall be assigned to the budget line of origin as internal assigned revenue after deduction of management costs and fees. Every five years, the Commission shall examine the contribution made to the achievement of Union objectives, and the effectiveness, of existing financial instruments. | from Article 209(3) of the Financial Regulation repayments and revenues generated by a financial instrument shall be assigned to the budget line of origin as internal assigned revenue after deduction of management costs and fees. Every five years, the Commission shall examine the contribution made to the achievement of Union objectives, and the effectiveness, of existing financial instruments. | from Article 209(3) of the Financial Regulation repayments and revenues generated by a financial instrument and budgetary guarantees shall be assigned to the budget line of origin as internal assigned revenue after deduction of management costs and fees. Every five years, the Commission shall examine the contribution made to the achievement of Union objectives, and the effectiveness, of existing financial instruments. | from Article 209(3) of the Financial Regulation repayments and revenues generated by a financial instrument shall be assigned to the budget line of origin as internal assigned revenue after deduction of management costs and fees. Every five years, the Commission shall examine the contribution made to the achievement of Union objectives, and the effectiveness, of existing financial instruments. | |