

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

General provisions, Architecture and structure

- Version of 2 December 2019 -

- Article 1 – Subject matter
- Article 3 – Objectives
- Article 4 – Scope and structure
- Article 5 – Coherence, consistency and complementarity
- Article 7 – Policy framework
- Article 8 – General principles
- Article 15 – Cushion

Lines in **dark green** are provisionally closed.

Lines in **light green** are provisionally closed, pending agreement on parts of them related to issues outside this cluster.

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. Moreover, other provisions have been bracketed and the discussions on them are ongoing. All provisions which appear between square brackets are excluded from the Council negotiating mandate at this stage. Provisions related to the participation of non-EU countries have not been amended due to the horizontal nature of such provisions.

Parts in **grey** are not discussed under this cluster, either because they are not part of the Council’s partial mandate for negotiations or because they are part of another cluster. In both cases, they will be discussed at a later stage.

Parts in **yellow** are not agreed yet but an agreement could be reached at technical level.

Parts in **red** are not agreed and should be discussed during the Trilogue.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
61.	TITLE I GENERAL PROVISIONS	TITLE I GENERAL PROVISIONS	TITLE I GENERAL PROVISIONS	TITLE I GENERAL PROVISIONS	<i>Provisionally closed</i>
62.	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	<i>Provisionally closed</i>
63.	This Regulation establishes the Programme “Neighbourhood, Development and International Cooperation Instrument” (the ‘Instrument’).	This Regulation establishes the Programme “Neighbourhood, Development and International Cooperation Instrument” (the ‘Instrument’).	This Regulation establishes the Programme “[Neighbourhood], Development and International Cooperation Instrument” (the ‘Instrument’).	This Regulation establishes the Programme “[Neighbourhood], Development and International Cooperation Instrument” (the ‘Instrument’).	<i>NB: Name to be agreed at a later stage</i>
64.	It lays down the objectives of the Instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.	It lays down the objectives of the Instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.	It lays down the objectives of the Instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.	It lays down the objectives of the Instrument, the budget for the period 2021 – 2027, the forms of Union funding and the rules for providing such funding.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
65.	It also establishes the European Fund for Sustainable Development Plus (the ‘EFSD+’) and an External Action Guarantee.	It also establishes the European Fund for Sustainable Development Plus (the ‘EFSD+’) and an External Action Guarantee.	It also establishes the European Fund for Sustainable Development Plus (the ‘EFSD+’) and an External Action Guarantee.	It also establishes the European Fund for Sustainable Development Plus (the ‘EFSD+’) and an External Action Guarantee.	<i>Provisionally closed</i>
76.	Article 3 Objectives	Article 3 Objectives	Article 3 Objectives	Article 3 Objectives	<i>Provisionally closed</i>
77.	1. The general objective of this Regulation is to uphold and promote the Union’s values and interests worldwide in order to pursue the objectives and principles of the Union’s external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union.	1. The general objective of this Regulation is to lay down the financial framework enabling the Union to uphold and promote the Union’s its values, and principles and fundamental interests worldwide, in order to pursue in accordance with the objectives and principles of the Union’s external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union TEU , as well as Articles 11 and 208 TFEU.	1. The general objective of this Regulation is to uphold and promote the Union’s values and interests worldwide in order to pursue the objectives and principles of the Union’s external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union, thus contributing to the eradication of poverty, consolidating, supporting and promoting democracy, rule of law and respect for human rights, sustainable development and the fight against	1. The general objective of this Regulation is to uphold and promote the Union’s values, principles and fundamental interests worldwide, in order to pursue the objectives and principles of the Union’s external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union, thus contributing to the reduction and, in the long term, the eradication of poverty, consolidating, supporting and promoting democracy,	{1} EP: no text. CL: “and addressing irregular migration and forced displacement, including their root causes” NB: possibility to revert to art. 3.1 following final decision on the structure of the Regulation. Neighbourhood to be discussed later.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>climate change and addressing irregular migration and forced displacement, including their root causes, towards the achievement of the Sustainable Development Goals. This Regulation shall promote stronger partnerships with third countries, [including with the European Neighbourhood] based on mutual interests and ownership with a view to fostering stabilisation, good governance and building resilience.</i></p>	<p><i>rule of law and respect for human rights, sustainable development and the fight against climate change [1]. This Regulation shall contribute to the promotion of multilateralism, the achievement of the international commitments and objectives that the Union has agreed to, in particular the Sustainable Development Goals, the 2030 Agenda and the Paris Agreement. This Regulation shall promote stronger partnerships with third countries, [including with the European Neighbourhood] based on mutual interests and ownership with a view to fostering stabilisation, good governance and building resilience.</i></p>	

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78.	2. In accordance with paragraph 1, the specific objectives of this Regulation are the following:	2. In accordance with paragraph 1, the specific objectives of this Regulation are the following:	2. In accordance with paragraph 1, the specific objectives of this Regulation are the following:	2. In accordance with paragraph 1, the specific objectives of this Regulation are the following:	<i>Provisionally closed</i>
79.	(a) to support and foster dialogue and cooperation with third countries and regions in the Neighbourhood, in Sub-Saharan Africa, in Asia and the Pacific, and in the Americas and the Caribbean;	(a) to support and foster dialogue and cooperation with third countries and regions in the Neighbourhood, in Sub-Saharan Africa, in Asia and the Pacific, and in the Americas and the Caribbean;	(a) to support and foster dialogue and cooperation with third countries and regions [in the Neighbourhood], in Sub-Saharan Africa, in Asia and the Pacific, and in the Americas and the Caribbean;	(a) to support and foster dialogue and cooperation with third countries and regions [in the Neighbourhood], in Sub-Saharan Africa, in Asia and the Pacific, and in the Americas and the Caribbean;	
79. bis		<i>(aa) to contribute to the achievement of the international commitments and objectives that the Union has agreed to, in particular the 2030 Agenda, the SDGs and the Paris Agreement;</i>	<i>[(a bis) DELETED.]</i>	{1}	<i>Provisionally closed</i> <i>{1}</i> <i>CL: possible text on Neighbourhood specificities, to be addressed later depending on the final structure of the Instrument.</i>
79. ter		<i>(ab) to develop a special strengthened relationship with the countries in the eastern and southern neighbourhood of the Union, founded on</i>			<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>cooperation, peace and security, mutual accountability and shared commitment to the universal values of democracy, rule of law and respect for human rights, socio-economic integration and environmental protection and climate action;</i>			
79. quater		<i>(ac) to pursue the reduction and, in the long term, the eradication of poverty, particularly in least developed countries (LDCs); to enable sustainable social and economic development;</i>			
80.	(b) at global level, to consolidate and support democracy, rule of law and human rights, support civil society organisations, further stability and peace and address other global challenges	(b) at global level, to consolidate and support democracy, rule of law and human rights, support civil society organisations and local authorities , further stability and peace, prevent conflict and	(b) at global level, to consolidate and support advance democracy, good governance , rule of law and human rights, including gender equality and women's and girls' empowerment , support civil society	(b) at global level: - to protect, promote and advance human rights, including gender equality and the protection of human rights defenders, in particular including in	{1} EP: "and local authorities" CL: no text

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	including migration and mobility;	<i>promote just and inclusive societies, advance multilateralism, international justice and accountability, and address other global and regional challenges including migration and mobility climate change and environmental degradation as well as foreign policy needs and priorities, as set out in Annex III, including the promotion of confidence building and good neighbourly relations;</i>	organisations, <i>including human rights defenders, protection of civilians, further stability, conflict prevention</i> and peace and address other global challenges including <i>such as climate change, protection of biodiversity and the environment, engagement with local authorities, as well as migration and mobility;</i>	<p><i>the most difficult circumstances and urgent situations, democracy, and the rule of law, including accountability mechanisms,</i></p> <p>- to consolidate and support democracy, rule of law and human rights, support civil society organisations [1],</p> <p>- to further stability and peace, <i>prevent conflict, thereby contributing to the protection of civilians,</i></p> <p>- to address other global challenges including <i>such as climate change, protection of biodiversity and the environment</i> [2] [3]. [4]</p>	<p>{2} EP: no text. CL: “, <i>engagement with local authorities</i>”</p> <p>{3} EP: no text. CL: “, <i>as well as migration and mobility</i>”</p> <p>{4} EP: “- to address foreign policy needs and priorities” CL: no text.</p>
80. bis		<i>(ba) to protect, promote and advance human</i>			

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		<i>rights, democracy, the rule of law as well as gender and social equality, including in the most difficult circumstances and urgent situations, in partnership with civil society including human rights defenders worldwide;</i>			
81.	(c) to respond rapidly to: situations of crisis, instability and conflict; resilience challenges and linking of humanitarian aid and development action; and foreign policy needs and priorities.	(c) to respond rapidly to: situations of crisis, instability and conflict; resilience challenges and linking of humanitarian aid and development action; and foreign policy needs and priorities.	(c) to respond rapidly to: situations of crisis, instability and conflict, including irregular migratory pressure and forced displacement and hybrid threats ; resilience challenges, including natural and man-made disasters , and linking of humanitarian aid and development action; and Union foreign policy needs and priorities.	(c) to respond rapidly to: situations of crisis, instability and conflict including in response to hybrid threats ; resilience challenges, including {1} natural and man-made disasters , and linking of humanitarian aid and development action; {2} .	<i>Compromise on hybrid threats subject to alignment of references to hybrid threats in corresponding rapid response annex (i.e. only in crisis response)</i> <i>{1}</i> <i>EP: no text.</i> <i>CL: “irregular migratory pressure and forced displacement,”</i> <i>{2}</i> <i>EP: no text.</i> <i>CL: “and Union foreign policy needs and priorities”</i>
82.	The achievement of these objectives shall	The achievement of these objectives shall be	The achievement of these objectives shall be	The achievement of these objectives shall be	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	be measured using relevant indicators as referred to in Article 31.	measured using relevant indicators as referred to in Article 31.	measured using relevant indicators as referred to in Article 31.	measured using relevant indicators as referred to in Article 31.	
83.	3. At least 92 % of the expenditure under this Regulation shall fulfil the criteria for Official Development Assistance, established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development.	3. At least 92 % 95 % of the expenditure under this Regulation shall fulfil the criteria for Official Development Assistance, established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development. <i>This Regulation shall contribute to reaching the collective target of achieving 0,2 % of the Union’s Gross National Income to Least Developed Countries and 0,7 % of the Union Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda.</i>	3. At least 92 % of the expenditure under this Regulation shall fulfil the criteria for Official Development Assistance, established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development. <i>[DELETED]</i> .	3. At least {1} % of the expenditure under this Regulation shall fulfil the criteria for Official Development Assistance, established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development. {2} <i>{3}</i>	<p>{1} EP: “95” CL: “92”</p> <p>{2} EP: “<i>This Regulation shall contribute to reaching the collective target of achieving 0.2 % of the Union’s Gross National Income to Least Developed Countries and 0.7 % of the Union Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda.</i>” CL: no text.</p> <p>{3} CL: possible text on Neighbourhood specificities, to be addressed later depending on the final structure of the Instrument.</p>

Line	Commission proposal	EP position	Council partial negotiating mandate	Possible compromise	Comments
83. bis		<i>3a. At least 20 % of the Official Development Assistance funded under this Regulation, across all programmes, geographic and thematic, annually and over the duration of its actions, shall be ring-fenced for social inclusion and human development, in order to support and strengthen the provision of basic social services, such as health, education, nutrition and social protection, particularly to the most marginalised, and with an emphasis on women and children.</i>		{1}	{1} EP: “At least 20 % of the Official Development Assistance funded under this Regulation, across all programmes, geographic and thematic, annually and over the duration of its actions, shall be ring-fenced for social inclusion and human development, in order to support and strengthen the provision of basic social services, such as health, education, nutrition and social protection, particularly to the most marginalised, and with an emphasis on women and children.” CL: no text.
83. ter		<i>3b. At least 85 % of the Official Development Assistance funded programmes, geographic and thematic, under this Regulation shall have gender equality and</i>		{1}	{1} EP: “At least 85 % of the Official Development Assistance funded programmes, geographic and thematic, under this Regulation shall have gender equality and

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>women’s and girls’ rights and empowerment as a principal or a significant objective, as defined by the OECD DAC. A significant part of these programmes shall have gender equality and women’s and girls’ rights and empowerment as a principal objective.</i>			<i>women’s and girls’ rights and empowerment as a principal or a significant objective, as defined by the OECD DAC. A significant part of these programmes shall have gender equality and women’s and girls’ rights and empowerment as a principal objective.”</i> <i>CL: no text.</i>
84.	Article 4 Scope and structure	Article 4 Scope and structure	Article 4 Scope and structure	Article 4 Scope and structure	<i>Provisionally closed</i>
85.	1. Union funding under this Regulation shall be implemented through:	1. Union funding under this Regulation shall be implemented applied through:	1. Union funding under this Regulation shall be implemented through:	1. Union funding under this Regulation shall be {1} through:	<i>{1}</i> <i>EP: “implemented applied”</i> <i>CL: “implemented”</i> <i>Provisionally closed pending agreement on governance</i>
86.	(a) geographic programmes;	(a) geographic programmes;	(a) geographic programmes;	(a) geographic programmes;	<i>Provisionally closed</i>
87.	(b) thematic programmes;	(b) thematic programmes;	(b) thematic programmes;	(b) thematic programmes;	<i>Provisionally closed</i>
88.	(c) rapid response actions.	(c) rapid response actions.	(c) rapid response actions.	(c) rapid response actions.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
89.	2. The geographic programmes shall encompass country and multi-country cooperation in the following areas:	2. The geographic programmes shall encompass country and multi-country cooperation in the following areas:	2. The geographic programmes shall encompass country and multi-country cooperation in the following areas:	2. The geographic programmes shall encompass country and multi-country cooperation in the following areas:	<i>Provisionally closed</i>
90.	(a) Neighbourhood;	(a) Neighbourhood;	[(a) Neighbourhood];	[(a) Neighbourhood];	
91.	(b) Sub-Saharan Africa;	(b) Sub-Saharan Africa;	(b) Sub-Saharan Africa;	(b) Sub-Saharan Africa;	<i>Provisionally closed</i>
92.	(c) Asia and the Pacific;	(c) Asia and the Pacific;	(c) Asia and the Pacific;	(c) Asia and the Pacific;	<i>Provisionally closed</i>
93.	(d) Americas and the Caribbean.	(d) Americas and the Caribbean.	(d) Americas and the Caribbean.	(d) Americas and the Caribbean.	<i>Provisionally closed</i>
94.	Geographic programmes may cover all third countries, except for candidates and potential candidates as defined in Regulation (EU) No .../.... ¹ (IPA) and overseas countries and territories as defined in Council Decision .../... (EU).	Geographic programmes may cover all third countries, except for candidates and potential candidates as defined in Regulation (EU) No .../.... ¹ (IPA) and overseas countries and territories as defined in Council Decision .../... (EU). Geographic programmes of a continental or trans-	Geographic programmes may cover all third countries, except for candidates and potential candidates as defined in Regulation (EU) No .../.... ¹ (IPA). and o Overseas countries and territories as defined in Council Decision .../... (EU): shall equally not be covered by geographic programmes,	Geographic programmes may cover all third countries, except for candidates and potential candidates as defined in Regulation (EU) No .../.... ¹ (IPA). and o Overseas countries and territories as defined in Council Decision .../... (EU): shall equally not be covered by geographic programmes. Geographic programmes	{1} <i>EP: “, in particular a pan-African programme covering African countries under points (a) and (b) and a programme covering African, Caribbean</i>

¹ Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (OJ L...).

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		<i>regional scope may also be established, in particular a pan-African programme covering African countries under points (a) and (b) and a programme covering African, Caribbean and Pacific countries under points (b), (c) and (d).</i>		<i>of a continental or trans-regional scope may also be established</i> (1).	<i>and Pacific countries under points (b), (c) and (d)”. CL: no text.</i>
95.	Geographic programmes in the Neighbourhood area may cover any country referred to in Annex I.	Geographic programmes in the Neighbourhood area may cover any country referred to in Annex I.	[Geographic programmes in the Neighbourhood area may cover any <i>partner</i> country referred to in Annex I.]	[Geographic programmes in the Neighbourhood area may cover any <i>partner</i> country referred to in Annex I.]	
96.	In order to attain the objectives laid down in Article 3, geographic programmes shall be based on the areas of cooperation listed in Annex II.	In order to attain the objectives laid down in Article 3, geographic programmes shall be based on the areas of cooperation listed in Annex II.	In order to attain the objectives laid down in Article 3, geographic programmes shall be based on the areas of cooperation listed in Annex II.	In order to attain the objectives laid down in Article 3, geographic programmes shall be based on the areas of cooperation listed in Annex II.	<i>Provisionally closed</i>
97.	3. The thematic programmes shall encompass actions linked to the pursuit of the Sustainable Development Goals at	3. The thematic programmes shall encompass actions linked to the pursuit of the Sustainable Development Goals at	3. The thematic programmes shall encompass actions linked to the pursuit of the Sustainable Development	3. The thematic programmes shall encompass actions linked to the pursuit of the Sustainable Development	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	global level, in the following areas:	global level, in the following areas:	Goals at global level, in the following areas:	Goals at global level, in the following areas:	
98.	(a) Human Rights and Democracy;	(a) Human Rights and Democracy;	(a) Human Rights and Democracy;	(a) Human Rights and Democracy;	<i>Provisionally closed</i>
99.	(b) Civil Society Organisations;	(b) Civil Society Organisations and Local Authorities ;	(b) Civil Society Organisations;	(b) Civil Society Organisations {1} ;	{1} EP: “ and local authorities ” CL: no text.
100.	(c) Stability and Peace;	(c) Stability and Peace;	(c) Peace , Stability and Peace - Conflict Prevention ;	(c) Peace , Stability and Conflict Prevention ;	<i>Provisionally closed</i>
101.	(d) Global Challenges.	(d) Global Challenges;	(d) Global Challenges.	(d) Global Challenges.	<i>Provisionally closed</i>
101. bis		(da) Foreign Policy Needs and Priorities.		{1}	{1} EP: “(da) Foreign Policy Needs and Priorities. ” CL: no text.
102.	Thematic programmes may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	Thematic programmes may cover all third countries. as well as Overseas countries and territories as defined shall have full access to thematic programmes, as laid down in Council Decision .../... (EU). Their effective participation shall be ensured, with account taken of their specific characteristics and the	Thematic programmes may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	Thematic programmes may cover all third countries as well as 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 partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>particular challenges they must address.</i>			
103.	In order to attain the objectives laid down in Article 3, thematic programmes shall be based on the areas of intervention listed in Annex III.	In order to attain the objectives laid down in Article 3, thematic programmes shall be based on the areas of intervention listed in Annex III.	In order to attain the objectives laid down in Article 3, thematic programmes shall be based on the areas of intervention listed in Annex II.	In order to attain the objectives laid down in Article 3, thematic programmes shall be based on the areas of intervention listed in Annex III.	<i>Provisionally closed</i>
104.	4. The rapid response actions shall enable early action to:	4. The rapid response actions shall enable early action to:	4. The rapid response actions shall enable early action to:	4. The rapid response actions shall enable early action to:	<i>Provisionally closed</i>
105.	(a) contribute to stability and conflict prevention in situations of urgency, emerging crisis, crisis and post-crisis;	(a) contribute to <i>peace</i> , stability and conflict prevention in situations of urgency, emerging crisis, crisis and post-crisis;	(a) contribute to stability and conflict prevention in situations of urgency, emerging crisis, crisis and post-crisis, including those which may result from migratory pressure and forced displacement ;	(a) contribute to <i>peace</i> , stability and conflict prevention in situations of urgency, emerging crisis, crisis and post-crisis, {1} ;	{1} CL: “, including those which may result from migratory pressure and forced displacement” EP: no text
106.	(b) contribute to strengthening resilience of states, societies, communities and individuals and to linking humanitarian aid and development action;	(b) contribute to strengthening <i>the</i> resilience of states, including local authorities , societies, communities and individuals and to linking humanitarian	(b) contribute to strengthening resilience of states, societies, communities and individuals and to linking humanitarian aid and , where relevant, peacebuilding ;	(b) contribute to strengthening <i>the</i> resilience of states, societies, communities and individuals and to linking humanitarian aid and development action and, where relevant, peacebuilding ;	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		aid and development action.			
107.	(c) address foreign policy needs and priorities.	(c) address foreign policy needs and priorities.	(c) address <i>Union</i> foreign policy needs and priorities.	(c) {1}	{1} EP: no text. CL: “address <i>Union</i> foreign policy needs and priorities.”
108.	Rapid response actions may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	Rapid response actions may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	Rapid response actions may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	Rapid response actions may cover all third countries as well as overseas countries and territories as defined in Council Decision .../... (EU).	<i>Provisionally closed</i>
109.	In order to attain the objectives laid down in Article 3, rapid response actions shall be based on the areas of intervention listed in Annex IV.	In order to attain the objectives laid down in Article 3, rapid response actions shall be based on the areas of intervention listed in Annex IV.	In order to attain the objectives laid down in Article 3, rapid response actions shall be based on the areas of intervention listed in Annex IV.	In order to attain the objectives laid down in Article 3, rapid response actions shall be based on the areas of intervention listed in Annex IV.	<i>Provisionally closed</i>
110.	5. Actions under this Regulation shall be primarily implemented through geographic programmes.	5. Actions under this Regulation shall be primarily implemented applied through geographic programmes.	5. Actions under this Regulation shall be primarily implemented through geographic programmes.	5. Actions under this Regulation shall be primarily {1} through geographic programmes.	{1} EP: “ implemented applied ” CL: “implemented” <i>Provisionally closed pending agreement on governance</i>
111.	Actions implemented through thematic programmes shall be	Actions implemented applied through thematic programmes	Actions implemented through thematic programmes shall be	Actions {1} through thematic programmes shall be complementary	{1} EP: “ implemented applied ” CL: “implemented”

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	complementary to actions funded under geographic programmes and shall support global and trans-regional initiatives for achieving internationally agreed goals, in particular the Sustainable Development Goals, protecting global public goods or addressing global challenges. Actions through thematic programmes may also be undertaken where there is no geographic programme, or where it has been suspended, or where there is no agreement on the action with the partner country concerned, or where the action cannot be adequately addressed by geographic programmes.	shall be complementary to actions funded under geographic programmes and shall support global and trans-regional initiatives for aimed at achieving internationally agreed goals, in particular the Sustainable Development Goals, protecting as referred in point (aa) of Article 3(2), as well as global public goods or addressing global challenges. Actions through thematic programmes may also be undertaken independently, including where there is no geographic programme, or where it has been suspended, or where there is no agreement on the action with the partner country concerned, or where the action cannot be adequately addressed	complementary to actions funded under geographic programmes and shall support global and trans-regional initiatives for achieving internationally agreed goals, in particular the Sustainable Development Goals, protecting global public goods or addressing global challenges, as referred to in Annex III. Actions through thematic programmes may also be undertaken where there is no geographic programme, or where it has been suspended, or where there is no agreement on the action with the partner country concerned, or where the action cannot be adequately addressed by geographic programmes.	to actions funded under geographic programmes and shall support global and trans-regional initiatives for aimed at achieving internationally agreed goals, in particular the Sustainable Development Goals and the Paris Agreement, protecting as well as protecting global public goods or addressing global challenges. Actions through thematic programmes may also be undertaken where there is no geographic programme, or where it has been suspended, or where there is no agreement on the action with the partner country concerned, or where the action cannot be adequately addressed by geographic programmes.	<i>Provisionally closed pending agreement on governance</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		by geographic programmes.			
112.	Rapid response actions shall be complementary to geographic and thematic programmes. These actions shall be designed and implemented to enable, where relevant, their continuity under geographic or thematic programmes.	Rapid response actions shall be complementary to geographic and thematic programmes. These as well as to actions funded through the Council Regulation (EC) No 1257/96 of 20 June 1996 (the ‘Humanitarian Aid Regulation’). Those actions shall be designed and implemented applied to enable, where relevant, their continuity under geographic or thematic programmes.	Rapid response actions shall be complementary to geographic and thematic programmes. These actions shall be designed and implemented to enable, where relevant, their continuity under geographic or thematic programmes.	Rapid response actions shall be complementary to geographic and thematic programmes. These actions shall be designed and {1} to enable, where relevant, their continuity under geographic or thematic programmes.	{1} EP: “ implemented applied ” CL: “implemented” <i>Provisionally closed pending agreement on governance</i>
113.	6. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend Annexes II, III and IV.	6. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend Annexes II, III and IV.	6. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend Annexes II, III and IV.	{1}	{1} EP: “The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend Annexes II, III and IV.” CL: no text.
114.	Article 5 Coherence, consistency and complementarity	Article 5 Coherence, consistency and complementarity	Article 5 Coherence, consistency and complementarity	Article 5 Coherence, consistency and complementarity	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
115.	1. In implementing this Regulation, consistency, synergies and complementarity with other areas of Union external action, with other relevant Union policies and Programmes, as well as policy coherence for development shall be ensured.	1. In implementing applying this Regulation, consistency, coherence synergies and complementarity with other all areas of Union external action, including other external financing instruments, the IPA III Regulation in particular, as well as measures adopted under Chapter Two of Title V TEU and Part Five TFEU, with other relevant Union policies and Programmes, as well as policy coherence for development shall be ensured. The Union shall take account of the objectives of development cooperation in the policies that it applies which are likely to affect developing countries.	1. In implementing this Regulation, consistency, synergies and complementarity with other areas of Union external action, with other relevant Union policies and Programmes, as well as policy coherence for development shall be ensured, thus contributing to the implementation of the 2030 Agenda.	1. In {1} this Regulation, consistency, coherence, synergies and complementarity with all areas of Union external action, including other external financing instruments, and with other relevant Union policies and Programmes, as well as policy coherence for development shall be ensured.	{1} EP: “ implementing applying ” CL: “implementing” <i>Provisionally closed pending 1) agreement on governance, and 2) language in recitals on IPA III, HA and CFSP.</i> <i>References to IPA III and Humanitarian Aid Regulation are already in Recital 21, as well as CFSP.</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
115. bis			<i>1 bis In this regard, the Union shall seek to promote increased synergies and complementarities in particular with trade policy, economic cooperation and other sectorial cooperation, taking into account the impact of all internal and external policies on sustainable development.</i>	<i>In this regard, the Union shall take into account the impact of all internal and external policies on sustainable development and shall seek to promote increased synergies and complementarities in particular with trade policy, economic cooperation and other sectorial cooperation.</i>	<i>Provisionally closed</i>
		<i>1a. The Union and Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency of their delivery and preventing overlapping of funding.</i>			<i>Provisionally closed</i> <i>Moved to line 146 bis.</i>
115. ter		<i>1b. In applying this Regulation, the Commission and the EEAS shall duly take into consideration the</i>		<i>{1}</i>	<i>{1}</i> <i>EP: “In applying this Regulation, the Commission and the EEAS shall duly take</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>positions of the European Parliament.</i>			<i>into consideration the positions of the European Parliament” CL: request to consider location of possible text, if such text is agreed.</i>
116.	2. Actions falling within the scope of Council Regulation (EC) No 1257/96 shall not be funded under this Regulation.	2. Actions falling within the scope of Council Regulation (EC) No 1257/96 shall not be funded under this Regulation.	2. Actions falling within the scope of Council Regulation (EC) No 1257/96 shall not be funded under this Regulation.	2. Actions falling within the scope of Council Regulation (EC) No 1257/96 shall not be funded under this Regulation.	<i>Provisionally closed</i>
117.	3. Where appropriate, other Union Programmes may contribute to actions established under this Regulation, provided that the contributions do not cover the same costs. This Regulation may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which	3. Where appropriate, other Union Programmes may contribute to actions established under this Regulation, provided that the contributions do not cover the same costs. This Regulation may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set	3. Where appropriate, other Union Programmes may contribute to actions established under this Regulation, provided that the contributions do not cover the same costs. This Regulation may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set of rules shall be applicable.	3. Where appropriate, other Union Programmes may contribute to actions established under this Regulation, provided that the contributions do not cover the same costs. This Regulation may also contribute to measures established under other Union Programmes, provided that the contributions do not cover the same costs. In such cases, the work programme covering those actions shall establish which set of rules shall be applicable.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	set of rules shall be applicable.	of rules shall be applicable.			
134.	Article 7 Policy framework	Article 7 Policy framework	Article 7 Policy framework	Article 7 Policy framework	
135.	The association agreements, partnership and cooperation agreements, multilateral agreements, and other agreements that establish a legally binding relationship with partner countries, as well as, European Council conclusions and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, relevant European Parliament resolutions, communications of the Commission or Joint communications of the Commission and the High Representative of	The association agreements, partnership and cooperation agreements, multilateral trade agreements, and other agreements that establish a legally binding relationship with partner countries, recommendations and acts adopted in the bodies set up by those agreements , as well as relevant multilateral agreements, Union legislative acts , European Council conclusions, and Council conclusions, summit declarations or and other international declarations and conclusions of high-level meetings with partner countries, relevant European	The association agreements, partnership and cooperation agreements, multilateral agreements to which the Union is a party , and other agreements that establish a legally binding relationship with between the Union and partner countries, as well as, European Council conclusions and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, relevant at the level of heads of states or governments or ministers. Joint statements by the Council and the governments of the Member States, the	The association agreements, partnership and cooperation agreements, multilateral agreements to which the Union is a party , and other agreements that establish a legally binding relationship with between the Union and partner countries, as well as, European Council conclusions, and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, relevant at the level of heads of states or governments or ministers , European Parliament resolutions, communications of the Commission, or Joint communications of the Commission and the	Both institutions uphold language as per their mandates. {1} EP: “implementation application” CL: “implementation”

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the implementation of this Regulation.	Parliament resolutions; communications of the Commission or Joint and positions, communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy and United Nations Conventions and resolutions, shall constitute the overall policy framework for the implementation application of this Regulation.	European Parliament resolutions; communications of and the Commission as well as Council deliberations, or Joint communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the implementation of this Regulation.	High Representative of the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the {1} of this Regulation.	
136.	Article 8 General principles	Article 8 General principles	Article 8 General principles	Article 8 General principles	<i>Provisionally closed</i>
137.	1. The Union shall seek to promote, develop and consolidate the principles of democracy, the rule of law and respect for human rights and fundamental freedoms on which it is founded, through dialogue and	1. The Union shall seek to promote, develop and consolidate the principles of democracy, the rule of law and respect for human rights and fundamental freedoms on which it is founded, through dialogue and cooperation with	1. The Union shall seek to promote, develop and consolidate the principles of democracy, good governance, the rule of law and respect for human rights and fundamental freedoms on which it is founded, through dialogue and cooperation with partner	1. The Union shall seek to promote, develop and consolidate the principles of democracy, good governance, the rule of law, respect for human rights, including their universality and indivisibility, and fundamental freedoms and respect for human	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	cooperation with partner countries and regions.	partner countries and regions, <i>through action in the United Nations and other international fora and through its cooperation with civil society organisations, local authorities and private actors, the principles on which it is founded, namely democracy, the rule of law, good governance, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law. Funding under this Regulation shall comply with these principles, as well as with the Union's commitments under international law.</i>	countries and , regions and civil society.	<i>dignity, the principles of equality and solidarity</i> on which it is founded, through dialogue and cooperation with partner countries, and regions <i>and civil society, including through action in multilateral fora.</i>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
137. bis			<i>1 bis The Union shall pursue the eradication of poverty and, in compatibility with the 2030 Agenda and the Paris Agreement, the fight against climate change.</i>		
		<i>1a. Consistent with Articles 2 and 21 TEU, the Union's contribution to democracy and the rule of law and to the promotion and protection of human rights and fundamental freedoms shall be rooted in the Universal Declaration Human Rights, international human rights law and international humanitarian law.</i>		Reference to international HR law + UDHR in recitals for example by expanding last sentence of recital (2a) as proposed by EP. Provisionally agreed language: "Union action should favour adherence to and be rooted in international human rights law, including the Universal Declaration on Human Rights, and in international humanitarian law."	
138.	2. A rights-based approach encompassing all	2. A rights-based approach encompassing all human rights,	2. A rights-based approach encompassing all human rights, whether	2. A rights-based approach encompassing all human rights, whether	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>human rights, whether civil and political or economic, social and cultural shall be applied in order to integrate human rights principles, to support the right holders in claiming their rights with a focus on poorer and more vulnerable groups and to assist partner countries in implementing their international human rights obligations. This Regulation shall promote gender equality and women's empowerment.</p>	<p>whether civil and political or economic, social and cultural shall be applied in order to integrate human rights principles, to support the right holders in claiming their rights with a focus on poorer and more marginalised and vulnerable groups, including minorities, women, children and youth, older people, indigenous people, LGBTI persons, and persons with disabilities, on essential labour rights and social inclusion, and to assist partner countries in implementing their international human rights obligations. This Regulation shall promote gender equality and women's the empowerment of women, youth and children, including</p>	<p>civil and political or economic, social and cultural shall be applied in order to integrate human rights principles, to support the right holders in claiming their rights with a focus on poorer, marginalised and more-vulnerable people and groups and to assist partner countries in implementing their international human rights obligations. This Regulation shall promote gender equality and women's empowerment This approach shall be guided by the principle of leaving no-one behind, wherever people live and regardless of ethnicity, gender, age, disability, religion or beliefs, sexual orientation and gender identity, migration status or other factors, including addressing the multiple discriminations</p>	<p>civil and political or economic, social and cultural shall be applied in order to integrate human rights principles, to support the right holders in claiming their rights with a focus on poorer, marginalised and more-vulnerable people and groups and to assist partner countries in implementing their international human rights obligations. This Regulation shall promote gender equality and women's empowerment This approach shall be guided by the principle of leaving no-one behind, equality and non-discrimination on any grounds.</p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>with regard to sexual and reproductive health and rights.</i>	<i>faced by vulnerable people and marginalised groups.</i>		
138. bis			<i>2 bis This Regulation shall promote gender equality, women's and girls' rights and empowerment and non-discrimination on any grounds including gender identity or sexual orientation, through targeted and mainstreamed actions.</i>	<i>2 bis This Regulation shall promote gender equality, women's and girls' rights and empowerment and non-discrimination on any grounds, through targeted and mainstreamed actions; and shall also give particular attention to the rights of the child and empowerment of youth.</i>	<i>Provisionally closed</i>
138. ter			<i>2 ter This Regulation shall be implemented in full accordance with the EU's commitment to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International</i>	<i>2 ter This Regulation shall be implemented in full accordance with the EU's commitment to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>Conference on Population and Development (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Regulation shall support the EU commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. It shall also support the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education,</i></p>	<p><i>Conference on Population and Development (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the Regulation shall support the EU commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. It shall also support the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education,</i></p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>including comprehensive sexuality education, and health-care services.</i>	<i>including comprehensive sexuality education, and health-care services.</i>	
138. quater			<i>2 quater This Regulation shall give particular attention to the rights of the child and empowerment of youth.</i>		<i>Provisionally closed</i> <i>Moved to line 138 bis.</i>
139.	3. The Union shall support, as appropriate, the implementation of bilateral, regional and multilateral cooperation and dialogue, partnership agreements and triangular cooperation.	3. The Union shall support, as appropriate, the implementation of bilateral, regional and multilateral cooperation and dialogue, partnership agreements and triangular cooperation.	3. The Union shall support, as appropriate, the implementation of bilateral, regional and multilateral cooperation and dialogue, association and free trade agreements , partnership agreements and triangular cooperation.	3. The Union shall support, as appropriate, the implementation of bilateral, regional and multilateral cooperation and dialogue, (1) partnership agreements and triangular cooperation.	<i>Reference to coherence with trade policy inserted in Art.5.</i> {1} <i>CL: “association and free trade agreements,”</i> <i>EP: EP to further discuss reference to free trade agreements</i>
140.	The Union shall promote a multilateral and rules-based approach to global goods and challenges and shall cooperate with Member States, partner countries, international	The Union shall promote a multilateral and rules-based rules- and values-based approach to global public goods and challenges and shall cooperate with Member States, partner countries, international	The Union shall promote a multilateral and rules-based approach to global goods and challenges and shall cooperate with Member States, partner countries, international organisations and other donors in that respect.	The Union shall promote a multilateral and rules-based approach to global goods and challenges and shall cooperate with Member States, partner countries, international organisations and other donors in that respect.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	organisations and other donors in that respect.	organisations, <i>including international financial institutions and UN agencies, funds and programmes</i> , and other donors in that respect.			
140. bis			<i>The Union shall foster inclusiveness in the implementation of this Regulation and collaboration with Member States seeking to maximise added value and taking into account experience and capacities, thus reinforcing shared interests, values and common goals. The Union shall encourage the exchange of best practices and knowledge sharing among Member States' bodies and experts.</i>		<i>Provisionally closed</i> <i>Moved to line 146 bis</i>
141.	The Union shall foster cooperation with international	The Union shall foster cooperation with international <i>and</i>	The Union shall <i>promote effective multilateralism in</i> fostering cooperation with international	The Union shall <i>promote effective multilateralism in</i> fostering cooperation with international	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	organisations and other donors.	regional organisations and other donors.	organisations and other donors.	organisations and other donors.	
142.	In relations with partner countries, their track record in implementing commitments, international agreements, and contractual relations with the Union shall be taken into account.	In relations with partner countries, their track record in implementing commitments, international agreements, in particular the Paris Agreement , and contractual relations with the Union, in particular association agreements, partnership and cooperation agreements and trade agreements , shall be taken into account.	In relations with partner countries, their track record in implementing obligations and commitments , international human rights conventions , international agreements , and contractual relations with the Union shall be taken into account and shall be taken up in the regular political dialogue with these countries .	In relations with partner countries, their track record in implementing obligations and commitments, including the 2030 Agenda , international human rights conventions , international agreements, in particular the Paris Agreement , and contractual relations with the Union, in particular association agreements, partnership and cooperation agreements and trade agreements , shall be taken into account and shall be taken up in the regular political dialogue with these countries .	<i>Provisionally closed</i>
143.	4. Cooperation between the Union and the Member States, on the one hand, and partner countries, on	4. Cooperation between the Union and the Member States, on the one hand, and partner countries, on the other	4. Cooperation between the Union and the Member States, on the one hand, and partner countries, on the other	4. Cooperation between the Union and the Member States, on the one hand, and partner countries, on the other	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the other hand, shall be based on and shall promote the development effectiveness principles, where applicable, namely: ownership of development priorities by partner countries, a focus on results, inclusive development partnerships, transparency and mutual accountability. The Union shall promote effective and efficient resource mobilisation and use.	hand, shall be based on and shall promote the development effectiveness principles; where applicable, across all modalities namely: ownership of development priorities by partner countries, a focus on results, inclusive development partnerships, transparency and mutual accountability, and alignment to the priorities of partner countries . The Union shall promote effective and efficient resource mobilisation and use.	hand, shall be based on and shall promote the development effectiveness principles, where applicable, namely: ownership of development priorities by partner countries, a focus on results, inclusive development partnerships, transparency and mutual accountability. The Union shall promote effective and efficient resource mobilisation and use.	hand, shall be based on and shall promote the development effectiveness principles, where applicable, across all modalities , namely: ownership of development priorities by partner countries, a focus on results, inclusive development partnerships, transparency and mutual accountability. The Union shall promote effective and efficient resource mobilisation and use.	
144.	In line with the principle of inclusive partnership, where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations and local authorities, are duly	In line with the principle of inclusive partnership, where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations and local	In line with the principles of inclusive partnership and transparency , where appropriate and possible , the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations, the private sector and local	In line with the principle of inclusive partnership and transparency , where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations, and local authorities, are duly	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	consulted and have timely access to relevant information allowing them to play a meaningful role during the design, implementation and associated monitoring processes of programmes.	authorities, are duly consulted and have timely access to relevant information allowing them to play a meaningful role during the design, implementation application and associated monitoring processes of programmes.	authorities, are duly consulted and have timely access to relevant information allowing them to be adequately involved and play a meaningful role during the design, implementation and associated monitoring processes of programmes.	consulted and have timely access to relevant information allowing them to be adequately involved and play a meaningful role during the design, {1} and associated monitoring processes of programmes. Where appropriate, the Commission shall also ensure that an enhanced dialogue is pursued with the private sector.	12} EP: “implementation application” CL: “implementation”
145.	In line with the principle of ownership the Commission, where appropriate, shall favour the use of partner countries' systems for the implementation of programmes.	In line with the principle of ownership the Commission, where appropriate, shall favour the use of partner countries' systems for the implementation application of programmes.	In line with the principle of ownership the Commission, where appropriate, shall favour the use of partner countries' institutions and systems for the implementation of programmes.	In line with the principle of ownership the Commission, where appropriate, shall favour the use of partner countries' institutions and systems for the {1} of programmes.	<i>Provisionally closed</i> {1} EP: “implementation application” CL: “implementation”
146.	5. In order to promote the complementarity and efficiency of their action, the Union and the Member States	5. In order to promote the complementarity and efficiency of their action, the Union and the Member States shall	5. In order to promote the complementarity and efficiency of their action and initiatives , the Union and the Member States	5. In order to promote the complementarity and efficiency of their action and initiatives , the Union and the Member States	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	shall coordinate their policies and shall consult each other on their assistance programmes, including in international organisations and during international conferences.	coordinate their policies and shall consult each other on their assistance programmes, including in international organisations and during international conferences.	shall coordinate strengthen the coordination of their policies and shall regularly consult each other on their assistance programmes, including in international organisations and during international conferences.	shall coordinate ensure the coordination of their policies and shall regularly consult each other on their assistance programmes, including in international organisations and during international conferences.	
146 bis				<i>The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency.</i>	<i>Provisionally closed</i> <i>Based on EP text line 115 bis).</i>
146. ter (new line)				<i>The Union shall foster inclusiveness in the implementation of this Regulation and collaboration with Member States seeking to maximise added value and taking into account experience and</i>	<i>Based on CL text line 140 bis</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<i>capacities, thus reinforcing shared interests, values and common goals. The Union shall encourage the exchange of best practices and knowledge sharing among Member States' bodies and experts.</i>	
147.	6. Programmes and actions under this Regulation shall mainstream climate change, environmental protection and gender equality and shall address interlinkages between Sustainable Development Goals, to promote integrated actions that can create co-benefits and meet multiple objectives in a coherent way. These programmes and actions shall be based on an analysis of risks and vulnerabilities, integrate a resilience approach and be	6. Programmes and actions under this Regulation shall mainstream climate change, environmental protection and in accordance with Art. 11 TFEU, disaster risk reduction and preparedness, human development, conflict prevention and peace building, gender equality and the empowerment of women, children and youth, non-discrimination, education and culture, and digitalisation and	6. Programmes and actions under this Regulation shall mainstream climate change human rights, democracy, gender equality , environmental protection and gender equality the fight against climate change and shall address interlinkages between Sustainable Development Goals, to promote integrated actions that can create co-benefits and meet multiple objectives in a coherent way. These programmes and actions shall be based on an	6. Programmes and actions under this Regulation shall mainstream the fight against climate change, environmental protection, human rights, democracy, gender equality and, where relevant, disaster risk reduction and shall address interlinkages between Sustainable Development Goals, to promote integrated actions that can create co-benefits and meet multiple objectives in a coherent way. These programmes and actions	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	conflict sensitive. They shall be guided by the principle of leaving no one behind.	shall address interlinkages between Sustainable Development Goals, to promote integrated actions that can create co-benefits and meet multiple objectives in a coherent way. These programmes and actions shall be based on an analysis of capacities , risks and vulnerabilities, integrate a people and community centred resilience approach and be conflict sensitive. They shall be guided by the principle principles of leaving no one behind and “do no harm” .	comprehensive multi-disciplinary analysis of context , risks and vulnerabilities, integrate a resilience approach and be conflict sensitive. They shall be guided by the principles of “do no harm” and of “leaving no one behind” .	shall be based on an comprehensive multi-disciplinary analysis of context, capacities , risks and vulnerabilities, integrate a resilience approach and be conflict sensitive taking into account conflict prevention and peacebuilding . They shall be guided by the principles of “do no harm” and of “leaving no one behind” .	
147. bis			6 bis This Regulation shall promote the use of digitalisation as a powerful enabler for sustainable development and inclusive growth.	6 bis This Regulation shall promote the use of digitalisation as a powerful enabler for sustainable development and inclusive growth.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
148.	7. A more coordinated, holistic and structured approach to migration shall be pursued with partners and its effectiveness be regularly assessed.	7. Without prejudice to the other objectives of Union external action, a more coordinated, holistic and structured approach to migration shall be pursued, with partners and its effectiveness be regularly assessed, without conditioning the allocation of development aid to third countries to cooperation on migration management and in full respect of human rights, including the right of every individual to leave his or her country of origin.	7. A more coordinated, holistic and structured approach to migration shall be pursued with partners, taking into account the importance of addressing the root causes of irregular migration and its forced displacement. It shall maximise synergies and build comprehensive partnerships, while paying specific attention to countries of origin and transit. This approach shall combine all appropriate tools and the necessary leverage through a flexible incitative approach with, as appropriate within this context, possible changes in allocation of funding. It shall take into account effective cooperation and implementation of EU agreements, including in the field of readmission, return and reintegration,	7. A more coordinated, holistic and structured approach to migration shall be pursued with partners and its effectiveness be regularly assessed.	<i>Council mandate was updated on 3 December following COREPER agreement on 27 November.</i> <i>Both institutions uphold language as per their mandates.</i> <i>Subject to prior horizontal trilogue discussion on migration</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>and dialogues on migration. These actions shall be implemented in full respect of international law, including international human rights and refugee law, EU and national competences.</i></p> <p>It <i>The effectiveness of this approach shall be regularly assessed annually or as necessary. Migration-related actions of this Regulation shall be implemented in support of EU migration policy objectives through a coordinated mechanism based on the use of its appropriate components through flexible funding.</i></p>		
148. bis		<p><i>7a. The Commission shall ensure that actions adopted under this Regulation in relation to security, stability and peace, in</i></p>			<p><i>Part of peace and stability discussion</i></p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>particular with regard to capacity building of military actors in support of development and security for development, fight against terrorism and organised crime, and cyber-security, are carried out in accordance with international law, including international human rights and humanitarian law. The Commission may develop roadmaps jointly with the beneficiary partners to improve the institutional and operational compliance of military actors with transparency and human rights standards. The Commission shall carefully monitor, evaluate and report on the application of such actions for each</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>relevant objective pursuant to Article 31 in order to ensure compliance with human rights obligations. For such actions, the Commission shall pursue a conflict sensitive approach, including a rigorous and systematic ex ante conflict analysis which fully integrates gender analysis, in addition to the provisions on risk management under Article 8(8)b. The Commission shall adopt a delegated act in accordance with Article 34 supplementing this Regulation by establishing an operational framework, based on the existing guidance to ensure that human rights are taken into consideration in the design and</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>application of the measures referred to in this Article, in particular as regards the prevention of torture and other cruel, inhuman or degrading treatment and respect for due process, including the presumption of innocence, the right to a fair trial and rights of defence.</i>			
149.	8. The Commission shall inform and have regular exchanges of views with the European Parliament.	8. The Commission shall regularly inform and have regular exchanges of views meaningful policy dialogues with the European Parliament, at its own initiative and when requested by the European Parliament.	8. The Commission shall inform and have regular exchanges of views with the European Parliament and the Council.	8. The Commission shall regularly inform and have regular exchanges of views with the European Parliament {1}.	{1} CL: "and the Council" EP: ", at its own initiative and when requested by the European Parliament" <i>Part of governance discussion.</i> <i>Link with line 115 ter.</i>
149. bis		8a. The Commission shall have regular exchanges of information with civil society and local authorities.		8a. The Commission shall have regular exchanges of information with civil society.	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
149.ter		<i>8b. The Commission shall adopt a delegated act in accordance with Article 34 supplementing this Regulation by establishing an appropriate risk management framework, including an assessment and mitigations measures for each relevant objective of the Regulation.</i>			<i>Part of the governance discussion.</i>
149. quater		<i>8c. Transparency and accountability, with a strong focus on reporting and scrutiny shall underpin the entire instrument. That shall comprise a transparent control system, including the reporting of information on the recipients of funds and whether payments have been made on time.</i>			<i>Part of the governance discussion.</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
208.	Article 15 Emerging challenges and priorities cushion	Article 15 Emerging challenges and priorities cushion	Article 15 Emerging challenges and priorities cushion	Article 15 Emerging challenges and priorities cushion	<i>Provisionally closed</i>
209.	1. The amount referred to in Article 6(3) shall be used <i>inter alia</i> :	1. The amount referred to in Article 6(3) shall be used inter alia <i>in duly justified cases, with priority given to the countries most in need, and in full complementarity and consistency with acts adopted under this Regulation:</i>	1. The amount referred to in Article 6(32)(d) shall be used <i>where most needed</i> <i>inter alia</i> :	1. The amount referred to in Article 6(3) shall be used <i>where most needed and duly justified, inter alia:</i>	<i>Provisionally closed</i>
210.	(a) to ensure an appropriate response of the Union in the event of unforeseen circumstances;	(a) to ensure an appropriate response of the Union in the event of unforeseen circumstances <i>needs not covered by programmes and programming documents;</i>	(a) to ensure an appropriate response of the Union in the event of unforeseen circumstances;	(a) to ensure an appropriate response of the Union in the event of unforeseen circumstances;	<i>Provisionally closed</i>
211.	(b) to address new needs or emerging challenges, such as those at the Union's or its neighbours' borders linked to crisis and	(b) to address new needs or emerging challenges, such as those at the Union's or its neighbours' borders <i>or those in third countries</i> linked to	(b) to address new needs, or emerging challenges, such as those at the Union's or its neighbours' borders linked to crisis, <i>violent conflict</i> and post-crisis	(b) to address new needs or emerging challenges, such as those at the Union's or its neighbours' borders linked to crisis, <i>either natural or man-made</i>	<i>Subject to prior horizontal trilogue discussion on migration</i> {1} <i>EP: "or migratory pressure to migration phenomena, in</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	post-crisis situations or migratory pressure;	crisis, <i>either natural or man-made</i> , and post-crisis situations or migratory pressure <i>to migration phenomena, in particular forced displacement</i> ;	situations or <i>irregular</i> migratory pressure <i>and forced displacement</i> ;	and post-crisis situations {1}	<i>particular forced displacement</i> ; CL: “or <i>irregular</i> migratory pressure <i>and forced displacement</i> ;
212.	(c) to promote new Union led or international initiatives or priorities.	(c) to promote <i>or respond to</i> new Union led or international initiatives or priorities.	(e) to promote new Union led or international initiatives or priorities.	(c) to promote <i>or respond to</i> new Union led or international initiatives or priorities.	CL to confirm if maintaining the paragraph is acceptable.
213.	2. The use of these funds shall be decided in accordance with the procedures established in Articles 14 and 21.	2. The use of these funds shall be decided in accordance with the procedures established in Articles 14 and 21.	2. The use of these funds shall be decided in accordance with the procedures established in Articles 14 and 21.	2. The use of these funds shall be decided in accordance with the procedures established in Articles 14 and 21.	<i>Provisionally closed, pending governance discussion.</i>