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REPORT


Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Monika Hohlmeier
Symbols for procedures

* Consultation procedure
*** Consent procedure
***I Ordinary legislative procedure (first reading)
***II Ordinary legislative procedure (second reading)
***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in bold italics in the left-hand column. Replacements are indicated in bold italics in both columns. New text is indicated in bold italics in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in bold italics. Deletions are indicated using either the ▌ symbol or strikeout. Replacements are indicated by highlighting the new text in bold italics and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION


(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2018)0472),

– having regard to Article 294(2), Article 82(1), Article 84 and Article 87(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0267/2018),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to Rule 59 of its Rules of Procedure,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Budgets (A8-0115/2019),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
(1) Ensuring internal security, which is a competence of the Member States, is a shared endeavour to which the EU institutions, relevant Union agencies and Member States should jointly contribute. In the period 2015 to 2020, the Commission, the Council of the European Union and the European Parliament have defined common priorities as set out in the European Agenda on Security of April 2015\(^{10}\), which were reaffirmed by the Council in the renewed Internal Security Strategy of June 2015\(^{11}\) and by the European Parliament in its Resolution of July 2015\(^{12}\). That shared strategy aimed at providing the strategic framework for the work at Union level in the area of internal security, and defined the main priorities for action to ensure an effective Union response to security threats for the period 2015-2020, namely tackling terrorism and preventing radicalisation, disrupting organised crime and fighting cybercrime.


Amendment 2
Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) In the Rome Declaration signed on 25 September 2017, leaders of 27 Member States affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime.

Amendment

(2) In the Rome Declaration signed on 25 March 2017, leaders of 27 Member States, the European Council, the European Parliament and the European Commission affirmed their determination to a safe and secure Europe and to build a Union where all citizens feel safe and can move freely, where the external borders are secured, with an efficient, responsible and sustainable migration policy, respecting international norms, as well as a Europe determined to fight terrorism and organised crime.

Amendment 3
Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) To achieve this objective, actions should be taken at Union level to protect people and goods from increasingly transnational threats and to support the work carried out by Member States’ competent authorities. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union.

Amendment

(5) To achieve this objective, actions should be taken at Union level to protect people, public spaces and critical infrastructure from increasingly transnational threats and to support the work carried out by Member States’ competent authorities. Terrorism, serious and organised crime, itinerant crime, drug and arms trafficking, corruption, money laundering, cybercrime, sexual exploitation, including of children, hybrid threats, as well as chemical, biological, radiological and nuclear threats, trafficking in human beings, among others, continue to challenge the internal security and the internal market of the Union.
Amendment 4
Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

(5 a) The Fund should provide financial support to address the emerging challenges posed by the significant increase in the scale of certain types of crime, such as payment fraud, child sexual exploitation and trafficking in weapons, being committed via the internet in recent years (‘cyber-enabled crimes’).

Amendment 5
Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In-line with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention and police cooperation involving all the Member States’ competent authorities concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.

Amendment

(6) Funding from the Union budget should concentrate on activities where Union intervention can bring added value compared to action by Member States alone. In line with Articles 84 and 87(2) of the TFEU, funding should support measures to promote and support the action of Member States in the field of crime prevention, joint training and police and judicial cooperation involving all the Member States’ competent authorities and Union agencies concerning especially information exchange, increased operational cooperation and supporting efforts to strengthen capabilities to combat and to prevent crime. The Fund should not support operating costs and activities related to the essential functions of the Member States concerning the maintenance of law and order and the safeguarding of internal and national security as referred to in Article 72 of the TFEU.
Amendment 6
Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) To preserve the Schengen acquis and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States’ action towards the development of an effective and genuine security union.

Amendment

(7) To preserve the Schengen acquis and the entire Union internal market area, and to strengthen its functioning, Member States have, since 6 April 2017, been obliged to carry out systematic checks against relevant databases on EU citizens who are crossing the EU’s external borders. Furthermore, the Commission issued a Recommendation to Member States to make better use of police checks and cross-border cooperation. Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and freedoms and the rule of law, a strong attention to the global perspective and the necessary coherence with the external dimension of security should be key principles guiding the Union and Member States’ action towards the development of an effective and genuine security union.

Amendment 7
Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) The Fund should be implemented in full compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union’s international obligations as regards fundamental rights.

Amendment

(9) The Fund should be implemented in full compliance with the values enshrined in Article 2 of the Treaty on European Union (TEU), the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and with the Union’s international obligations as regards human rights. In particular, this Regulation seeks to ensure that fundamental rights, such as the right to human dignity, the right to life, the prohibition of torture and inhuman or
degrading treatment or punishment, the right to protection of personal data, the rights of the child and the right to have an effective remedy, are fully respected. It also seeks to promote the application of the principle of non-discrimination.

Amendment 8
Proposal for a regulation
Recital 10 a (new)

Text proposed by the Commission

(10 a) Raising awareness among law enforcement personnel about issues related to all forms of racism, including antisemitism and antiziganism, is a key success factor for internal security. Awareness-raising training and education measures for law enforcement actors should therefore be included in the scope of the Fund in order to increase trust-building capacity at a local level.

Amendment 9
Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information

Amendment

(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular preventing and combating terrorism and violent extremism, including radicalisation, intolerance and discrimination, serious and organised crime, and cybercrime as well as assisting and protecting victims of crime and protecting critical infrastructure. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats,
exchange, increase operational cooperation and improve national and collective capabilities.

such as trafficking, including via online channels, hybrid threats and chemical, biological, radiological and nuclear threats, with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, to increase operational cooperation and improve national and collective capabilities.

Amendment 10

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.

Amendment

(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support exchange of and access to information as well as police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, terrorism, trafficking in human beings, exploitation of refugees and irregular migrants, severe labour exploitation, sexual exploitation and abuse, including of children and women, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through joint training, the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.
**Amendment 11**

Proposal for a regulation
Recital 12 a (new)

*Text proposed by the Commission*

(12 a) *The Fund should provide assistance to law enforcement authorities irrespective of their organisational structure under national law. For this reason, actions involving military forces charged with internal security tasks should also be eligible for support from the Fund, to the extent that such actions serve to contribute to the achievement of the specific objectives of the Fund. In emergency situations, and to address and prevent serious risks to public security, including in the aftermath of a terrorist attack, actions by military forces inside the territory of the Member State should be eligible for support from the Fund. Peace-keeping or defence actions outside the territory of the Member State should under no circumstances be eligible for assistance from the Fund.*

**Amendment 12**

Proposal for a regulation
Recital 14

*Text proposed by the Commission*

(14) *There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the industrial sector in the development and implementation of security policy, including where relevant with involvement of other relevant actors, Union agencies and other Union bodies, third countries.*

(14) *There is a need to maximise the impact of Union funding by mobilising, pooling and leveraging public and private financial resources. The Fund should promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations, as well as the European industrial sector in the development and implementation of security policy, in particular as regards cybersecurity, including where relevant with involvement of other relevant actors,*
and international organisations in relation to the objective of the Fund.

Union agencies and other Union bodies and international organisations in relation to the objective of the Fund. However, it should be ensured that support from the Fund is not used to delegate statutory or public tasks to private actors.

Amendment 13
Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most value to the action of the Member States.

Amendment

(16) With a view to ensuring that the Fund makes an effective contribution to a higher level of internal security throughout the European Union, to the development of a genuine security union, it should be used in a way that adds most European value to the action of the Member States.

Amendment 14
Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in Annex II and that the allocation of resources between objectives ensures that the overall policy objective can be met.

Amendment

(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes contribute to the achievement of the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in and that the allocation of resources between objectives is proportionate to challenges and needs and ensures that the overall policy objective can be met.

Amendment 15
Proposal for a regulation
Recital 20
(20) The Fund should be coherent with and complementary to other Union financial programmes in the field of security. Synergies will be sought ensured in particular with the Asylum and Migration Fund, the Integrated Border Management Fund consisting of the border management and visa instrument established by Regulation (EU) X and the customs control equipment instrument established by Regulation (EU) X as well as the other Cohesion Policy Funds covered by Regulation (EU) X [CPR], the security research part of the Horizon Europe programme established by Regulation (EU) X, the Rights and Values programme established by Regulation X, the Justice programme established by Regulation EU X, the Digital Europe programme established by Regulation EU X and the InvestEU programme established by Regulation EU X. Synergies should be sought in particular on security of infrastructure and public spaces, cybersecurity and the prevention of radicalisation. Effective coordination mechanisms are essential to maximise the effective achievement of policy objectives, exploit economies of scale and avoid overlaps between actions.

Amendment 16

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union’s external financing

Amendment

(21) Measures in and in relation to third countries supported through the Fund should be implemented in full synergy and coherence with and should complement other actions outside the Union supported through the Union’s external financing
instruments. In particular, in implementing such actions, full coherence should be sought with the principles and general objectives of the Union’s *external action* and foreign policy related to the country or region in question. In relation to the external dimension, the Fund should enhance cooperation with third countries in areas of interest to the Union’s internal security, such as countering terrorism and radicalisation, cooperation with third country law enforcement authorities in the fight against terrorism (including detachments and joint investigation teams), serious and organised crime and corruption, trafficking in human beings and migrant smuggling.

Amendment 17
Proposal for a regulation
Recital 23 a (new)

*Text proposed by the Commission*

(23a) Under Regulation (EU) No X of the European Parliament and of the Council\(^1a\), the Union should take action to protect its budget whenever a generalised deficiency as regards the rule of law is established in a Member State. Regulation (EU) No X should apply to this Fund.

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

Amendment 18
Proposal for a regulation
Recital 24
(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation.

Amendment 19
Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) These initial amounts should form the basis for Member States’ long-term investments in security. To take account of changes in security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution key, taking into account the state of programme implementation.

Amendment

(26) These initial amounts should form the basis for Member States’ long-term investments in security. To take account of changes in internal and external security threats or in the baseline situation, an additional amount should be allocated to the Member States at mid-term based on the latest available statistical data, as set out in the distribution key, taking into account the state of programme implementation.

Amendment 20
Proposal for a regulation
Recital 26 a (new)
Amendment 21

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, changes in policy and Union priorities and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance via a thematic facility.

Amendment

(27) As challenges in the area of security are constantly evolving, there is a need to adapt the allocation of funding to changes in internal and external security threats and steer funding towards the priorities with the highest added value for the Union. To respond to pressing needs, changes in policy and Union priorities and to steer funding towards actions with a high level of Union added value, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance via a thematic facility.

Amendment 22

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution.

Amendment

(28) Member States should be encouraged to use part of their programme allocation to fund actions listed in Annex IV benefiting from a higher Union contribution, primarily because of their significant European added value or their high importance for the Union.

Amendment 23

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) To complement the implementation

Amendment

(31) To complement the implementation
of its policy objective at national level through Member States’ programmes, the Fund should also provide support for actions at Union level. Such actions should serve overall strategic purposes within the scope of intervention of the Fund relating to policy analysis and innovation, transnational mutual learning and partnerships and the testing of new initiatives and actions across the Union.

Amendment 24

Proposal for a regulation
Recital 33 a (new)

Text proposed by the Commission

(33 a) In light of the transnational nature of Union actions and in order to promote coordinated action to fulfil the objective of ensuring the highest level of security in the Union, decentralised agencies should also be eligible as beneficiaries of Union action, including in the form of grants. Such support should be consistent with the priorities and initiatives identified at Union level by the Union institutions to ensure European added value.
Amendment 25
Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X\(^\text{18}\).

Amendment

(37) For the purpose of implementation of actions under shared management, the Fund should form part of a coherent framework consisting of this Regulation, the Financial Regulation and the Common Provisions Regulation (EU) No X [CPR]\(^\text{18}\).

In the event of conflicting provisions, Regulation (EU) No X [CPR] should take precedence over this Regulation.

\(^{18}\) Full reference

Amendment 26
Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum and Migration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.

Amendment

(38) Regulation (EU) No X [CPR] establishes the framework for action by the European Regional Development Fund (ERDF), the European Social Fund Plus (ESF+), the Cohesion Fund, the European Maritime and Fisheries Fund (EMFF), the Asylum, Migration and Integration Fund (AMIF), Internal Security Fund (ISF) and the instrument for border management and visa (BMVI), as a part of the Integrated Border Management Fund (IBMF), and it lays down, in particular, the rules concerning programming, monitoring and evaluation, management and control for EU funds implemented under shared management. Additionally it is necessary to specify the objectives of the Internal Security Fund in this Regulation, and to lay down specific provisions concerning the activities that may be financed with the support of this Fund.

\(^{18}\) Full reference
Amendment 27
Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission

(38 a) To ensure that the Fund supports actions addressing all the specific objectives of the Fund, and that the allocation of resources among the objectives is proportionate to challenges and needs, so that the objectives can be met, a minimum percentage of allocation from the Fund should be defined for each specific objective of the Fund, both for the national programmes and the thematic facility.

Amendment 28
Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council\(^\text{19}\), Council Regulation (Euratom, EC) No 2988/95\(^\text{20}\), Council Regulation (Euratom, EC) No 2185/96\(^\text{21}\) and Council Regulation (EU) 2017/1939\(^\text{22}\), the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative and/or criminal sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrate investigations, including on-the-spot
checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor’s Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union’s financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. Member States shall cooperate fully and provide all necessary assistance to Union institutions, agencies and bodies in the protection of the Union’s financial interests. The results of investigations into irregularities or fraud in relation to the Fund should be made available to the European Parliament.


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


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**Amendment 29**

Proposal for a regulation  
Recital 43

**Text proposed by the Commission**  
**Amendment**

(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost regions", endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.

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**Amendment 30**

Proposal for a regulation  
Recital 44
Text proposed by the Commission

(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016\(^{26}\), there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, indicators and related targets should be established in relation to each specific objective of the Fund.


Amendment

(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016\(^{26}\), there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Fund on the ground. In order to measure the achievements of the Fund, indicators and related targets should be established in relation to each specific objective of the Fund. **Those indicators should include qualitative and quantitative indicators.**


Amendment 31

Proposal for a regulation
Recital 45

Text proposed by the Commission

(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives. **Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and**

Amendment

(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives **over the MFF 2021-2027 period and an annual target of 30 % as soon as possible and at the latest by 2027.**
review processes.

Amendment 32
Proposal for a regulation
Recital 46

Text proposed by the Commission

(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation.

Amendment

(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation. To adequately fulfil its supervisory role, the Commission should be in a position to establish the amounts actually spent from the Fund in a given year. When reporting the annual accounts of their national programme to the Commission, Member States should therefore distinguish between recoveries, pre-financing payments to final beneficiaries and reimbursement of expenditure that was actually incurred. To facilitate the audit and the monitoring of the implementation of the Fund, the Commission should include those amounts in its annual implementation report for the Fund. The Commission should present a summary of the accepted annual performance reports to the European Parliament and the Council every year. Upon request, the Commission should make the full text of the annual performance reports available to the European Parliament and the Council.

Amendment 33
Proposal for a regulation
Recital 47

Text proposed by the Commission

(47) In order to supplement and amend

Amendment

(47) In order to supplement and amend
non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law Making of 13 April 2016.

Amendment 34

Proposal for a regulation
Recital 48

Text proposed by the Commission

(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers\(^27\). The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the modalities of providing information to the Commission in the framework of programming and reporting, given their purely technical nature.

Amendment

(48) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers\(^27\). The advisory procedure should be used for the adoption of implementing acts relating to the modalities of providing information to the Commission in the framework of programming and reporting, given their purely technical nature.
purely technical nature.


**Amendment 35**

Proposal for a regulation
Article 1 – paragraph 1

*Text proposed by the Commission*

1. This Regulation establishes the Internal Security Fund (‘the Fund’).

*Amendment*

1. This Regulation establishes the Internal Security Fund (‘the Fund’) *for the period from 1 January 2021 to 31 December 2027.*

**Amendment 36**

Proposal for a regulation
Article 1 – paragraph 2

*Text proposed by the Commission*

2. *It* lays down the objectives of the Fund, the budget for the period 2021-2027, the forms of Union funding and the rules providing for such funding.

*Amendment*

2. *This Regulation* lays down:

   a) the objectives of the Fund;
   b) *the specific objectives of the Fund and measures to implement those specific objectives*;
   c) the budget for the period 2021-2027;
   d) the forms of Union funding and the rules for providing such funding.

**Amendment 37**

Proposal for a regulation
Article 2 – paragraph 1 – point d

*Text proposed by the Commission*

(d) ‘cybercrime’ means cyber-dependent crimes, that is to say crimes that

*Amendment*

(d) ‘cybercrime’ means cyber-dependent crimes, that is to say crimes that
can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, such as child sexual exploitation, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;

can be committed only through the use of information and communications technology (ICT) devices and systems, where the devices and systems are either tools for committing the crime or the primary targets of the crime; and cyber-enabled crimes, that is to say traditional crimes, which can be increased in scale or reach by the use of computers, computer networks or other forms of ICT;

Amendment 38

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘EU Policy Cycle’ refers to an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the agencies and where relevant third countries and organisations;

Amendment

(f) ‘EU Policy Cycle’ refers to an intelligence-led and multidisciplinary initiative with the aim to fight the most important serious and organised crime threats to the Union by encouraging cooperation between the Member States, the Union institutions, the Union Justice and Home Affairs agencies and where relevant third countries and specific international organisations;

Amendment 39

Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border organised crime;

Amendment

(g) ‘exchange of and access to information’ means the secure collection, storage, processing, analysis and exchange of information relevant to the authorities referred to in Article 87 TFEU as well as to Europol, Eurojust and the European Public Prosecutor’s Office in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular terrorism and cybercrime, as
well as cross-border serious and organised crime, processed in compliance with applicable Union data protection rules;

Amendment 40
Proposal for a regulation
Article 2 – paragraph 1 – point h

Text proposed by the Commission

(h) ‘judicial cooperation’ means judicial cooperation in criminal matters;

Amendment

deleted

Amendment 41
Proposal for a regulation
Article 2 – paragraph 1 – point i

Text proposed by the Commission

(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat cross-border crime effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS and further referred to in the CEPOL Regulation;

Amendment

(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat organised and serious cross-border crime and terrorism effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS and further referred to in the CEPOL Regulation;

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

Amendment 42
Proposal for a regulation
Article 2 – paragraph 1 – point k

Text proposed by the Commission
(k) ‘preparedness’ means any measure aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;

Amendment
(k) ‘preparedness’ means specific measures aimed at preventing or reducing risks linked to possible terrorist attacks or other security-related incidents;

Amendment 43
Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission
1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.

Amendment
1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, inter alia through increased cooperation, in particular by preventing and combating terrorism and violent extremism, including radicalisation, serious and organised crime, cybercrime, as well as by assisting and protecting victims of crime. The Fund shall also support preparedness for and management of security-related incidents.

Amendment 44
Proposal for a regulation
Article 3 – paragraph 2 – point a

Text proposed by the Commission
(a) to increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with third countries and international organisations;

Amendment
(a) to improve and facilitate the exchange of relevant and accurate information among and within law enforcement and judicial authorities of the Member States, other competent authorities of the Member States and other relevant Union bodies, in particular Europol and Eurojust, and, where relevant, with third countries and
international organisations;

**Amendment 45**

Proposal for a regulation
Article 3 – paragraph 2 – point b

*Text proposed by the Commission*

(b) to intensify cross-border joint operations among and within the **Union** law enforcement and other competent authorities in relation to serious and organised crime with a cross-border dimension; **and**

*Amendment*

(b) to **improve and** intensify cross-border **coordination and cooperation**, including relevant joint operations among and within the **Member States’** law enforcement and other competent authorities in relation to **terrorism, and** serious and organised crime with a cross-border dimension;

**Amendment 46**

Proposal for a regulation
Article 3 – paragraph 2 – point c

*Text proposed by the Commission*

(c) to support **effort at** strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private **partners** across the Member States.

*Amendment*

(c) to support **the necessary** strengthening of the capabilities of the **Member States** in relation to combatting and preventing crime, including terrorism, **cybercrime and violent extremism, including radicalisation**, in particular through increased cooperation between public authorities, **the relevant Union agencies**, civil society and private **actors, within and** across the Member States, **and civilian crisis management following a security-related incident**;

**Amendment 47**

Proposal for a regulation
Article 3 – paragraph 2 – point c a (new)
Text proposed by the Commission

Amendment

(c a) to develop a common intelligence culture by supporting contacts and mutual trust, understanding and learning, the dissemination of know-how and best practices among the intelligence services of the Member States and with Europol, notably through joint training and the exchange of experts.

Amendment 48

Proposal for a regulation
Article 3 – paragraph 3

Text proposed by the Commission

3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.

Amendment

3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented, inter alia, through the implementation measures listed in Article 3a.

Amendment 49

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and

Amendment

4. Operations funded shall be implemented in full compliance with fundamental rights and human dignity and the values enshrined in Article 2 of the Treaty on European Union (TEU), and the funding shall be interrupted and recovered in case of clear and substantiated evidence that the actions contribute to violation of such rights. In particular, operations shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms
unaccompanied minors. (ECHR). Special attention shall be given when implementing operations relating to vulnerable persons, in particular children and unaccompanied minors.

Amendment 50 Proposal for a regulation Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Implementation measures

1. The Fund shall contribute to achieving the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:

(a) ensuring uniform application of the Union acquis on security, supporting the exchange of relevant information, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;

(b) setting up, adapting and maintaining security-relevant Union IT systems and communication networks, including ensuring their interoperability, and developing appropriate tools to address identified gaps;

(c) increasing the active use of Union security-relevant information exchange tools, systems and databases, improving the interconnection of security-relevant national databases as well as their connection to Union databases when foreseen in relevant legal bases, ensuring that those databases are fed with relevant high quality data; and

(d) supporting relevant national measures to implement the specific objectives set out in Article 3(2)(a).

2. The Fund shall contribute to the specific objective set out in Article 3(2)(b)
by focusing on the following implementation measures:

(a) increasing relevant law enforcement operations between Member States, including, where appropriate, with other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms in the context of the EU Policy Cycle (EMPACT), with special emphasis on cross-border operations;

(b) increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;

(c) improving inter-agency cooperation and, at Union level, between the Member States themselves, or between Member States, on the one hand, and the relevant Union bodies, offices and agencies on the other hand, as well as at national level among the competent national authorities in each Member State;

3. The Fund shall contribute to the specific objective set out in Article 3(2)(c) by focusing on the following implementation measures:

(a) increasing law enforcement training, exercises and mutual learning, notably by including elements aimed at raising awareness on issues related to radicalisation, violent extremism and racism, specialised exchange programmes between Member States, including for junior law enforcement staff, and sharing of best practice including with third countries and other relevant actors;

(b) exploiting synergies by pooling resources and knowledge among Member States and other relevant actors, including
civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, common operational support centres for jointly conducted operations, or the sharing of best practices in preventing crime at the local level;

(c) promoting and developing measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and developing partnerships between public authorities and other relevant actors to this effect;

(d) acquiring relevant equipment and setting up or upgrading specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats;

(e) detecting, assessing and closing vulnerabilities in critical infrastructure and IT equipment with high market penetration in order to prevent attacks against information systems and critical infrastructure, for instance by code auditing of free and open source software, by establishing and supporting bug bounty programmes, or by penetration testing.

4. The Fund shall contribute to the achievement of the specific objective set out in Article 3(2)(c a) by focusing on the following implementation measures:

(a) improving cooperation and coordination among the intelligence services of the Member States and between these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations
and threat assessment;
(b) the exchange of and training of intelligence officers.

Amendment 51
Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.

Amendment

1. In-line with the implementation measures listed in Article 3 a, the Fund shall support actions that contribute to the achievement of the objectives referred to in Article 3. They may include the actions listed in Annex III.

Amendment 52
Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. To achieve the objectives of this Regulation, the Fund may support the actions in-line with Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5.

Amendment

2. To achieve the objectives referred to in Article 3 of this Regulation, the Fund may in exceptional cases, within defined limits and subject to appropriate safeguards, support actions as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5.

Amendment 53
Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

2 a. The total amount of funding for supporting actions in or in relation to third countries under the thematic facility in accordance with Article 8 shall not
exceed 2% of the total amount allocated to the thematic facility under Article 7(2)(b).

Amendment 54
Proposal for a regulation
Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. The total amount of funding for supporting actions in or in relation to third countries under the Member States’ programmes in accordance with Article 12 shall not exceed, for each Member State, 2% of the total amount allocated to that Member State in accordance with Article 7(2)(a), Article 10(1) and Annex I.

Amendment 55
Proposal for a regulation
Article 4 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) actions limited to the maintenance of public order at national level;

(a) actions limited to, or mainly consisting of, the maintenance of public order at national level;

Amendment 56
Proposal for a regulation
Article 4 – paragraph 3 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) equipment of which at least one of the purposes is customs control;

(d) equipment of which the main purpose is customs control;

Amendment 57
Proposal for a regulation
Article 4 – paragraph 3 – subparagraph 2
Where an emergency situation occurs, non-eligible actions referred to in this paragraph may be considered eligible.

Where an emergency situation occurs, non-eligible actions referred to in points (a) and (b) of the first subparagraph may be considered eligible.

Amendment 58

Proposal for a regulation
Article 5 – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii) third country listed in the work programme under the conditions specified therein.

Amendment

(ii) a third country listed in the work programme under the conditions specified therein, subject to the condition that all actions by, in, or in relation to, that third country fully respect the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and the international obligations of the Union and the Member States.

Amendment 59

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) any legal entity created under Union law or any international organisation.

Amendment

(b) any legal entity created under Union law or any relevant international organisation.

Amendment 60

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the

Amendment

3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the
achievement of the objectives of a given action.

Amendment 61
Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission
4. Legal entities participating in consortia of at least two independent entities, established in different Member States or overseas countries or territories linked to those states or in third countries, are eligible.

Amendment
4. Legal entities participating in consortia of at least two independent entities, established in different Member States or in overseas countries or territories linked to those states are eligible. Article 6(3) shall apply where international organisations participating in a consortium are established in a third country.

Amendment 62
Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission
1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing added value to the objectives of this Regulation.

Amendment
1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on bringing European added value to the objectives of this Regulation.

Amendment 63
Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission
2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of

Amendment
2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of
the Union and is complementary to other Union instruments.

the Union and is complementary to national instruments and coordinated with other instruments of the Union, in particular actions carried out under other Union funds.

Amendment 64
Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 500 000 000 in current prices.

Amendment

1. The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 209 725 000 in 2018 prices (EUR 2 500 000 000 in current prices).

Amendment 65
Proposal for a regulation
Article 7 – paragraph 2 – point a

Text proposed by the Commission

(a) EUR 1 500 000 000 shall be allocated to the programmes implemented under shared management;

Amendment

(a) EUR 1 325 835 000 in 2018 prices (EUR 1 500 000 000 in current prices) shall be allocated to the programmes implemented under shared management;

Amendment 66
Proposal for a regulation
Article 7 – paragraph 2 – point b

Text proposed by the Commission

(b) EUR 1 000 000 000 shall be allocated to the thematic facility.

Amendment

(b) EUR 883 890 in 2018 prices (EUR 1 000 000 000 in current prices) shall be allocated to the thematic facility.
Amendment 67

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II.

Amendment

2. Funding from the thematic facility shall address priorities with a high added value to the Union or to be used to respond to urgent needs, in line with agreed Union priorities as outlined in Article 3 a, for specific measures such as those listed in Annex III, or to support measures in accordance with Article 19. The allocation of resources of the thematic facility among the different priorities shall, as far as possible, be proportionate to challenges and needs so as to ensure that the objectives of the Fund can be met.

Amendment 68

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

2 a. The funding from the thematic facility shall be allocated as follows:

a) a minimum of 10 % to the specific objective referred to in point (a) of Article 3(2);

b) a minimum of 10 % to the specific objective referred to in point (b) of Article 3(2);

c) a minimum of 30 % to the specific objective referred to in point (c) of Article 3(2);

d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2).

Amendment
Amendment 69

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.

Amendment

3. When funding from the thematic facility is granted in direct or indirect management to Member States, no funding shall be available for projects, where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be in doubt as a result of a reasoned opinion issued by the Commission in respect of an infringement procedure under Article 258 TFEU.

Amendment 70

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No [CPR], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.

Amendment

4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Article 18 and Article 19(2) of the Regulation (EU) No X [CPR], ensure that no funding is available for projects, where there is clear evidence that the legality of those projects, or the legality and regularity of that funding, or the performance of those projects, would be in doubt as a result of a reasoned opinion issued by the Commission in respect of an infringement procedure under Article 258 TFEU.

Amendment 71

Proposal for a regulation
Article 8 – paragraph 5
5. The Commission shall establish the overall amount made available for the thematic facility at under the annual appropriations of the Union budget. The Commission shall adopt financing decisions as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations.

Amendment 72
Proposal for a regulation
Article 8 – paragraph 6

Text proposed by the Commission

6. Following the adopting of the financing decision as referred to in paragraph 3, the Commission may amend the programmes implemented under shared management accordingly.

Amendment 73
Proposal for a regulation
Article 8 – paragraph 7

Text proposed by the Commission

6. Following the adoption of the work programme as referred to in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly.
7. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.

Amendment 74

Proposal for a regulation
Article 11 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.

Amendment 75

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. Each Member State shall ensure that the priorities addressed in its programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union acquis and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set out in Annex II are adequately addressed in the programme.

Amendment 76

Proposal for a regulation
Article 12 – paragraph 1 a (new)

1. Each Member State and the Commission shall ensure that the priorities addressed in the national programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union acquis and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementation measures as set out in Article 3 a are adequately addressed in the programme.
1 a. When assessing the national programs of the Member States, the Commission shall ensure that the planned actions are not affected by a reasoned opinion that it has delivered concerning an infringement under Article 258 TFEU relating to the legality and regularity of expenditure or the execution of projects.

Amendment 77
Proposal for a regulation
Article 12 – paragraph 1 b (new)

Text proposed by the Commission

1 b. Member States shall allocate the resources for their national programmes as follows:

a) a minimum of 10% to the specific objective referred to in point (a) of Article 3(2);

b) a minimum of 10% to the specific objective referred to in point (b) of Article 3(2);

c) a minimum of 30% of the to the specific objective referred to in point (c) of Article 3(2);

d) a minimum of 5% to the specific objective referred to in point (c a) of Article 3(2)(c a).

Amendment 78
Proposal for a regulation
Article 12 – paragraph 1 c (new)

Text proposed by the Commission

1 c. Member States wishing to derogate from paragraph 1b shall inform the Commission accordingly and shall assess,
together with the Commission, whether those minimum percentages should be amended because of particular circumstances affecting internal security. Any such amendments shall be approved by the Commission.

Amendment 79

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are associated to the development of the programmes at an early stage, as regards the areas of their competence. Specifically, Member States shall consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps.

Amendment

2. The Commission shall ensure that the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL), the European Union Agency for Criminal Justice Cooperation (Eurojust), the European Public Prosecutor's Office (EPPO), the European Union Network and Information Security Agency (ENISA), the European Agency for the operational management of large-scale IT Systems (eu-LISA), the European Border and Cost Guard Agency (EBCGA), the European Union Agency for Fundamental Rights (FRA) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) are involved in the programme development from the outset, as regards the areas of their competence. Specifically, Member States shall consult Europol on the design of their actions in particular when including EU policy cycle or EMPACT actions or actions coordinated by the Joint Cybercrime Action Taskforce (J-CAT) in their programmes. Prior to including training in their programmes, Member States shall coordinate with CEPOL in order to avoid overlaps. Members States shall also consult other relevant stakeholders, including civil society organisations, on the planning of
their actions.

Amendment 80
Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The Commission may associate the Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union acquis and agreed Union priorities.

Amendment

3. The Commission may associate the Agencies referred to in paragraph 2, the European Data Protection Board and the European Data Protection Supervisor (EDPS) where appropriate in the monitoring and evaluation tasks as specified in Section 5 in particular in view of ensuring that the actions implemented with the support of the Fund, which fall within their mandate, are compliant with the relevant Union acquis and agreed Union priorities.

Amendment 81
Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may be exceeded only in duly justified cases.

Amendment

4. A maximum of 15 % of the allocation of a Member State programme may be used for the purchase of equipment, means of transport or the construction of security-relevant facilities. This ceiling may only be exceeded in duly justified cases and following approval by the Commission.

Amendment 82
Proposal for a regulation
Article 12 – paragraph 5 – point a
(a) Union priorities and acquis in the area of security in particular information exchange and interoperability of IT systems;

**Amendment 83**

**Proposal for a regulation**  
**Article 12 – paragraph 6**

*Text proposed by the Commission*

6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.

*Amendment*

6. Where necessary, the programme shall be amended to take into account the recommendations referred to in paragraph 5 and the progress in achieving the milestones and targets as assessed in the annual performance reports as referred to in Article 26(2)(a). Depending on the impact of the adjustment, the revised programme shall be approved by the Commission in line with the procedure set out in Article 19 of Regulation (EU) No X [CPR].

**Amendment 84**

**Proposal for a regulation**  
**Article 12 – paragraph 8**

*Text proposed by the Commission*

8. Whenever a Member State decides to implement projects with or in a third country, with the support of the Fund, the Member State concerned shall consult the Commission prior to the start of the project.

*Amendment*

8. Whenever a Member State decides to implement projects in or in relation to a third country as referred to in Article 5, with the support of the Fund, the Member State concerned shall consult the Commission prior to the start of the project. The Commission shall assess the
complementarity and coherence of the projects envisaged with the other actions of the Union and the Member States, in relation to the third country concerned. The Commission shall also check the conformity of the proposed projects with the fundamental rights requirements referred to in Article 3(4).

Amendment 85
Proposal for a regulation
Article 12 – paragraph 9

*Text proposed by the Commission*

9. **Programming as referred to** in Article 17(5) of Regulation (EU) No X [CPR] shall **be based on** the types of intervention **set out** in Table 1 of Annex VI.

*Amendment*

9. In **accordance with** Article 17 of Regulation (EU) No X [CPR], each programme shall **set out for each specific objective** the types of intervention in **accordance with** Table 1 of Annex VI and **an indicative breakdown of the programmed resources by type of intervention or area of support.**

Amendment 86
Proposal for a regulation
Article 13 – paragraph 1

*Text proposed by the Commission*

1. In 2024, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.

*Amendment*

1. In 2024, after informing the European Parliament, the Commission shall allocate to the programmes of the Member States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 2 of Annex I. Funding shall be effective for the period as of the calendar year 2025.

Amendment 87
Proposal for a regulation
Article 13 – paragraph 2
2. If at least 10% of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.

2. If at least 30% of the initial allocation of a programme referred to in Article 10(1)(a) has not been covered by interim payment applications submitted in accordance with Article 85 of Regulation (EU) No X [CPR], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1.

Amendment 88
Proposal for a regulation
Article 13 – paragraph 3

3. The allocation of the funds from the thematic facility as from 2025 shall, where appropriate, take into account the progress made in achieving the milestones of the performance framework as referred to in Article 12 of Regulation (EU) No [CPR] and identified implementation shortcomings.

Amendment
3. The allocation of the funds from the thematic facility as from 2025 shall take into account the progress made in achieving the milestones of the performance framework as referred to in Article 12 of Regulation (EU) No X [CPR] and identified implementation shortcomings.

Amendment 89
Proposal for a regulation
Article 15 – paragraph 1

1. Operating support is a part of a Member State’s allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.

1. Operating support is a part of a Member State’s allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union insofar as they contribute to ensuring a high level of security in the Union as a whole.
Amendment 90
Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission  
2. A Member State may use up to 10% of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.

Amendment
2. A Member State may use up to 20% of the amount allocated under the Fund to its programme to finance operating support for the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union.

Amendment 91
Proposal for a regulation
Article 15 – paragraph 4

Text proposed by the Commission  
4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms.

Amendment
4. Member States shall justify in the programme and in the annual performance reports, as referred to in Article 26, the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall assess the baseline situation in the Member States which have indicated their intention to request operating support, taking into account the information provided by those Member States as well as recommendations from quality control and evaluation mechanisms such as: the Schengen evaluation mechanism, the vulnerability and risk assessment by the European Border and Cost Guard Agency (EBCGA) and other quality control and evaluation mechanisms, as applicable.

Amendment 92
Proposal for a regulation
Article 15 – paragraph 5
5. Operating support shall be concentrated on **specific tasks and services** as laid down in Annex VII.

**Amendment 93**

Proposal for a regulation
Article 15 a (new)

**Text proposed by the Commission**

Article 15a

**Visibility, transparency and communication**

The recipients of Union financing shall comply fully with the visibility, transparency and communication requirements set out in Regulation (EU) No X [CPR].

**Amendment**

3 a. Decentralised agencies may also be eligible for funding available within the framework of Union actions in order to support transnational actions with European added value.

**Amendment 95**

Proposal for a regulation
Article 19 – paragraph 1

**Text proposed by the Commission**

The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those

**Amendment**

The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those
measures, namely preparatory, monitoring, control, audit, evaluation, communication, including corporate communication on the political priorities of the Union in the area of security, visibility and all administrative and technical assistance actions necessary for the implementation of this Regulation and, where appropriate, with third countries, may be financed at the rate of 100%.

Amendment 96
Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

1. The recipient of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including media and the public.

Amendment

1. The recipient of Union funding shall promote the actions and their results by providing coherent, effective and meaningful information to multiple relevant audiences, including media and the public in the relevant language. To ensure the visibility of Union funding, recipients of Union funding shall make reference to its origin when communicating the action. To that end, recipients shall ensure that any communication to the media and the general public displays the Union’s emblem and mentions explicitly the Union’s financial support.

Amendment 97
Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

2. The Commission shall implement information and communication actions relating to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate

Amendment

2. To reach the widest possible audience, the Commission shall implement information and communication actions relating to the Fund and its actions and results. In particular, the Commission
shall publish information concerning the development of the annual and multiannual programmes of the thematic facility. The Commission shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list regularly. Financial resources allocated to the Fund shall also contribute to the communication, notably corporate communication, of the political priorities of the Union, as far as they are related to the objectives of this Regulation.

Amendment 98

Proposal for a regulation
Article 21 – paragraph 2 a (new)

Text proposed by the Commission

2 a. The Commission shall publish the information referred to in paragraph 2 in open, machine readable formats that allow data to be sorted, searched, extracted, compared and reused, as set out in Article 5(1) of Directive 2003/98/EC of the European Parliament and of the Council. It shall be possible to sort the data by priority, specific objective, total eligible cost of operations, total cost of projects, total cost of procurement procedures, name of beneficiary and name of contractor.


Amendment 99

Proposal for a regulation
Article 22 – paragraph 1
1. **The Fund shall** provide financial assistance to address urgent and specific needs in the event of an emergency situation *resulting* from a security-related incident *or* newly emerging threat within the scope of this Regulation which has or may have a significant adverse impact on the security of people in one or more Member States;

**Amendment**

1. **The Commission may decide to** provide financial assistance *from the Fund* to address urgent and specific needs in the event of a *duly justified* emergency situation. *Those situations can result* from a security-related incident, newly emerging threat *or newly detected vulnerability* within the scope of this Regulation which has or may have a significant adverse impact on the security of people, public spaces or critical infrastructure in one or more Member States. *In such cases, it shall inform the European Parliament and the Council in a timely manner.*

**Amendment 100**

**Proposal for a regulation**

**Article 22 – paragraph 4 a (new)**

**Text proposed by the Commission**

4 a. Where necessary for the implementation of the action, emergency assistance may cover expenditure that was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.

**Amendment**

4 a. Where necessary for the implementation of the action, emergency assistance may cover expenditure that was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.

**Amendment 101**

**Proposal for a regulation**

**Article 23 – paragraph 1**

**Text proposed by the Commission**

1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union

**Amendment**

1. An operation that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union
programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

Amendment 102
Proposal for a regulation
Article 23 – paragraph 2 – subparagraph 1 – introductory part

*Text proposed by the Commission*

*Actions* awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:

*Amendment*

*Operations* awarded a seal of Excellence certification, or which comply with the following cumulative comparable conditions:

Amendment 103
Proposal for a regulation
Article 23 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.

*Amendment*

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) X [CPR] and Article [8] or Regulation (EU) X [Financing, management and monitoring of the Common Agricultural Policy], provided that such operations are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.

Amendment 104
Proposal for a regulation
Article 24 – paragraph 3
3. The indicators to report on progress of the Fund, towards the achievement of the specific objectives set out in Article 3, are set out in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.

Amendment

Proposal for a regulation
Article 24 – paragraph 5

Text proposed by the Commission

5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States.

Amendment

5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 28 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States. Qualitative indicators shall be included for the assessment.

Amendment 106

Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission

1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions

Amendment

1. By 31 December 2024, the Commission shall present a mid-term evaluation of this Regulation. The mid-
term evaluation shall examine the
effectiveness, efficiency, relevance and
coherence of the Fund. More specifically,
it shall include an assessment of:

(a) the progress made towards the
achievement of the objectives of this
Regulation, taking into account all
relevant information already available, in
particular the annual performance
reports referred to in Article 26 and the
output and result indicators set out in
Annex VIII;

(b) the European added value of actions
and operations implemented under this
Fund;

(c) the appropriateness of the
implementation measures set out in
Article 3 a to address existing and
emerging security challenges;

(d) the longer-term impacts and the
sustainability effects of the Fund;

(e) the complementarity and coherence
between the actions supported under this
Fund and support provided by other
Union funds.

That compulsory midterm evaluation
shall take into account retrospective
evaluation results on the long-term impact
of the previous instrument for financial
support for internal security for the period
2014-2020, the Internal Security Fund-
Police. The evaluation shall, as
appropriate, be accompanied by a
legislative proposal for the revision of this
Regulation.

Amendment 107

Proposal for a regulation
Article 25 – paragraph 1 a (new)
1 a. By 31 January 2030, the Commission shall carry out a retrospective evaluation of this Regulation. By the same date, the Commission shall submit an evaluation report to the European Parliament and to the Council, which includes the elements listed in paragraph 1. In that regard, the longer-term impacts of the instrument shall be evaluated with a view to feeding into a decision on a possible renewal or modification of a subsequent fund.

Amendment 108
Proposal for a regulation Article 25 – paragraph 2

Text proposed by the Commission

2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process in accordance with the timeline set out Article 40 of Regulation (EU) No [CPR].

Amendment

2. The mid-term and the retrospective evaluation shall be made publicly available and submitted to the Parliament without delay to ensure full transparency. The Commission shall ensure that the evaluations do not include information the dissemination of which may create a risk for the safety or privacy of individuals or jeopardise security operations.

Amendment 109
Proposal for a regulation Article 26 – paragraph 1

Text proposed by the Commission

1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU) No [CPR]. The report submitted in 2023 shall cover the

Amendment

1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU) No X [CPR]. The report submitted in 2023 shall cover the
implementation of the programme until 30 June 2022. **Member States shall publish those reports on a dedicated website and forward them to the European Parliament and the Council.**

Amendment 110

**Proposal for a regulation**

**Article 26 – paragraph 2 – point a a (new)**

*Text proposed by the Commission*  

(a a) a breakdown of the annual accounts of the national programme into recoveries, pre-financing to final beneficiaries and expenditure actually incurred;

**Amendment**

Amendment 111

**Proposal for a regulation**

**Article 26 – paragraph 2 – point b**

*Text proposed by the Commission*  

(b) any issues affecting the performance of the programme and the actions taken to address them;

**Amendment**

Amendment 112

**Proposal for a regulation**

**Article 26 – paragraph 2 – point c**

*Text proposed by the Commission*  

(c) the complementarity, **coordination and coherence** between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;

**Amendment**
countries.

Amendment 113
Proposal for a regulation
Article 26 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(d a) compliance with fundamental rights requirements;

Amendment 114
Proposal for a regulation
Article 26 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Once accepted, the Commission shall make summaries of the annual performance reports available to the European Parliament and the Council and shall publish them on a dedicated website. If not forwarded by the Member States in accordance with paragraph 1, the full text of the annual performance reports shall be made available to the European Parliament and to the Council upon request.

Amendment 115
Proposal for a regulation
Article 28 – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Articles 12, 15, 24 and 27 shall be conferred on the Commission until 31 December 2028.
Amendment 116

Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The European Parliament or the Council may revoke the delegation of powers referred to in Articles 8, 12, 15, 24 and 27 at any time. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 117

Proposal for a regulation
Article 28 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Amendment

6. A delegated act adopted pursuant to Articles 8, 12, 15, 24 and 27 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Amendment 118

Proposal for a regulation
Article 29 – paragraph 3

Text proposed by the Commission

3. Where the Committee delivers no

Amendment

3. deleted
opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).

Amendment 119
Proposal for a regulation
Annex II

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 120
Proposal for a regulation
Annex III – title

Text proposed by the Commission

Amendment

Actions to be supported by the Fund in-line with Article 4

Examples of eligible actions to be supported by the Fund in-line with Article 4.

Amendment 121
Proposal for a regulation
Annex III – introductory part (new)

Text proposed by the Commission

Amendment

Support from the Internal Security Fund may, inter alia, be targeted towards the following types of actions:

Amendment 122
Proposal for a regulation
Annex III – indent 1

Text proposed by the Commission

Amendment

— IT systems and networks contributing to the achievement of the

— setting up of IT systems and networks contributing to the achievement
objectives of this Regulation, training on the use of such systems, testing and improving interoperability and data quality of such systems;

Amendment 123

Proposal for a regulation
Annex III – indent 2

Text proposed by the Commission
— monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems;

Amendment
— monitoring of the implementation of Union law and Union policy objectives in the Member States in the area of security information systems, in particular data protection, privacy and data security;

Amendment 124

Proposal for a regulation
Annex III – indent 3 a (new)

Text proposed by the Commission
— support of decentralised agencies with a view to facilitate the cooperation during cross-border operations;

Amendment
— actions supporting an effective and coordinated response to crisis linking up existing sector-specific capabilities, expertise centres and situation awareness centres, including those for health, civil protection and terrorism;
Amendment 126
Proposal for a regulation
Annex III – indent 5 a (new)

Text proposed by the Commission

— actions that promote research and exchange of expertise improving resilience to emerging threats including trafficking via online channels, hybrid threats and chemical, biological, radiological and nuclear threats.

Amendment 127
Proposal for a regulation
Annex III – indent 5 b (new)

Text proposed by the Commission

— actions and networks of national contact points that facilitate the cross-border exchange of data acquired by surveillance systems, such as cameras and other sensors, combined with artificial intelligence algorithms, subject to robust safeguards, including data minimisation, prior validation by a judicial authority, and access to judicial redress;

Amendment 128
Proposal for a regulation
Annex III – indent 6 a (new)

Text proposed by the Commission

— support for initiatives to network the intelligence services of the Member States to foster a common intelligence culture, improve mutual trust, exchange and dissemination of know-how, information, experience and good practice;
Amendment 129
Proposal for a regulation
Annex III – indent 7 a (new)

Text proposed by the Commission

— education and training of staff and experts of relevant law-enforcement and judicial authorities and administrative agencies in prevention policies with special emphasis on fundamental rights training, including measures to detect and avoid racism, and exchange of best practices;

Amendment 130
Proposal for a regulation
Annex III – indent 8

Text proposed by the Commission

— cooperation with the private sector in order to build trust and improve coordination, contingency planning and the exchange and dissemination of information and best practices among public and private actors including in the protection of public spaces and critical infrastructure;

Amendment 131
Proposal for a regulation
Annex IV – title

Text proposed by the Commission

Actions eligible for higher co-financing in-line with Articles 11(2) and 12(6)

Amendment

Actions eligible for higher co-financing in-line with Articles 11(3) and 12(7)

Amendment 132
Proposal for a regulation
Annex IV – indent 1
— Projects which aim to prevent and counter radicalisation.

— Projects which aim to prevent and counter violent extremism, including radicalisation, intolerance and discrimination, in particular measures to address their root causes and to prevent radicalisation in prisons, and projects providing specific training for law-enforcement authorities.

**Amendment 133**

Proposal for a regulation
Annex IV – indent 2

— Projects which aim at improving the interoperability of IT systems and communication networks.\(^{41}\)

Amendment

— Projects which aim at improving the interoperability of IT systems and communication networks, *insofar as provided for by Union or Member State law.*

\(^{41}\) In line with the Commission Communication on stronger and smarter information systems for borders and security COM(2016) 205.

**Amendment 134**

Proposal for a regulation
Annex IV – indent 2 a (new)

— Projects which aim to fight organised crime structures that are particularly dangerous according to EMPACT.

**Amendment 135**

Proposal for a regulation
Annex IV – indent 2 b (new)

Text proposed by the Commission

Amendment

— Projects which aim to prevent and fight cybercrime, in particular child sexual exploitation online, including measures to prevent attacks against information systems and critical infrastructure by detecting and closing vulnerabilities.

Amendment 136

Proposal for a regulation

Annex IV – indent 2 c (new)

Text proposed by the Commission

Amendment

— Projects which aim to fight against trafficking via online channels.

Amendment 137

Proposal for a regulation

Annex V – part 2 – point 3 – paragraph 1

Text proposed by the Commission

Amendment

Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.

Value of seizures of illicit drugs, weapons, wildlife products and trafficking of cultural goods achieved with involvement of cross-border cooperation between law enforcement agencies implemented with the support of the Fund.

Amendment 138

Proposal for a regulation

Annex V – part 3 – point 2 – paragraph 1

Text proposed by the Commission

Amendment

Number of critical infrastructures and public spaces of which the protection against security-related incidents has been

Number of public spaces and scale of critical infrastructures of which the protection against security-related incidents
improved with the help of the Fund.

Amendment 139

Proposal for a regulation
Annex VI – table 1 – Codes for the Intervention Field Dimension – row 10 a (new)

Text proposed by the Commission

Amendment

10a    OC - Laundering of the proceeds of crime

Amendment 140

Proposal for a regulation
Annex VI – table 1 – Codes for the Intervention Field Dimension – row 12 a (new)

Text proposed by the Commission

Amendment

12a    Trafficking of cultural objects

Amendment 141

Proposal for a regulation
Annex VI – table 1 – Codes for the Intervention Field Dimension – row 12 b (new)

Text proposed by the Commission

Amendment

12b    Trafficking of endangered species
Amendment 142

Proposal for a regulation
Annex VI – table 1 – Codes for the Intervention Field Dimension – row 24 a (new)

Text proposed by the Commission

Amendment

24a CC - Distribution of child abuse images and child pornography

Amendment 143

Proposal for a regulation
Annex VIII – part 1 – point 1 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) number of searches performed in the Schengen Information System (SIS); (a) number of alerts introduced and searches performed in the Schengen Information System (SIS);

Amendment 144

Proposal for a regulation
Annex VIII – part 1 – point 1 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(e a) number of searches performed in the European Criminal Record Information system for third Country nationals (ECRIS-TCN).

Amendment 145

Proposal for a regulation
Annex VIII – part 1 – point 2 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

Number of new connections between security-relevant databases made with support of the Fund:

Number of new connections of competent authorities to security-relevant databases made with support of the Fund:
Amendment 146
Proposal for a regulation
Annex VIII – part 2 – point 7 – paragraph 1

Text proposed by the Commission
Value of illicit drug seizures achieved with involvement of cross-border cooperation between law enforcement agencies.

Amendment
Value of seizures of illicit drugs, weapons, wildlife products and trafficking of cultural goods achieved with involvement of cross-border cooperation between law enforcement agencies.

Amendment 147
Proposal for a regulation
Annex VIII – part 2 – point 7 – paragraph 2

Text proposed by the Commission
data source: Member States, Union action grant beneficiaries

Amendment
data source: Europol, Member States, Union action grant beneficiaries

Amendment 148
Proposal for a regulation
Annex VIII – part 3 – point 10 – paragraph 2

Text proposed by the Commission
data source: Member States

Amendment
data source: Member States, Europol, ENISA

Amendment 149
Proposal for a regulation
Annex VIII – part 3 – point 12 – paragraph 1

Text proposed by the Commission
Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings, migrant smuggling, terrorism, serious and

Amendment
Number of victims of crime assisted with the support of the Fund, broken down by type of crime (trafficking in human beings and organs, migrant smuggling, terrorism,
organised crime, cybercrime, child sexual exploitation).

serious and organised crime, cybercrime, *sexual exploitation and* child sexual exploitation, *torture or inhuman or degrading treatment*).

**Amendment 150**

**Proposal for a regulation**

**Annex VIII – part 3 – point 13 – paragraph 1**

*Text proposed by the Commission*  
Number of critical infrastructures *and public spaces* of which the protection against security-related incidents has been improved with the help of the Fund.

*Amendment*  
Number of public spaces and scale of critical infrastructures of which the protection against security-related incidents has been improved with the help of the Fund;

**Amendment 151**

**Proposal for a regulation**

**Annex VIII – part 3 – point 14 – paragraph 1 – point a**

*Text proposed by the Commission*  
**(a) number of hits on the website of the Radicalisation Awareness Network (RAN);**

*Amendment*  
deleted

**Amendment 152**

**Proposal for a regulation**

**Annex VIII – part 3 – point 14 – paragraph 1 – point c**

*Text proposed by the Commission*  
**(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other).**

*Amendment*  
**(c) number of study visits, trainings, workshops and counselling completed in Member States in close coordination with national Authorities broken down by beneficiaries (law enforcement authorities, other) and feedback of participants.**
Amendment 153
Proposal for a regulation
Annex VIII – part 3 – point 14 – paragraph 2

Text proposed by the Commission

Amendment

data source: RAN

data source: RAN, Member States

Amendment 154
Proposal for a regulation
Annex VIII – part 3 a (new)

Text proposed by the Commission

Specific objective 3 a: Development of a common intelligence culture:

(15a) Number of exchanges between Member States in the field of intelligence.

(15b) Number of law enforcement and intelligence officers involved in training, exercises, mutual learning programs or specialised exchange programs on cross-border issues organised with support from the Fund.

data source: Member States
21.11.2018

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Civil Liberties, Justice and Home Affairs


Rapporteur for opinion: Urmas Paet

SHORT JUSTIFICATION

Increasingly diverse and complex threats to our security know no borders and a coordinated response at the EU level and reinforced financial and technical support to Member States is crucial.

The Rapporteur therefore supports the Commission proposal, which proposes for the period 2021-2027 to more than double the financial envelope of the Internal Security Fund, the Union’s instrument set up to facilitate cross-border cooperation and joint operations, intensify exchange of information and strengthen capabilities to prevent and combat organised crime and cybercrime, and to tackle terrorism and radicalisation. The Rapporteur would like to stress the importance of crisis management including prevention, preparedness, resilience and consequence management, which needs to be added to the policy objectives of the new Fund as these are essential components for ensuring internal security.

Taking into consideration the results of the interim evaluation of the current ISF-P, the main challenge for the next period is to ensure greater flexibility and efficiency of the Fund and to reduce the administrative burden to the minimum. The Rapporteur considers this the key priority and welcomes the Commission proposals as a step in the right direction. The proposed amendments are aimed at increasing flexibility with regard to the implementation measures and actions. It is equally important to ensure that the reporting requirements are proportionate, relevant and do not add to administrative burden of beneficiaries and administrating authorities.

Security is a cross-cutting issue and, as proposed by the Commission, increased synergies and coherence of the ISF with other EU instruments are welcomed and necessary. In the same vein, security on global level and actions beyond the EU borders have a direct impact on the
Union’s internal security. Therefore, measures in relation to third countries should be continued and supported though the Fund and must at the same time compliment the Union’s internal security priorities and external policy objectives in those countries.

AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1
Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) The Union’s objective of ensuring a high level of security within an area of freedom, security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations.

Amendment

(4) The Union’s objective of ensuring a high level of security within an area of freedom, security and justice pursuant to Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) should be achieved, among others, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with relevant Union agencies and other relevant Union bodies, and with relevant third countries and international organisations, and civilian crisis management.

Amendment 2
Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) To achieve this objective, actions should be taken at Union level to protect people and goods from increasingly transnational threats and to support the work carried out by Member States’

Amendment

(5) To achieve this objective, actions should be taken at Union level to protect people and goods from increasingly transnational threats and to support the work carried out by Member States’
competent authorities. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union.

Amendment 3
Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, increase operational cooperation and improve national and collective capabilities.

Amendment

(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, including hybrid threats, with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, increase operational cooperation and improve national and collective capabilities.

Amendment 4
Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money

Amendment

(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money
laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of illegal immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.

**Amendment 5**

**Proposal for a regulation**

**Recital 45**

*Text proposed by the Commission*

(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.

**Amendment**

(45) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Fund will contribute to mainstream climate actions and to the achievement of an overall target of 25% of the EU budget expenditures supporting climate objectives over the MFF 2021-2027 period and an annual target of 30% as soon as possible and at the latest by 2027. Relevant actions will be identified during the Fund's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.

**Amendment 6**

**Proposal for a regulation**

**Article 3 – paragraph 1**
1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.

**Amendment 7**

Proposal for a regulation
Article 3 – paragraph 2 – point a

**Text proposed by the Commission**

(a) to increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with third countries and international organisations;

**Amendment**

(a) to increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies, including external action and activities, as well as with third countries and international organisations;

**Amendment 8**

Proposal for a regulation
Article 3 – paragraph 2 – point c

**Text proposed by the Commission**

(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States.

**Amendment**

(c) to support effort at strengthening the capabilities in relation to combatting and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States, and civilian crisis management.
Amendment 9
Proposal for a regulation
Article 3 – paragraph 3

Text proposed by the Commission

3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.

Amendment

3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented inter alia through the implementation measures listed in Annex II.

Justification

Implementation measures and actions listed in the Annexes II and III respectively should not be exhaustive but serve more as a guidance or set of examples, which are considered most desirable by the European Commission. However, if deemed necessary it should be possible for the Member States to select other relevant measures within the objectives of the Fund.

Amendment 10
Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Within the objectives referred to in Article 3 and in-line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.

Amendment

1. Within the objectives referred to in Article 3 and, where appropriate, in-line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.

Justification

Implementation measures and actions listed in the Annexes II and III respectively should not be exhaustive but serve more as a guidance or set of examples, which are considered most desirable by the European Commission. However, if deemed necessary it should be possible for the Member States to select other relevant measures within the objectives of the Fund.

Amendment 11
Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The financial envelope for the

Amendment

1. The financial envelope for the

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implementation of the Fund for the period 2021-2027 shall be EUR 2,500,000,000 in current prices.

Amendment 12
Proposal for a regulation
Article 7 – paragraph 2 – point a
Text proposed by the Commission
(a) EUR 1,500,000,000 shall be allocated to the programmes implemented under shared management;

Amendment
(a) EUR 1,325,835,000 in 2018 prices (EUR 1,500,000,000 in current prices) shall be allocated to the programmes implemented under shared management;

Amendment 13
Proposal for a regulation
Article 7 – paragraph 2 – point b
Text proposed by the Commission
(b) EUR 1,000,000,000 shall be allocated to the thematic facility.

Amendment
(b) EUR 883,890 in 2018 prices (EUR 1,000,000,000 in current prices) shall be allocated to the thematic facility.

Amendment 14
Proposal for a regulation
Article 11 – paragraph 5 a (new)
Text proposed by the Commission
5 a. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.

Amendment
5 a. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.

Justification
The implementing rules for DG HOME funds under the two previous financing periods included a possibility for the Member States to finance the technical assistance at the initiative of the Member States up to 100% from the Union budget. The current proposal does
not foresee this option as the rules follow the CPR regulation. Considering, that the allocations under the DG HOME funds are very small compared to the structural and investment funds, but the administrative burden is according to the CPR proposal even higher in the next period, this provision should apply also to the 2021+ period.
**PROCEDURE – COMMITTEE ASKED FOR OPINION**

<table>
<thead>
<tr>
<th><strong>Title</strong></th>
<th>Establishing the Internal Security Fund</th>
</tr>
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<tr>
<td><strong>Committee responsible</strong></td>
<td>LIBE</td>
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<tr>
<td>Date announced in plenary</td>
<td>2.7.2018</td>
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<tr>
<td><strong>Opinion by</strong></td>
<td>BUDG</td>
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<tr>
<td>Date announced in plenary</td>
<td>2.7.2018</td>
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<tr>
<td><strong>Rapporteur</strong></td>
<td>Urmas Paet</td>
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<tr>
<td>Date appointed</td>
<td>28.6.2018</td>
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<tr>
<td><strong>Discussed in committee</strong></td>
<td>25.9.2018</td>
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<tr>
<td><strong>Date adopted</strong></td>
<td>21.11.2018</td>
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<td><strong>Members present for the final vote</strong></td>
<td>Nedžhmi Ali, Jean Arthuis, Richard Ashworth, Gérard Deprez, Manuel dos Santos, André Elissen, José Manuel Fernandes, Eider Gardiazabal Rubial, Jens Geier, John Howarth, Bernd Kölmel, Zbigniew Kuźmiuk, Vladimír Maňka, Siegfried Mureşan, Jan Olbrycht, Urmas Paet, Răzvan Popa, Paul Rübig, Petri Sarvamaa, Jordi Solé, Patricija Šulin, Eleftherios Synadinos, Inese Vaidere, Daniele Viotti, Tiemo Wölken, Stanisław Żółtek</td>
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<tr>
<td><strong>Substitutes present for the final vote</strong></td>
<td>Karine Gloanec Maurin, Tomáš Zdechovský</td>
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## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

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<td><strong>VERTS/ALE</strong></td>
<td>Jordi Solé</td>
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<td><strong>NI</strong></td>
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### Key to symbols:
+ : in favour  
- : against  
0 : abstention
## PROCEDURE – COMMITTEE RESPONSIBLE

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<th>Title</th>
<th>Establishing the Internal Security Fund</th>
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<td>Date submitted to Parliament</td>
<td>13.6.2018</td>
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## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

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