



**2018/0249(COD)**

16.11.2018

# **AMENDMENTS**

## **4 - 159**

**Draft opinion**

**Eduard Kukan**

(PE628.605v01-00)

Establishing, as part of the Integrated Border Management Fund, the instrument for financial support for border management and visa

Proposal for a regulation

(COM(2018)0473 – C8-0272/2018 – 2018/0249(COD))



**Amendment 4**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Citation 1**

*Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 79(2)(d) thereof

*Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 79(2)(d) **and 80** thereof

Or. en

**Amendment 5**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 1**

*Text proposed by the Commission*

(1) ***In the context of evolving migratory challenges in the European Union, as well as security concerns, preserving*** the careful balance between free movement of persons on the one hand, and security on the other ***is of utmost importance***. 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 Union (TFEU) should be achieved, among ***others***, through common measures on the crossing of internal borders by persons and on border controls at external borders and the common visa policy.

*Amendment*

(1) ***Border management, given the new challenges to be met, has to preserve*** the careful balance between free movement of persons on the one hand and security on the other. 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 Union (TFEU) should be achieved, among ***other means***, through common measures on the crossing of internal borders by persons and on border controls at external borders and the common visa policy.

Or. fr

**Amendment 6**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) Pursuant to Article 80 TFEU, these policies and their implementation should be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between **the** Member States.

*Amendment*

(2) Pursuant to Article 80 TFEU, these policies and their implementation should be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between **all** Member States **of the European Union**.

Or. en

**Amendment 7**  
**Raffaele Fitto**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) The objective of the Union's policy in the field of external border management is to develop and implement **European** integrated border management at national **and Union** level, which is a precondition for the free movement of persons within the Union and is a fundamental component of an area of freedom, security and justice.

*Amendment*

(4) The objective of the Union's policy in the field of external border management is to develop and implement integrated **and harmonised** border management at national level **and between EU Member States**, which is a precondition for the free movement of persons within the Union and is a fundamental component of an area of freedom, security and justice.

Or. it

**Amendment 8**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) European integrated border management, as implemented by the European Border and Coast Guard,

*Amendment*

(5) European integrated border management, as implemented by the European Border and Coast Guard,

established by Regulation (EU) 2016/1624 of the European Parliament and of the Council<sup>13</sup>, composed of the European Border and Coast Guard Agency and the national authorities responsible for border management, including coast guards to the extent that they carry out border control tasks, is necessary for improving *migration* management and security.

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<sup>13</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

established by Regulation (EU) 2016/1624 of the European Parliament and of the Council<sup>13</sup>, composed of the European Border and Coast Guard Agency and the national authorities responsible for border management, including coast guards to the extent that they carry out border control tasks, is necessary for improving *border* management and security.

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<sup>13</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

Or. fr

## Amendment 9 Marie-Christine Vergiat

### Proposal for a regulation Recital 9

#### *Text proposed by the Commission*

(9) Financial support from the Union budget is indispensable to the implementation of European integrated border management to support Member States in managing the crossing of the external borders efficiently and in addressing *migratory challenges* and potential future threats at those borders, thereby contributing to addressing serious crime with a cross-border dimension while acting in full respect *of* fundamental rights.

#### *Amendment*

(9) Financial support from the Union budget is indispensable to the implementation of European integrated border management to support Member States in managing the crossing of the external borders efficiently and in addressing and potential future threats at those borders, thereby contributing to addressing serious crime with a cross-border dimension while acting in full respect *for* fundamental rights.

Or. fr

**Amendment 10**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) Financial support from the Union budget is indispensable to the implementation of European integrated border management to support Member States in managing the crossing of the external borders efficiently and in addressing migratory challenges and potential future threats at those borders, thereby contributing to addressing serious crime with a cross-border dimension while acting in full respect of fundamental rights.

*Amendment*

(9) Financial support from the Union budget is indispensable to the implementation of European integrated border management to support Member States ***to achieve the objectives of the program, which are largely in their responsibility***, in managing the crossing of the external borders efficiently and in addressing migratory challenges and potential future threats at those borders, thereby contributing to addressing serious crime with a cross-border dimension while acting in full respect of fundamental rights.

Or. en

**Amendment 11**  
**Raffaele Fitto**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), cooperation with third countries, technical and operational

*Amendment*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), cooperation with third countries, technical and operational

measures within the Schengen area related to border control and designed to address illegal immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with adequate **Union financial support**.

measures within the Schengen area related to border control and designed to address illegal immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with adequate **and necessary means and resources to facilitate coherent, effective and less costly work capable of reducing irregular migration and decreasing the inflow of dangerous or unwanted products into the Union**.

Or. it

## Amendment 12

**Barbara Lochbihler**

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 10

*Text proposed by the Commission*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), **cooperation with third countries**, technical and operational measures within the Schengen area related to border control and designed to address **illegal** immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with adequate Union

*Amendment*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), technical and operational measures within the Schengen area related to border control and designed to address **irregular** immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with adequate Union financial support.

financial support.

Or. en

**Amendment 13**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), cooperation with third countries, technical and operational measures within the Schengen area related to border control and designed to address illegal immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with adequate Union financial support.

*Amendment*

(10) To promote the implementation of the European integrated border management defined by its components in accordance with Article 4 of Regulation (EU) 2016/1624: border control, search and rescue during border surveillance, risk analysis, cooperation between Member States (supported and coordinated by the European Border and Coast Guard Agency), inter-agency cooperation (including the regular exchange of information), cooperation with third countries, technical and operational measures within the Schengen area related to border control and designed to address illegal immigration and to counter cross-border crime better, use of state-of-the-art technology, quality control and solidarity mechanisms, and to ensure that it becomes an operational reality, Member States should be provided with ***real, adequate and substantial*** Union financial support ***in line with their own needs***.

Or. en

**Amendment 14**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 11**



*Text proposed by the Commission*

(11) As customs authorities of the Member States have been taking up an increasing number of responsibilities which often extend to the field of security and take place at the external **border**, ensuring uniformity in carrying out border control and customs control at the external borders needs to be addressed by providing adequate Union financial support to the Member States. This will not only strengthen customs controls but also facilitate legitimate trade, contributing to a secure and efficient customs union.

*Amendment*

(11) As customs authorities of the Member States have been taking up an increasing number of responsibilities which often extend to the field of security and take place at the external **borders**, ensuring uniformity in carrying out border control and customs control at the external borders needs to be addressed by providing adequate Union financial support to the Member States. This will not only strengthen customs controls, **in order both to combat all forms of trafficking, not least goods trafficking at borders, and to combat terrorism**, but also facilitate legitimate trade, contributing to a secure and efficient customs union.

Or. fr

**Amendment 15**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) As customs authorities of the Member States have been taking up an increasing number of responsibilities which often extend to the field of security and take place at the external border, ensuring uniformity in carrying out border control and customs control at the external borders needs to be addressed by providing adequate Union financial support to the Member States. This will not only strengthen customs controls but also facilitate legitimate trade, contributing to a secure and efficient customs union.

*Amendment*

(11) As customs authorities of the Member States have been taking up an increasing number of responsibilities which often extend to the field of security and take place at the external border, ensuring uniformity in carrying out border control and customs control at the external borders needs to be addressed by providing **real, adequate and substantial** Union financial support to the Member States. This will not only strengthen customs controls but also facilitate legitimate trade, contributing to a secure and efficient customs union.

Or. en

**Amendment 16**  
**Fabio Massimo Castaldo**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) The instrument 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*

(15) The instrument 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; ***furthermore, it must be implemented in full compliance with the principles of transparency and traceability.***

Or. it

**Amendment 17**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) The instrument 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*

(15) The instrument 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 ***and the principle of non-refoulement.***

Or. en

**Amendment 18**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) Member States should, in particular, ensure full respect for the right to the protection of personal data, as set out in Article 16 TFEU, and the right to private and family life, as set out in Article 7, the right to asylum, as set out in Article 18, and the rights of the child, as set out in Article 24 of that Charter.***

Or. fr

**Amendment 19**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 15 b (new)**

*Text proposed by the Commission*

*Amendment*

***(15b) Member States are mindful of their obligations under international law, in particular the UN Convention Relating to the Status of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the 1966 New York International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the 1951 Geneva Convention and the 1967 New York Protocol, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the UN Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on Maritime Search and Rescue, and other relevant international instruments.***

Or. fr

**Amendment 20**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 15 c (new)**

*Text proposed by the Commission*

*Amendment*

***(15c) Those obligations apply equally to third countries with which Member States and the Union work. If a third country contravenes any of the above texts, the Member States undertake to cease all cooperation with that third country.***

Or. fr

**Amendment 21**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 15 d (new)**

*Text proposed by the Commission*

*Amendment*

***(15d) This Regulation establishes a mechanism for evaluating and monitoring the human rights impact of projects financed by the instrument, whereby funding granted to a Member State or a third country may be suspended when a breach has been found to occur.***

Or. fr

**Amendment 22**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

*Amendment*

(17) To ensure ***a*** uniform and high-quality external border control and to facilitate legitimate travel across the

(17) To ensure uniform and high-quality external border control and to facilitate legitimate travel across the external

external borders, the instrument should contribute to the development of European integrated border management that includes all the measures involving policy, law, systematic cooperation, burden-sharing, assessment of the situation and changing circumstances regarding crossing points for irregular migrants, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors ***such as third countries*** and other EU bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol and international organisations.

borders, the instrument should contribute to the development of European integrated border management that includes all the measures involving policy, law, systematic cooperation, burden-sharing, assessment of the situation and changing circumstances regarding crossing points for irregular migrants, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors and other EU bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol and international organisations.

Or. fr

## **Amendment 23**

### **Raffaele Fitto**

#### **Proposal for a regulation**

#### **Recital 17**

##### *Text proposed by the Commission*

(17) To ensure a uniform and high-quality external border control and to facilitate legitimate travel across the external borders, the instrument should contribute to the development of ***European integrated border management*** that includes all the measures involving policy, law, systematic cooperation, ***burden-sharing***, assessment of the situation and changing circumstances regarding crossing points for irregular migrants, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors such as third countries and other EU

##### *Amendment*

(17) To ensure a uniform and high-quality external border control and to facilitate legitimate travel across the external borders, the instrument should contribute to the development of ***cooperation and close coordination of the European borders*** that includes all the measures involving policy, law, systematic cooperation, assessment of the situation and changing circumstances regarding crossing points for irregular migrants ***and cross-border crime***, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors such as third countries

bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol and international organisations.

and other EU bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol, **Frontex** and international organisations.

Or. it

**Amendment 24**  
**Georgios Epitideios**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) To ensure a uniform and high-quality external border control and to facilitate legitimate travel across the external borders, the instrument should contribute to the development of European integrated border management that includes all the measures involving policy, law, systematic cooperation, burden-sharing, assessment of the situation and changing circumstances regarding crossing points for irregular migrants, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors such as third countries and other EU bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol and international organisations.

*Amendment*

(17) To ensure a uniform and high-quality external border control and to facilitate legitimate travel across the external borders, the instrument should contribute to the development of **more rigorous** European integrated border management that includes all the measures involving policy, law, systematic cooperation, burden-sharing, assessment of the situation and changing circumstances regarding crossing points for irregular migrants, personnel, equipment and technology taken at different levels by the competent authorities of the Member States and by the European Border and Coast Guard Agency, acting in cooperation with other actors such as third countries and other EU bodies, in particular the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), Europol and international organisations.

Or. el

**Amendment 25**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) The instrument should contribute to the improvement of the efficiency of visa processing ***in terms of detecting and assessing security and irregular migration risks, as well as*** facilitating ***visa procedures for bona fide travellers***. In particular, the instrument should deliver financial assistance to support digitalisation of visa processing with the objective ***to provide*** fast, secure and client-friendly visa procedures for the benefit of both visa applicants and consulates. The instrument should also serve to ensure wide consular coverage across the world. The uniform implementation of the common visa policy and its modernisation should also be covered by the instrument.

(18) The instrument should contribute to the improvement of the efficiency of visa processing ***so as to improve border security while*** facilitating ***mobility***. In particular, the instrument should deliver financial assistance to support digitalisation of visa processing with the objective ***of providing*** fast, secure and client-friendly visa procedures for the benefit of both visa applicants and consulates. The instrument should also serve to ensure wide consular coverage across the world. The uniform implementation of the common visa policy and its modernisation should also be covered by the instrument.

Or. fr

**Amendment 26**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 20**

*Text proposed by the Commission*

*Amendment*

(20) ***With a view to improving the management of the external borders, to contribute to preventing and combating irregular migration and to contribute to a high level of security within the area of freedom, security and justice of the Union, the instrument should support the development of large-scale IT systems, based on existing or new IT systems. It should also support the setting-up of interoperability between those EU information systems (Entry-exit system (EES)<sup>23</sup>, the Visa Information System (VIS)<sup>24</sup>, the European Travel Information and Authorisation System (ETIAS)<sup>25</sup>, Eurodac<sup>26</sup>, the Schengen Information***

***deleted***

*System (SIS)<sup>27</sup> and the European Criminal Records Information System for third-country nationals (ECRIS-TCN))<sup>28</sup> in the Member States, in order for these EU information systems and their data to supplement each other. The instrument should also contribute to the necessary developments at national level following the implementation of the interoperability components at central level (European search portal (ESP), a shared biometric matching service (shared BMS), a common identity repository (CIR) and a multiple-identity detector (MID))<sup>29</sup>.*

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<sup>23</sup> *Regulation (EU) 2017/2226 of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20).*

<sup>24</sup> *Regulation (EC) No 767/2008/EC of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).*

<sup>25</sup> *COM (2016) 731 final of 16 November 2016.*

<sup>26</sup> *COM(2016) 272 final/2 of 4 May 2016.*

<sup>27</sup> *COM(2016) 881 final, 882 final and 883 final of 21 December 2016.*

<sup>28</sup> *COM (2017) 344 final of 29 June 2017.*

<sup>29</sup> *COM (2017) 794 final of 12 December 2017.*

Or. fr



## Amendment 27

Raffaele Fitto

### Proposal for a regulation

#### Recital 21

*Text proposed by the Commission*

(21) The instrument should complement and reinforce the activities to implement European integrated border management in line with ***shared responsibility and*** solidarity between the Member States and the European Border and Coast Guard Agency representing the two pillars of the European Border and Coast Guard. This means, in particular that, when drawing up their programmes, Member States should take into account the analytical tools and operational and technical guidelines developed by the European Border and Coast Guard Agency as well as the training curricula developed by it, such as the common core curricula for the training of border guards, including its components with regard to fundamental rights and access to international protection. In order to develop complementarity between its mission and the responsibilities of the Member States for the control of the external borders as well as to ensure consistency and to avoid cost inefficiency, the Commission should consult the European Border and Coast Guard Agency on the draft national programmes submitted by the Member States in as far as it falls within the Agency's competencies, in particular on the activities financed under operating support.

*Amendment*

(21) The instrument should complement and reinforce the activities to implement European integrated border management in line with ***the principle of*** solidarity between the Member States and the European Border and Coast Guard Agency representing the two pillars of the European Border and Coast Guard. This means, in particular that, when drawing up their programmes, Member States should take into account the analytical tools and operational and technical guidelines developed by the European Border and Coast Guard Agency as well as the training curricula developed by it, such as the common core curricula for the training of border guards, including its components with regard to fundamental rights and access to international protection. In order to develop complementarity between its mission and the responsibilities of the Member States for the control ***and protection*** of the external borders as well as to ensure consistency and to avoid cost inefficiency, the Commission should consult the European Border and Coast Guard Agency on the draft national programmes submitted by the Member States in as far as it falls within the Agency's competencies, in particular on the activities financed under operating support.

Or. it

## Amendment 28

Marie-Christine Vergiat

**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) The instrument should complement and reinforce the activities to implement European integrated border management in line with shared responsibility and solidarity between the Member States and the European Border and Coast Guard Agency representing the two pillars of the European Border and Coast Guard. This means, in particular that, when drawing up their programmes, Member States should take into account the analytical tools and operational and technical guidelines developed by the European Border and Coast Guard Agency as well as the training curricula developed by it, such as the common core curricula for the training of border guards, including its components with regard to fundamental rights and access to international protection. In order to develop complementarity between its mission and the responsibilities of the Member States for the control of the external borders as well as to ensure consistency and to avoid cost inefficiency, the Commission should consult the European Border and Coast Guard Agency on the draft national programmes submitted by the Member States in as far as it falls within the Agency's competencies, in particular on the activities financed under operating support.

*Amendment*

(21) The instrument should complement and reinforce the activities to implement European integrated border management in line with shared responsibility and solidarity between the Member States and the European Border and Coast Guard Agency representing the two pillars of the European Border and Coast Guard. This means, in particular, that, when drawing up their programmes, Member States should take into account the analytical tools and operational and technical guidelines developed by the European Border and Coast Guard Agency as well as the training curricula developed by it, such as the common core curricula for the training of border guards, including its components with regard to fundamental rights and access to international protection. In order to develop complementarity between its mission and the responsibilities of the Member States for the control of the external borders as well as to ensure consistency and to avoid cost inefficiency, the Commission should consult the European Border and Coast Guard Agency on the draft national programmes submitted by the Member States in as far as it falls within the Agency's competencies, in particular on the activities financed under operating support, ***as well as consulting FRA with a view to ensuring compliance with the principles of proportionality and necessity, taking into account the likelihood of breaches of fundamental rights, including where the protection of personal data and the right to privacy are concerned.***

Or. fr

**Amendment 29**  
**Fabio Massimo Castaldo**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

*Amendment*

(22) *The instrument should support the implementation of the hotspot approach as outlined in the Commission's Communication on A European Agenda on Migration and endorsed by the European Council of 25 and 26 June 2015<sup>30</sup>. The hotspot approach provides operational support to Member States affected by disproportionate migratory pressure at the Union's external borders. It offers integrated, comprehensive and targeted assistance in a spirit of solidarity and shared responsibility as well as with a view to safeguarding the integrity of the Schengen area.* **deleted**

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<sup>30</sup> EUCO 22/15 CO EUR 8 CONCL 3.

Or. it

**Amendment 30**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

*Amendment*

(22) *The instrument should support the implementation of the hotspot approach as outlined in the Commission's Communication on A European Agenda on Migration and endorsed by the European Council of 25 and 26 June 2015<sup>30</sup>. The hotspot approach provides operational support to Member States affected by disproportionate* **deleted**

*migratory pressure at the Union's external borders. It offers integrated, comprehensive and targeted assistance in a spirit of solidarity and shared responsibility as well as with a view to safeguarding the integrity of the Schengen area.*

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<sup>30</sup> EUCO 22/15 CO EUR 8 CONCL 3.

Or. fr

**Amendment 31**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) To strengthen the complementarity and to reinforce the consistency of maritime activities as well as to avoid duplication of efforts and to alleviate budgetary constraints in an area of costly activities such as the maritime domain, the instrument should support maritime operations of ***multipurpose*** character where the main objective is border surveillance ***but other objectives could additionally be pursued simultaneously.***

*Amendment*

(33) To strengthen the complementarity and to reinforce the consistency of maritime activities as well as to avoid duplication of efforts and to alleviate budgetary constraints in an area of costly activities such as the maritime domain, the instrument should support maritime operations of ***multi-purpose*** character where the main objective is border surveillance.

Or. fr

**Amendment 32**  
**Fabio Massimo Castaldo**

**Proposal for a regulation**  
**Recital 33**

*Text proposed by the Commission*

(33) To strengthen the complementarity and to reinforce the consistency of

*Amendment*

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maritime activities as well as to avoid duplication of efforts and to alleviate budgetary constraints in an area of costly activities such as the maritime domain, the instrument should support maritime operations of multipurpose character where the main objective is border surveillance but other objectives could additionally be pursued simultaneously.

maritime activities as well as to avoid duplication of efforts and to alleviate budgetary constraints in an area of costly activities such as the maritime domain, the instrument should support maritime operations of multipurpose character where the main objective is border surveillance but other objectives *linked to it* could additionally be pursued simultaneously, *such as combating trafficking in human beings*.

Or. it

### **Amendment 33**

**Barbara Lochbihler**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 34**

*Text proposed by the Commission*

*Amendment*

***(34) Measures in and in relation to third countries supported through the instrument 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 instrument should target support to enhance cooperation with third countries and to reinforce key aspects of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and Union's security objectives.***

***deleted***

Or. en

**Amendment 34**  
**Fabio Massimo Castaldo**

**Proposal for a regulation**  
**Recital 34**

*Text proposed by the Commission*

(34) Measures in and in relation to third countries supported through the instrument 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 instrument should target support to enhance cooperation with third countries ***and to reinforce key aspects of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and Union's security objectives.***

*Amendment*

(34) Measures in and in relation to third countries supported through the instrument 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, ***and fundamental rights should be fully respected.*** In relation to the external dimension, the instrument should ***adopt a long-term approach and*** target support to enhance cooperation with third countries ***on the basis of shared values and interests, with the aim of combating the underlying causes of migration, such as conflicts, human rights violations, corruption, impunity and inequality, unemployment, poverty and social exclusion.***

Or. it

**Amendment 35**  
**Raffaele Fitto**

**Proposal for a regulation**  
**Recital 34**

*Text proposed by the Commission*

(34) Measures in and in relation to third countries supported through the instrument should be implemented in full synergy and coherence with and should complement other actions outside the Union supported

*Amendment*

(34) Measures in and in relation to third countries supported through the instrument 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 instrument should target support to enhance cooperation with third countries and to reinforce key aspects of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and Union's security objectives.

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. ***At the same time, the benefits guaranteed by the funding instrument for a third country with which the Union has concluded readmission agreements, should depend on cooperation by that country and its willingness to take back irregular migrants.*** In relation to the external dimension, the instrument should target support to enhance cooperation with third countries and to reinforce key aspects of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and Union's security objectives.

Or. it

**Amendment 36**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 34**

*Text proposed by the Commission*

(34) Measures in and in relation to third countries supported through the instrument 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 instrument should target support to enhance cooperation with third countries and to reinforce key aspects

*Amendment*

(34) Measures in and in relation to third countries supported through the instrument 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 instrument should target support to enhance cooperation with third countries and to reinforce key aspects

of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and Union's security objectives.

of their border surveillance and border management capabilities in areas of interest to the Union's migration policy and **the** Union's security objectives.

***External financing instruments should not, under any circumstances, make development aid conditional upon good cooperation of third countries as regards management of the Union's external borders.***

Or. fr

**Amendment 37**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 36**

*Text proposed by the Commission*

(36) A Member State may be deemed not to be compliant with the relevant Union acquis, including as regards the use of operating support under this instrument, if it has failed to fulfil its obligations under the Treaties in the areas of border management and **visa**, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the acquis on border management and **visa or** if an evaluation report under the Schengen evaluation and monitoring mechanism has identified deficiencies in the relevant area.

*Amendment*

(36) A Member State may be deemed not to be compliant with the relevant Union acquis, including as regards the use of operating support under this instrument, if it has failed to fulfil its obligations under the Treaties in the areas of border management and **visas**, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the acquis on border management and **visas**, if an evaluation report under the Schengen evaluation and monitoring mechanism has identified deficiencies in the relevant area, **or if, when cooperating with a third country, the Member State has financed and taken joint actions with that third country and these have led to breaches of fundamental rights identified by the above evaluation and monitoring mechanism.**

Or. fr

**Amendment 38**



Marie-Christine Vergiat

**Proposal for a regulation**

**Recital 37**

*Text proposed by the Commission*

(37) The instrument 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*

(37) The instrument 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. ***In order to meet the requirements in terms of transparency of funding , the Commission, with the cooperation of the Member States, should publish information on the development of the annual and multiannual programmes under the thematic facility. Member States should be obliged to share all information in their possession on the development of programmes under shared management. That information should be centralised by the Commission and published on a single portal.***

Or. fr

**Amendment 39**

Marie-Christine Vergiat

**Proposal for a regulation**

**Recital 40**

*Text proposed by the Commission*

(40) As challenges in the area of border management and visas are constantly evolving there is a need to adapt the allocation of funding to the changes in migration ***flows***, pressure at the border and 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

*Amendment*

(40) As challenges in the area of border management and visas are constantly evolving there is a need to adapt the allocation of funding to the changes in migration ***movements***, pressure at the border and 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

actions with a high level of added value for the Union, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance, via a thematic facility.

funding towards actions with a high level of added value for the Union, part of the funding will be periodically allocated to specific actions, Union actions and emergency assistance, via a thematic facility.

Or. fr

**Amendment 40**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 43**

*Text proposed by the Commission*

(43) Part of the available resources under the instrument could also be allocated to Member States' programmes for the implementation of specific actions in addition to their initial allocation. These specific actions should be identified at Union level and should concern actions which require cooperative effort or actions necessary to address developments in the Union which require additional funding to be made available to one or more Member States, such as the purchase through the national programmes of Member States of technical equipment needed by the European Border and Coast Guard Agency to perform its operational activities, the modernisation of the processing of visa applications, the development of new large-scale IT systems and the setting-up of interoperability between those systems. These specific actions will be defined by the Commission in its work programmes.

*Amendment*

(43) Part of the available resources under the instrument could also be allocated to Member States' programmes for the implementation of specific actions in addition to their initial allocation. These specific actions should be identified at Union level and should concern actions which require cooperative effort **among Member States** or actions necessary to address developments in the Union which require additional funding to be made available to one or more Member States, such as the purchase through the national programmes of Member States of technical equipment needed by the European Border and Coast Guard Agency to perform its operational activities, the modernisation of the processing of visa applications, the development of new large-scale IT systems and the setting-up of interoperability between those systems. These specific actions will be defined by the Commission in its work programmes.

Or. fr

**Amendment 41**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

(45) In order to strengthen the Union's capacity to immediately address ***unforeseen or disproportionate migratory pressure***, in particular at those border sections where the impact level has been identified in line with Regulation (EU) No 1052/2013 of the European Parliament and of the Council<sup>38</sup> as such that it ***jeopardises*** the functioning of the Schengen area as a whole, ***as well as pressure on the visa sections of Member States' consulates or risks*** to border security, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation.

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<sup>38</sup> Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur) (OJ L 295, 6.11.2013, p. 11).

*Amendment*

(45) In order to strengthen the Union's capacity to immediately address ***developments in migratory movements***, in particular at those border sections where the impact level has been identified in line with Regulation (EU) No 1052/2013 of the European Parliament and of the Council<sup>38</sup> as such that it ***might call*** the functioning of the Schengen area as a whole ***into question or it poses a risk*** to border security, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. ***[1] Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur) (OJ L 295, 6.11.2013, p. 11).***

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<sup>38</sup> Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur) (OJ L 295, 6.11.2013, p. 11).

Or. fr

**Amendment 42**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

(45) In order to strengthen the Union's capacity to immediately address unforeseen or disproportionate migratory pressure, in particular at those border sections where the impact level has been

*Amendment*

(45) In order to strengthen the Union's capacity to immediately address unforeseen or disproportionate migratory pressure, in particular at those border sections where the impact level has been

identified in line with Regulation (EU) No 1052/2013 of the European Parliament and of the Council<sup>38</sup> as such that it jeopardises the functioning of the Schengen area as a whole, as well as pressure on the visa sections of Member States' consulates or risks to border security, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation.

identified in line with Regulation (EU) No 1052/2013 of the European Parliament and of the Council<sup>38</sup> as such that it jeopardises the functioning of the Schengen area as a whole, as well as pressure on the visa sections of Member States' consulates or risks to border security, it should be possible to provide emergency assistance in accordance with the framework set out in this Regulation. *Where there is cooperation with a third country, such emergency assistance should be intended solely for humanitarian purposes. Funding allocated for emergency assistance could thus finance reception arrangements for third-country nationals wishing to cross the border. In the long term, it should be possible to avoid situations of this kind by encouraging the granting of visas upstream and by means of new legal avenues to the Union.*

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<sup>38</sup> Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur) (OJ L 295, 6.11.2013, p. 11).

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<sup>38</sup> Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur) (OJ L 295, 6.11.2013, p. 11).

Or. fr

#### **Amendment 43** **Marie-Christine Vergiat**

#### **Proposal for a regulation** **Recital 46**

*Text proposed by the Commission*

***(46) The policy objective of this instrument will be also addressed through financial instruments and budgetary guarantee under the policy window(s) [...] of the InvestEU Fund. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should***

*Amendment*

***deleted***

*not duplicate or crowd out private financing or distort competition in the internal market. Actions should have a clear European added value.*

Or. fr

**Amendment 44**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 3 – paragraph 1**

*Text proposed by the Commission*

1. As part of the Integrated Border Management Fund, the policy objective of the instrument shall be ensuring **strong** and **effective** European integrated border management at the external borders while safeguarding the free movement of persons within it, in full compliance with the Union's commitments **on** fundamental rights, **thereby contributing to guaranteeing a high level of security in the Union.**

*Amendment*

1. As part of the Integrated Border Management Fund, the policy objective of the instrument shall be ensuring **effective** and **fair** European integrated border management at the external borders while safeguarding the **security and** free movement of persons within it, in full compliance with the Union's **obligations and the commitments incumbent upon the Union and the Member States under the international instruments to which they are signatories, in particular as regards** fundamental rights.

Or. fr

**Amendment 45**  
**Anders Primdahl Vistisen**

**Proposal for a regulation**  
**Article 3 – paragraph 1**

*Text proposed by the Commission*

1. As part of the Integrated Border Management Fund, the policy objective of the instrument shall be ensuring strong and effective European integrated border management at the external borders while safeguarding the free movement of persons

*Amendment*

1. As part of the Integrated Border Management Fund, the policy objective of the instrument shall be ensuring strong and effective European integrated border management at the external borders while safeguarding the free movement of persons

within it, in full compliance with the Union's commitments on fundamental rights, thereby contributing to guaranteeing a high level of security in the Union.

within it, in full compliance with the Union's commitments on fundamental rights, thereby contributing to guaranteeing a high level of security **and safety** in the Union.

Or. en

**Amendment 46**  
**Raffaele Fitto**

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

*Text proposed by the Commission*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard **as a shared responsibility of** the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent **and** detect illegal immigration and cross-border crime and to effectively manage migratory flows;

*Amendment*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard **by means of close cooperation between** the European Border and Coast Guard Agency and the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent, detect **and discourage** illegal immigration and cross-border crime, and to effectively manage migratory flows, **promoting national resettlement programmes and effective repatriation programmes**;

Or. it

**Amendment 47**  
**Marie-Christine Vergiat**

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

*Text proposed by the Commission*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a

*Amendment*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a

shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect *illegal* immigration and cross-border crime and to effectively manage migratory flows;

shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect *irregular* immigration and cross-border crime and to effectively manage migratory flows *while ensuring respect for the right of asylum*;

Or. fr

**Amendment 48**  
**Anders Primdahl Vistisen**

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

*Text proposed by the Commission*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively *manage* migratory flows;

*Amendment*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively *curb* migratory flows;

Or. en

**Amendment 49**  
**Fabio Massimo Castaldo**

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

*Text proposed by the Commission*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a

*Amendment*

(a) supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a

shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively manage migratory flows;

shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively manage migratory flows,  
*applying the principles of solidarity and equitable burden-sharing;*

Or. it

**Amendment 50**  
**Marie-Christine Vergiat**

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

*Text proposed by the Commission*

(b) supporting the common visa policy to facilitate legitimate travel *and prevent migratory and security risks.*

*Amendment*

(b) supporting the common visa policy to facilitate legitimate travel.

Or. fr

**Amendment 51**  
**Urmas Paet**

**Proposal for a regulation**  
**Article 3 – paragraph 3**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

**Amendment 52**



**Marie-Christine Vergiat**

**Proposal for a regulation**

**Article 3 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. Actions funded under the instrument shall be implemented in full compliance with fundamental rights and human dignity. In particular, actions shall comply with the Charter of Fundamental Rights of the European Union, Union data protection law, the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the principle of fair treatment of third-country nationals, the right to asylum and international protection, the principle of non-refoulement, and the international obligations of the Union and the Member States by virtue of their accession to international instruments such as the Geneva Convention of 28 July 1951 Relating to the Status of Refugees, as supplemented by the New York Protocol of 31 January 1967.**

Or. fr

**Amendment 53**

**Marie-Christine Vergiat**

**Proposal for a regulation**

**Article 3 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b. When implementing actions funded under the instrument which are related to sea border surveillance, Member States shall pay special heed to their obligations under international maritime law to assist persons in distress. Equipment and systems supported under the instrument may be used in such search and rescue situations as might**

*arise during a sea border surveillance operation, thereby helping to ensure protection and rescue at sea.*

Or. fr

#### **Amendment 54**

**Urmas Paet**

#### **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 instrument 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 instrument shall in particular support the actions listed in Annex III.

Or. en

#### **Amendment 55**

**Marie-Christine Vergiat**

#### **Proposal for a regulation**

##### **Article 4 – paragraph 2**

*Text proposed by the Commission*

2. To achieve the objectives of this Regulation, the instrument may support 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 of this Regulation, the instrument may ***provide*** support ***by way of*** 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.

Or. fr

#### **Amendment 56**

**Anders Primdahl Vistisen**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) the actions referred to in paragraph 1(a) of Annex III at those internal borders at which controls have not been lifted yet;** *deleted*

Or. en

#### **Amendment 57**

**Anders Primdahl Vistisen**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) the actions related to the temporary and exceptional reintroduction of border control at internal borders as referred to in Regulation (EU) 2016/399;** *deleted*

Or. en

#### **Amendment 58**

**Barbara Lochbihler**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – point a – point ii**

*Text proposed by the Commission*

*Amendment*

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

Or. en

#### **Amendment 59**

**Marie-Christine Vergiat**

**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) third country listed in the work programme under the conditions specified therein ***and under the conditions set out in Article 5a.***

Or. fr

**Amendment 60**

**Barbara Lochbihler**

on behalf of the Verts/ALE Group

**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 achievement of the objectives of a given action.**

*Amendment*

***deleted***

Or. en

**Amendment 61**

**Barbara Lochbihler**

on behalf of the Verts/ALE Group

**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 overseas countries or territories linked to those states are eligible.

**Amendment 62**  
**Marie-Christine Vergiat**

**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 overseas countries or territories linked to those states or in third countries, are eligible. ***Where the legal entities participating in a consortium are established in a third country, Article 6(3) shall apply.***

Or. fr

**Amendment 63**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 5a***

***Exceptionally, the Fund shall be open to third countries in accordance with the conditions laid down in a specific agreement, which should be made public, provided that the agreement: □***

- states why, for every action, the participation of a third country is necessary in order to achieve the aims and why the participation of a third country brings added value to the objectives of this Regulation;***
- ensures a fair balance in terms of the contributions of, and the benefits to,***

*the third country participating in the Fund; □*

– *lays down the conditions of participation in the Fund, including the calculation of financial contributions to the Fund and the related administrative costs. Those contributions shall constitute assigned revenue in accordance with Article [21(5)] of the Financial Regulation; □*

– *does not confer decision-making power on the third country concerning the Fund; guarantees the Union's right to ensure sound financial management and protect its financial interests; □*

– *ensures that Article 3 of this Regulation will be fully complied with by establishing a mechanism for evaluating and monitoring the impact of funded projects in terms of human rights.*

*Actions shall be eligible under this instrument only if they are carried out with third countries which respect human rights within their territory and at their borders.*

Or. fr

**Amendment 64**  
**Marie-Christine Vergiat**

**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 the Union and is complementary to other Union instruments.

*Amendment*

2. The Commission, ***the European Parliament***, 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.

Or. fr

**Amendment 65**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) EUR **4 811 000 000** shall be allocated to the programmes implemented under shared management, of which EUR 157 200 000 for the Special Transit Scheme referred to in Article 16, implemented under shared management;

*Amendment*

(a) EUR **700 000 000** shall be allocated to the programmes implemented under shared management, of which EUR 157 200 000 for the Special Transit Scheme referred to in Article 16, implemented under shared management;

Or. fr

**Amendment 66**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) EUR **3 207 000 000** shall be allocated to the thematic facility.

*Amendment*

(b) EUR **1 500 000 000** shall be allocated to the thematic facility.

Or. fr

**Amendment 67**  
**Marie-Christine Vergiat**

**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 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 be used to respond to urgent needs, in line with agreed Union priorities as outlined in Annex II.  
***When drawing up work programmes, the***

*Commission shall consult the organisations representing the partners at Union level, including civil society, in accordance with Article 6(4) of the Common Provisions Regulation. A reasonable minimum percentage of funding shall be earmarked for civil society organisations and local authorities under each specific objective.*

Or. fr

**Amendment 68**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 8 – paragraph 5**

*Text proposed by the Commission*

5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget.

*Amendment*

5. The Commission, ***after consulting the European Parliament***, shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget.

Or. fr

**Amendment 69**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 8 – paragraph 6**

*Text proposed by the Commission*

6. The Commission shall adopt financing decisions as referred to in Article 110 of the Financial Regulation for the thematic facility, identifying the objectives and the actions to be supported and specifying the amounts for each of its components, as referred to in paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for

*Amendment*

6. The Commission, ***after consulting the European Parliament***, shall adopt financing decisions as referred to in Article 110 of the Financial Regulation for the thematic facility, identifying the objectives and the actions to be supported and specifying the amounts for each of its components, as referred to in paragraph 1. Financing decisions shall set out, where



blending operations.

applicable, the overall amount reserved for blending operations.

Or. fr

**Amendment 70**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 8 – paragraph 7**

*Text proposed by the Commission*

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

*Amendment*

7. Following the adoption of a financing decision as referred to in paragraph 3, the Commission, ***after consulting the European Parliament,*** may amend the programmes implemented under shared management accordingly.

Or. fr

**Amendment 71**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

1. This section applies to the part of the financial envelope referred to in Article 7(2)(a), and the additional resources to be implemented under shared management according to the Commission decision for the thematic facility referred to in Article 8.

*Amendment*

1. This section applies to the part of the financial envelope referred to in Article 7(2)(a), and the additional resources to be implemented under shared management according to the Commission decision, ***adopted after consultation of the European Parliament,*** for the thematic facility referred to in Article 8.

Or. fr

**Amendment 72**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) EUR **4 009 000 000** to the Member States in accordance with the criteria in Annex I;

*Amendment*

(a) EUR **306 000 000** to the Member States in accordance with the criteria in Annex I;

Or. fr

**Amendment 73**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 10 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) EUR **802 000 000** to the Member States for the adjustment of the allocations for the programmes as referred to in in Article 13(1).

*Amendment*

(b) EUR **60 000 000** to the Member States for the adjustment of the allocations for the programmes as referred to in in Article 13(1).

Or. fr

**Amendment 74**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. The contribution from the Union budget may be increased to **90%** of the total eligible expenditure for projects implemented under specific actions.

*Amendment*

2. The contribution from the Union budget may be increased to **60%** of the total eligible expenditure for projects implemented under specific actions.

Or. fr

**Amendment 75**

**Marie-Christine Vergiat**

**Proposal for a regulation  
Article 11 – paragraph 3**

*Text proposed by the Commission*

3. The contribution from the Union budget may be increased to **90%** of the total eligible expenditure for the actions listed in Annex IV.

*Amendment*

3. The contribution from the Union budget may be increased to **60%** of the total eligible expenditure for the actions listed in Annex IV.

Or. fr

**Amendment 76  
Urmas Paet**

**Proposal for a regulation  
Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 11a**

***The contribution from the Union budget to the technical assistance at the initiative of the Member States may amount to 100% of the total eligible expenditure.***

Or. en

**Amendment 77  
Urmas Paet**

**Proposal for a regulation  
Article 12 – paragraph 1**

*Text proposed by the Commission*

1. Each Member State shall ensure that the priorities addressed in its programme are consistent with and respond to the Union priorities and challenges in the area of border management and visa, and that they are fully in line with the relevant Union acquis and agreed Union

*Amendment*

1. Each Member State shall ensure that the priorities addressed in its programme are consistent with and respond to the Union priorities and challenges in the area of border management and visa, and that they are fully in line with the relevant Union acquis and agreed Union

priorities. *In defining the priorities of their programmes, Member States shall ensure that the implementing measures as set out in Annex II are adequately addressed.*

priorities.

Or. en

**Amendment 78**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

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

*Amendment*

1. Each Member State shall ensure that the priorities addressed in its programme are consistent with and respond to the Union priorities and challenges in the area of border management and *visas*, and that they are fully in line with the relevant Union acquis and agreed Union priorities, *as well as with the international obligations of the Union and the Member States under the international instruments to which they are signatories*. In defining the priorities of their programmes, Member States shall ensure that the *delegated acts* as set out in Annex II are adequately addressed.

Or. fr

**Amendment 79**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 2**

*Text proposed by the Commission*

2. The Commission shall ensure that the European Border and Coast Guard Agency and where appropriate, eu-LISA,

*Amendment*

2. The Commission *and the European Parliament* shall ensure that the European Border and Coast Guard Agency

are associated with the process of developing the programmes of Member States at an early stage, in so far as it falls within the agencies' competencies.

and, where appropriate, eu-LISA are associated with the process of developing the programmes of Member States at an early stage, in so far as it falls within the agencies' competencies.

Or. fr

**Amendment 80**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 3**

*Text proposed by the Commission*

3. The Commission shall consult the European Border and Coast Guard Agency on the draft programmes with a specific emphasis on the activities included under operating support in line with Article 3(2)(a) to ensure consistency and complementarity of the actions of the Agency and those of the Member States regarding border management as well as to avoid double financing and to achieve cost efficiency.

*Amendment*

3. The Commission **and the European Parliament** shall consult the European Border and Coast Guard Agency on the draft programmes with a specific emphasis on the activities included under operating support in line with Article 3(2)(a) to ensure consistency and complementarity of the actions of the Agency and those of the Member States regarding border management as well as to avoid double financing and to achieve cost efficiency.

Or. fr

**Amendment 81**  
**Urmas Paet**

**Proposal for a regulation**  
**Article 12 – paragraph 3**

*Text proposed by the Commission*

3. **It** shall consult the European Border and Coast Guard Agency on the draft programmes with a specific emphasis on the activities included under operating support in line with Article 3(2)(a) to ensure consistency and complementarity of

*Amendment*

3. **The Commission** shall consult the European Border and Coast Guard Agency on the draft programmes with a specific emphasis on the activities included under operating support in line with Article 3(2)(a) to ensure consistency and

the actions of the Agency and those of the Member States regarding border management as well as to avoid double financing and to achieve cost efficiency.

complementarity of the actions of the Agency and those of the Member States regarding border management as well as to avoid double financing and to achieve cost efficiency.

Or. en

**Amendment 82**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 4**

*Text proposed by the Commission*

4. The Commission may associate the European Border and Coast Guard Agency, and where appropriate, eu-LISA, with monitoring and evaluation tasks as referred to in Section 5, in particular *in view of* ensuring that the actions implemented with the support of the instrument are compliant with the relevant Union acquis and agreed Union priorities.

*Amendment*

4. The Commission *and the European Parliament* may associate the European Border and Coast Guard Agency, and, where appropriate, eu-LISA, with monitoring and evaluation tasks as referred to in Section 5, in particular *with a view to* ensuring that the actions implemented with the support of the instrument are compliant with the relevant Union acquis and agreed Union priorities.

Or. fr

**Amendment 83**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 5**

*Text proposed by the Commission*

5. Following the adoption of recommendations within the scope of this Regulation in accordance with Regulation (EU) No 1053/2013, and the recommendations issued in the framework of carrying out vulnerability assessments in accordance with Regulation (EU) 2016/1624, the Member State

*Amendment*

5. Following the adoption of recommendations within the scope of this Regulation in accordance with Regulation (EU) No 1053/2013, and the recommendations issued in the framework of carrying out vulnerability assessments in accordance with Regulation (EU) 2016/1624, the Member State

concerned shall examine, together with the Commission, the most appropriate approach to address these recommendations with the support of this instrument.

concerned shall examine, together with the Commission ***and the European Parliament***, the most appropriate approach to address these recommendations with the support of this instrument.

Or. fr

**Amendment 84**  
**Marie-Christine Vergiat**

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

*Text proposed by the Commission*

8. Where necessary, the programme in question 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*

8. Where necessary, the programme in question 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 ***after consulting the European Parliament***.

Or. fr

**Amendment 85**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 10**

*Text proposed by the Commission*

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

*Amendment*

10. Whenever a Member State decides to implement projects with or in a third country with the support of the instrument, the Member State concerned shall consult the Commission prior to the start of the project ***and shall apply Article 5a. The Commission shall deliver its opinion after consulting the European Parliament. The European Parliament shall deliver an opinion, in particular where the projects in question might entail any form of***

**Amendment 86**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 11**

*Text proposed by the Commission*

11. Whenever a Member State decides to implement actions with or in a third country with the support of the instrument relating to monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the purpose of detecting, preventing and combating ***illegal immigration and*** cross-border crime or contributing to the protection and saving the lives of migrants, it shall ensure that it has notified the Commission of any bilateral or multilateral cooperation agreement with that third country in accordance with Article 20 of Regulation (EU) No 1052/2013.

*Amendment*

11. Whenever a Member State decides to implement actions with or in a third country with the support of the instrument relating to monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the purpose of detecting, preventing and combating cross-border crime or contributing to the protection and saving the lives of migrants, it shall ensure that it has notified the Commission of any bilateral or multilateral cooperation agreement with that third country in accordance with Article 20 of Regulation (EU) No 1052/2013.

**Amendment 87**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 11**

*Text proposed by the Commission*

11. Whenever a Member State decides to implement actions with or in a third country with the support of the instrument relating to monitoring, detection, identification, tracking, prevention and interception of unauthorised border

*Amendment*

11. Whenever a Member State decides to implement actions with or in a third country with the support of the instrument relating to monitoring, detection, identification, tracking, prevention and interception of unauthorised border



crossings for the purpose of detecting, preventing and combating illegal immigration and cross-border crime or contributing to the protection and saving the lives of migrants, it shall ensure that it has notified the Commission of any bilateral or multilateral cooperation agreement with that third country in accordance with Article 20 of Regulation (EU) No 1052/2013.

crossings for the purpose of detecting, preventing and combating illegal immigration and cross-border crime or contributing to the protection and saving the lives of migrants, it shall ensure that it has notified the Commission of any bilateral or multilateral cooperation agreement with that third country in accordance with Article 20 of Regulation (EU) No 1052/2013. ***The European Parliament shall likewise be informed of these agreements financed out of Union funds.***

Or. fr

**Amendment 88**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 12 – introductory part**

*Text proposed by the Commission*

12. As regards operating equipment, including means of transport, and communication systems required for effective and secure border control purchased with the support of this instrument, the following shall apply:

*Amendment*

12. As regards operating equipment, including means of transport, and communication systems required for effective and secure border control, ***and for search and rescue operations***, purchased with the support of this instrument, the following shall apply:

Or. fr

**Amendment 89**  
**Urmas Paet**

**Proposal for a regulation**  
**Article 12 – paragraph 12 – point c**

*Text proposed by the Commission*

(c) Member States may decide to purchase ***items for multi-purpose maritime operations supported by the instrument***,

*Amendment*

(c) Member States may decide to purchase multi-purpose ***assets or develop ICT-systems***, provided that these items

provided that these items when operated by the relevant national authorities are involved in border surveillance operations at least 60 % of the total period of use for national purposes within a year. **These** items shall be registered at the technical equipment pool of the European Border and Coast Guard Agency in view of making these assets available in accordance with Article 39(8) of Regulation (EU) 2016/1624;

when operated by the relevant national authorities are involved in border surveillance operations at least 60 % of the total period of use for national purposes within a year. Items shall be registered at the technical equipment pool of the European Border and Coast Guard Agency in view of making these assets available in accordance with Article 39(8) of Regulation (EU) 2016/1624;

Or. en

**Amendment 90**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 12 – paragraph 12 – point c**

*Text proposed by the Commission*

(c) Member States may decide to purchase items for multi-purpose maritime operations supported by the instrument, provided that these items when operated by the relevant national authorities are involved in border surveillance operations at least 60% of the total period of use for national purposes within a year. These items shall be registered at the technical equipment pool of the European Border and Coast Guard Agency **in view of** making these assets available in accordance with Article 39(8) of Regulation (EU) 2016/1624;

*Amendment*

(c) Member States may decide to purchase items for multi-purpose maritime operations supported by the instrument, provided that these items when operated by the relevant national authorities are involved in border surveillance operations at least 60% of the total period of use for national purposes within a year. **Time given over to search and rescue operations at sea shall not be taken into account.** These items shall be registered at the technical equipment pool of the European Border and Coast Guard Agency **with a view to** making these assets available in accordance with Article 39(8) of Regulation (EU) 2016/1624;

Or. fr

**Amendment 91**  
**Marie-Christine Vergiat**

**Proposal for a regulation**

## Article 12 – paragraph 13

*Text proposed by the Commission*

13. Training in the field of border management carried out with the support of this instrument shall be based on the relevant harmonised and quality-assured European education and common training standards for border and coast guarding.

*Amendment*

13. Training in the field of border management carried out with the support of this instrument shall be based on the relevant harmonised and quality-assured European education and common training standards for border and coast guarding, ***taking particularly into account human rights issues and international conventions on those subjects.***

Or. fr

### Amendment 92

**Doru-Claudian Frunzulică**

#### Proposal for a regulation

#### Article 12 – paragraph 13

*Text proposed by the Commission*

13. Training in the field of border management carried out with the support of this instrument shall be based on the relevant harmonised and quality-assured European education and common training standards for border and coast guarding.

*Amendment*

13. Training in the field of border management carried out with the support of this instrument shall be based on the relevant harmonised and quality-assured European education and common training standards for border and coast guarding ***as well as for fundamental and human rights respect and protection.***

Or. en

### Amendment 93

**Marie-Christine Vergiat**

#### Proposal for a regulation

#### Article 13 – paragraph 1

*Text proposed by the Commission*

1. In 2024 the Commission shall allocate to the programmes of Member States concerned the additional amount

*Amendment*

1. In 2024 the Commission, ***after consulting the European Parliament,*** shall allocate to the programmes of Member

referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 1(c) of and in paragraphs 2 to 11 of Annex I. The allocation shall be based on the latest available statistical data for the criteria referred to in paragraph 1(c) and in paragraphs 2 to 11 of Annex I. Funding shall be effective for the period as of the calendar year 2025.

States concerned the additional amount referred to in Article 10(1)(b) in accordance with the criteria referred to in paragraph 1(c) of and in paragraphs 2 to 11 of Annex I. The allocation shall be based on the latest available statistical data for the criteria referred to in paragraph 1(c) and in paragraphs 2 to 11 of Annex I. Funding shall be effective for the period as of the calendar year 2025.

Or. fr

**Amendment 94**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 13 – paragraph 2**

*Text proposed by the Commission*

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 its programme referred to in paragraph 1.

*Amendment*

2. If at least **50%** 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 its programme referred to in paragraph 1.

Or. fr

**Amendment 95**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 13 – paragraph 3**

*Text proposed by the Commission*

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 .../...

*Amendment*

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.

[CPR] and identified implementation shortcomings. ***The programmes shall undergo a mid-term review in accordance with Articles 14 and 40 of Regulation (EU) No ... / ... [CPR] and Article 26 of this Regulation.***

Or. fr

**Amendment 96**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. Member States using operating support shall comply with the Union acquis ***on borders and visas.***

*Amendment*

3. Member States using operating support shall comply with the Union acquis.

Or. fr

**Amendment 97**  
**Marie-Christine Vergiat**

**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 27 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, following a consultation of the European Border and Coast Guard Agency as regards the Agency's competencies in accordance with Article 12(3), assess the needs of baseline situation in the Member States which have indicated their intention to use operating support, taking into account the

*Amendment*

4. Member States shall justify in the programme and in the annual performance reports as referred to in Article 27 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, ***after consulting Parliament and*** following a consultation of the European Border and Coast Guard Agency as regards the Agency's competencies in accordance with Article 12(3), assess the baseline situation in the Member States which have indicated their intention to use operating support, taking

information provided by those Member States and, where relevant, the information available in the light of Schengen evaluations and vulnerability assessments, including the recommendations following Schengen evaluations and vulnerability assessments.'

into account the information provided by those Member States and, where relevant, the information available in the light of Schengen evaluations and vulnerability assessments, including the recommendations following Schengen evaluations and vulnerability assessments.

Or. fr

**Amendment 98**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

**1. The instrument shall provide support to compensate for foregone fees from visas issued for the purpose of transit and additional costs incurred in implementing the facilitated transit document (FTD) and the facilitated rail transit document (FRTD) scheme in accordance with Regulation (EC) No 693/2003 and Regulation (EC) No 694/2003.**

*Amendment*

**deleted**

Or. fr

**Amendment 99**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

The instrument may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100 %.

*Amendment*

The instrument may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission, **following consultation of Parliament**. Those measures may be financed at the rate of 100 %.

**Amendment 100**  
**Fabio Massimo Castaldo**

**Proposal for a regulation**  
**Article 22 – paragraph 1**

*Text proposed by the Commission*

1. The recipients 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 the media and the public.

*Amendment*

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility, ***transparency and traceability*** 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 the media and the public.

Or. it

**Amendment 101**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 22 – paragraph 2**

*Text proposed by the Commission*

2. The Commission shall implement information and communication actions relating to this instrument, its actions and results. Financial resources allocated to this instrument shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation.

*Amendment*

2. The Commission shall implement information and communication actions relating to this instrument, and its actions and results. ***In particular, the Commission, with the cooperation of the Member States, shall publish information on the development of the annual and multiannual programmes under the thematic facility. The Commission shall publish the list of operations, projects and contracts selected to receive support, shall make that list accessible to the public on its website in the official language of the country concerned and shall update the list at least once every three months.***  
Financial resources allocated to this

instrument shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation. ***In particular, the Commission may promote best practices and exchange information concerning the use of funds.***

Or. fr

**Amendment 102**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 22 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. It shall be for the Member States to forward to the Commission information on the development of shared-management programmes, so that the information in question can then be published on its website. The data referred to in paragraphs 2 and 3 shall be published in open, machine-readable formats, in accordance with Article 5(1) of Directive 2003/98/EC of the European Parliament and of the Council, which authorises the sorting, searching, extraction, comparison and re-use of data. It must be possible to sort data by priority, specific objective, total cost of eligible operations, total cost of projects, total cost of contract-award procedures, name of beneficiary and name of contractor.***

Or. fr

**Amendment 103**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 23 – paragraph 1**



1. The instrument shall provide financial assistance to address urgent and specific needs in the event of an emergency situation ***resulting from an urgent and exceptional pressure where a large or disproportionate number of third-country nationals have crossed, are crossing or are expected to cross the external borders of one or more Member States, in particular at border sections where the impact level has been identified as such that it jeopardises the functioning of the whole Schengen area, or any other situation of urgent and exceptional pressure within the scope of this Regulation that requires immediate action.***

1. The instrument shall provide, ***on an exceptional basis***, financial assistance to address urgent and specific needs in the event of an emergency situation ***and as a last resort.***

***The crossing of external borders by a large number of third-country nationals should not in itself be regarded as a threat to public order or internal security and should not in itself trigger a decision to grant emergency assistance under this instrument.***

***The decision to grant emergency assistance must be preceded by a risk assessment carried out in consultation with the stakeholders concerned, understood as the partnership defined in Article 6 of the [Regulation laying down common provisions], which must:***

- (i) describe the urgent and specific needs and explain why they are exceptional;***
- (ii) assess how long the urgent and specific needs are likely to persist;***
- (iii) describe the alternative actions or measures already taken to address the urgent and specific needs;***
- (iv) explain why these alternative measures have not been enough to remedy the situation;***
- (v) assess whether emergency assistance would help to remedy the situation. If a Member State concludes, in accordance with point (vi) of the first paragraph, that emergency assistance may not be enough to remedy the situation, the Member State concerned should not request emergency assistance and should take other measures. If emergency measures have already been taken in a similar situation, it must be explained how the support provided at that time helped to remedy the exceptional circumstances. If the Commission provides emergency assistance to a Member State, it shall inform the European Parliament and the Council as***

*soon as possible. Emergency assistance may only be granted to a third country for humanitarian purposes.*

Or. fr

**Amendment 104**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 23 – paragraph 2**

*Text proposed by the Commission*

2. Emergency assistance may take the form of grants awarded directly to *the decentralised agencies*.

*Amendment*

2. Emergency assistance may take the form of grants awarded directly to *operators on the spot, in particular territorial authorities and international organisations*.

Or. fr

**Amendment 105**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 23 – paragraph 3**

*Text proposed by the Commission*

3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is consequently earmarked as such in the programme. This funding shall not be used for other actions in the programme *except in duly justified circumstances and as approved by the Commission through the amendment of the programme*.

*Amendment*

3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 10(1), provided that it is consequently earmarked as such in the programme. This funding shall not be used for other actions in the programme.

Or. fr

**Amendment 106**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 23 – paragraph 4**

*Text proposed by the Commission*

4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation.

*Amendment*

4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of the Financial Regulation. ***The emergency assistance must be provided in a manner entirely consistent with the Union acquis and with the Union's and the Member States' obligations under the international instruments to which they are signatories.***

Or. fr

**Amendment 107**  
**Urmas Paet**

**Proposal for a regulation**  
**Article 24 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Member States may decide to purchase equipment or develop ICT-systems for multi-purpose use provided that these items and systems when operated by the relevant national authorities are in a majority used for the actions which fall under the scope of the Fund or instrument. The costs of these actions may be included in full to the Fund or instrument.***

Or. en

**Amendment 108**  
**Marie-Christine Vergiat**

**Proposal for a regulation**

## Article 25 – paragraph 1

### *Text proposed by the Commission*

1. In compliance with its reporting requirements pursuant to Article 43(3)(h)(i)(iii) of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.

### *Amendment*

1. In compliance with its reporting requirements pursuant to Article 43(3)(h)(i)(iii) of the Financial Regulation, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V. ***Contributions from other Union programmes to the measures under this instrument shall be acknowledged as such in the national programmes and the annual performance reports.***

Or. fr

## Amendment 109

Marie-Christine Vergiat

### Proposal for a regulation

#### Article 25 – paragraph 3

### *Text proposed by the Commission*

3. The indicators to report on progress of the instrument towards the achievement of the objectives of this Regulation 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*

3. The indicators to report on progress of the instrument towards the achievement of the objectives of this Regulation 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.

***For resources covered by shared management arrangements, the common indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) No .../... [CPR]. The Commission must consult competent bodies and experts on the development or adjustment of the indicators.***

Or. fr

## Amendment 110

**Marie-Christine Vergiat**

**Proposal for a regulation**

**Article 25 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Monitoring and reporting in accordance with Title IV of Regulation (EU) No .../... [CPR] shall be based on the types of intervention set out in Tables 1, 2 and 3 in Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of the funding, the Commission shall be empowered to adopt delegated acts to amend Annex VI, in accordance with Article 29.**

Or. fr

**Amendment 111**

**Marie-Christine Vergiat**

**Proposal for a regulation**

**Article 25 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The Commission shall pay particular attention to the monitoring of measures and programmes involving third countries, in accordance with Article 5.**

Or. fr

**Amendment 112**

**Marie-Christine Vergiat**

**Proposal for a regulation**

**Article 26 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission shall carry out a mid-term and a retrospective evaluation of

1. The Commission shall carry out a mid-term and a retrospective evaluation of

this Regulation, including the actions implemented under this instrument.

this Regulation, including the actions implemented under this instrument. ***The findings of the evaluation shall be forwarded to Parliament without delay.***

Or. fr

**Amendment 113**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 26 – 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 carried out in a timely manner to feed into the decision-making process in accordance with the ***provisions of Article 14 and the*** timeline set out Article 40 of Regulation (EU) No .../... [CPR].

Or. fr

**Amendment 114**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 26 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Commission shall pay particular attention to evaluating measures and programmes involving third countries, in accordance with Articles 5 and 25(6) of this Regulation, and to the favourable conditions referred to in Article 11 of the regulation laying down common provisions as regards the provisions of Article 3(4).***

Or. fr

**Amendment 115**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 26 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. Following the mid-term review and the retrospective evaluation, the Commission shall submit to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions: (a) by June 2024, an interim evaluation report on the implementation of this Regulation. That interim evaluation report shall include an assessment of the mid-term review carried out in accordance with this Regulation and the [Regulation laying down common provisions]; (b) no later than 30 June 2027, an ex post evaluation report on the impact of this Regulation and the Specific Regulations following the completion of the national programmes. The European Parliament shall invite the Commission to take part in a structured dialogue on the mid-term review and the ex post evaluation.**

Or. fr

**Amendment 116**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 27 – paragraph 1**

*Text proposed by the Commission*

*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

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 **and Parliament**

performance report as referred to in Article 36(6) of Regulation (EU) No .../... [CPR]. The report submitted in 2023 shall cover the implementation of the programme carried out until 30 June 2022.

the annual performance report as referred to in Article 36(6) of Regulation (EU) No .../... [CPR]. The report submitted in 2023 shall cover the implementation of the programme carried out until 30 June 2022.

Or. fr

**Amendment 117**  
**Doru-Claudian Frunzulică**

**Proposal for a regulation**  
**Article 27 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) the complementarity between the actions supported by the instrument and support provided by other Union Funds, in particular those in or in relation to third countries;

*Amendment*

(c) ***any action concerning third countries, the respect of fundamental and human rights***, the complementarity between the actions supported by the instrument and support provided by other Union Funds, in particular those in or in relation to third countries;

Or. en

**Amendment 118**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 27 – paragraph 2 – point f**

*Text proposed by the Commission*

(f) the fulfilment of the enabling conditions and their application throughout the programming period.

*Amendment*

(f) the fulfilment of enabling conditions and their application throughout the programming period ***with regard to Article 3(4) of this Regulation***.

Or. fr

**Amendment 119**  
**Marie-Christine Vergiat**



**Proposal for a regulation**  
**Article 30 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the instrument for border management and visa. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

*Amendment*

1. The Commission shall be assisted by a Coordination Committee for the Asylum and Migration Fund, the Internal Security Fund and the instrument for border management and visa. ***The committee shall satisfy itself that this Regulation is being properly applied and shall, in particular, monitor measures taken to ensure that the human rights of the recipients of funds are being upheld and compliance with the transparency requirement which applies to the Commission and the Member States.*** That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

Or. fr

**Amendment 120**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 7 – introductory part**

*Text proposed by the Commission*

7. For the purposes of the initial allocation of funding, the assessment of the workload shall be based on the latest average figures covering the preceding 36 months available on the date of the applicability of this Regulation. For the purposes of the mid-term review, the assessment of the workload shall be based on the latest average figures covering the preceding 36 months available at the time of the mid-term review in 2024. The assessment of the workload shall be based on ***the following factors:***

*Amendment*

7. For the purposes of the initial allocation of funding, the assessment of the workload shall be based on the latest average figures covering the preceding 36 months available on the date of the applicability of this Regulation. For the purposes of the mid-term review, the assessment of the workload shall be based on the latest average figures covering the preceding 36 months available at the time of the mid-term review in 2024. The assessment of the workload shall be based on ***clear criteria and shall reflect the number of persons presenting themselves at external land borders, external***

*maritime borders, airports and consular offices and the number of applications for short-stay or airport-transit visas.*

Or. fr

**Amendment 121**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) at external land borders and external maritime borders: deleted*

*(1) 70 % for the number of crossings of the external border at authorised border crossing points;*

*(2) 30 % for the number of third-country nationals refused entry at the external border.*

Or. fr

**Amendment 122**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) at airports: deleted*

*(1) 70 % for the number of crossings of the external border at authorised border crossing points;*

*(2) 30 % for the number of third-country nationals refused entry at the external border.*

Or. fr

**Amendment 123**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 7 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) at consular offices:**  
***the number of visa applications for short stays or airport transit.***

***deleted***

Or. fr

**Amendment 124**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 8 – introductory part**

*Text proposed by the Commission*

*Amendment*

8. The reference figures for the number of consular offices as referred to in paragraph 5(a) shall be calculated according to the information contained in Annex 28 of Commission Decision C(2010) 1620 of 19 March 2010 establishing the Handbook for the processing of visa applications and the modifications of issued visas.

8. The reference figures for the number of consular offices as referred to in paragraph 5(a) shall be calculated according to the information contained in Annex 28 of Commission Decision C(2010) 1620 of 19 March 2010 establishing the Handbook for the processing of visa applications and the modifications of issued visas. ***That figure shall be reduced to zero if the Member State fails to provide information in two consecutive years.***

Or. fr

**Amendment 125**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 9 – point d**

*Text proposed by the Commission*

(d) Where Member States have not provided the statistics concerned, the latest available data for those Member States shall be used. Where there is no data available for a Member State, the reference figure shall be zero.

*Amendment*

(d) Where Member States have not provided the statistics concerned, the latest available data for those Member States shall be used. Where there is no data available for a Member State, the reference figure shall be zero. ***That figure shall also be reduced to zero if the Member State fails to provide information in two consecutive years.***

Or. fr

**Amendment 126**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 10**

*Text proposed by the Commission*

10. The European Border and Coast Guard Agency shall provide the Commission with a report on the breakdown of resources as regards external land borders, external sea borders and airports, as referred to in paragraph 1(c).

*Amendment*

10. The European Border and Coast Guard Agency shall provide the Commission with a report on the breakdown of resources as regards external land borders, external sea borders and airports, as referred to in paragraph 1(c). ***The Commission shall make the report available to the public.***

Or. fr

**Amendment 127**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex I – point 11 – introductory part**

*Text proposed by the Commission*

11. For the purposes of the initial allocation, the report referred to in paragraph 10 shall identify the ***average level of threat of each border section***

*Amendment*

11. For the purposes of the initial allocation, the report referred to in paragraph 10 shall identify the ***workload at borders***. For the purposes of the mid-term

***based on the latest average figures covering the preceding 36 months on the date of the applicability of this***

**Regulation.** For the purposes of the mid-term review, the report referred to in paragraph 10 shall identify the average level of threat of each border section based on the latest average figures covering the preceding 36 months available at the time of the mid-term review in 2024. It shall determine the following specific weighting factors per section applying the threat levels as defined in Regulation (EU) No 1052/2013:

review, the report referred to in paragraph 10 shall identify the average level of threat of each border section based on the latest average figures covering the preceding 36 months available at the time of the mid-term review in 2024. It shall determine the following specific weighting factors per section applying the threat levels as defined in Regulation (EU) No 1052/2013:

Or. fr

**Amendment 128**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 1 – point a – point i**

*Text proposed by the Commission*

(i) reinforcing the capacities for carrying out checks and surveillance at the external borders, including measures to prevent and detect cross-border crime, ***such as migrant smuggling***, trafficking in human beings and terrorism;

*Amendment*

(i) reinforcing the capacities for carrying out checks and surveillance at the external borders, including measures to prevent and detect cross-border crime, trafficking in human beings and terrorism;

Or. fr

**Amendment 129**  
**Raffaele Fitto**

**Proposal for a regulation**  
**Annex II – point 1 – point a – point i**

*Text proposed by the Commission*

i. reinforcing the capacities for carrying out checks and surveillance at the external borders, ***including measures to***

*Amendment*

i. reinforcing the capacities for carrying out checks and surveillance at the external borders, ***with the primary and***

***prevent and detect*** cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism;

***essential objective of preventing and detecting irregular migration and*** cross-border crime, such as migrant smuggling, trafficking in human beings and terrorism;

Or. it

**Amendment 130**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 1 – point a – point ii**

*Text proposed by the Commission*

(ii) supporting search and rescue ***in the context of carrying out border surveillance at sea;***

*Amendment*

(ii) supporting search and rescue;

Or. fr

**Amendment 131**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 1 – point a – point v**

*Text proposed by the Commission*

v. supporting, within the scope of this Regulation, Member States facing ***existing or potential disproportionate migratory pressure at the EU's external borders, including through technical and operational reinforcement, as well as by deploying migration management support teams in hotspot areas.***

*Amendment*

v. supporting, within the scope of this Regulation, Member States facing ***arrivals of significant numbers of migrants.***

Or. fr

**Amendment 132**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) further developing the European Border and Coast Guard, through common capacity-building, joint procurement, establishment of common standards and any other measures streamlining the cooperation and coordination between the Member States and the European Border and Coast Guard Agency;** **deleted**

Or. fr

**Amendment 133**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 1 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) setting up, operating and maintaining large-scale IT systems in the area of border management, including the interoperability of these IT systems and their communication infrastructure.** **deleted**

Or. fr

**Amendment 134**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex II – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

**(d) setting up, operating and maintaining large-scale IT systems in the area of the common policy on visas, including the interoperability between these IT systems and their communication** **deleted**

*infrastructure.*

Or. fr

**Amendment 135**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point a**

*Text proposed by the Commission*

(a) infrastructures, buildings, systems and services required at border crossing points, ***in hotspot areas*** and for border surveillance between border crossing points to prevent and tackle ***unauthorised border crossings, illegal immigration and*** cross-border crime at the external borders, as well as to guarantee the smooth flows of legitimate travellers;

*Amendment*

(a) infrastructures, buildings, systems and services required at border crossing points, and for border surveillance between border crossing points to ***guarantee access to European territory for persons in need of international protection and*** prevent and tackle cross-border crime at the external borders, as well as to guarantee the smooth flows of legitimate travellers;

Or. fr

**Amendment 136**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point b**

*Text proposed by the Commission*

(b) operating equipment, including means of transport, and communication systems required for effective and secure border control, in accordance with standards developed by the European Border and Coast Guard Agency, where such standards exist;

*Amendment*

(b) operating equipment, including means of transport, and communication systems required for effective and secure border control ***while guaranteeing that fundamental rights are upheld,*** in accordance with standards developed by the European Border and Coast Guard Agency, where such standards exist;

Or. fr



**Amendment 137**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point c**

*Text proposed by the Commission*

(c) training in the field of or contributing to the development of European integrated border management, taking into account operational needs and risk analysis and ***in full compliance with*** fundamental rights;

*Amendment*

(c) training in the field of or contributing to the development of European integrated border management, taking into account operational needs and risk analysis and ***by making it possible for the agents concerned to uphold*** fundamental rights;

Or. fr

**Amendment 138**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point e**

*Text proposed by the Commission*

(e) studies, pilot projects and other relevant actions aiming to implement or develop European integrated border management, including measures aiming at the development of the European Border and Coast Guard, such as common capacity-building, joint procurement, establishment of common standards and other measures streamlining the cooperation and coordination between the European Border and Coast Guard Agency and Member States;

*Amendment*

(e) studies, pilot projects and other relevant actions aiming to implement or develop European integrated border management, including measures aiming at the development of the European Border and Coast Guard, such as common capacity-building, joint procurement, establishment of common standards and other measures streamlining the cooperation and coordination between the European Border and Coast Guard Agency and Member States, ***with a special focus on upholding fundamental rights***;

Or. fr

**Amendment 139**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point f**

*Text proposed by the Commission*

(f) actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, in particular deploying the results of security research projects where such deployment has been identified by the European Border and Coast Guard Agency, acting under Article 37 of Regulation (EU) 2016/1624, as contributing to the development of operational capabilities of the European Border and Coast Guard;

*Amendment*

(f) actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, in particular deploying the results of security research projects where such deployment has been identified by the European Border and Coast Guard Agency, acting under Article 37 of Regulation (EU) 2016/1624, as contributing to the development of operational capabilities of the European Border and Coast Guard.

***These innovative methods and new technologies shall be used in a manner fully consistent with fundamental rights and the right to the protection of personal data;***

Or. fr

**Amendment 140**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point g**

*Text proposed by the Commission*

(g) preparatory, monitoring, administrative and technical activities, required to implement external border policies, including to strengthen the governance of the Schengen area by developing and implementing the evaluation mechanism as established by Regulation (EU) No 1053/2013 to verify the application of the Schengen acquis and the Schengen Borders Code, including mission expenditure for experts of the Commission and the Member States participating in on-site visits ***as well as measures to implement recommendations issued following vulnerability assessments***

*Amendment*

(g) preparatory, monitoring, administrative and technical activities, required to implement external border policies, including to strengthen the governance of the Schengen area by developing and implementing the evaluation mechanism as established by Regulation (EU) No 1053/2013 to verify the application of the Schengen acquis and the Schengen Borders Code, including mission expenditure for experts of the Commission and the Member States participating in on-site visits;

*carried out by the European Border and Coast Guard Agency in line with Regulation (EU) 2016/1624;*

Or. fr

**Amendment 141**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point h**

*Text proposed by the Commission*

(h) identification, ***fingerprinting, registration, security checks***, debriefing, provision of information, medical and vulnerability screening and, where necessary, medical care as well as referral of third country nationals to the appropriate procedure at the external borders, in particular in hotspot areas;

*Amendment*

(h) identification, debriefing, provision of information, medical and vulnerability screening and, where necessary, medical care as well as referral of third country nationals to the appropriate procedure at the external borders, in particular in hotspot areas;

Or. fr

**Amendment 142**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 1 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

***(ha) the exchange of best practices to evaluate, promote, support and develop further the Union's policies and objectives, in particular as regards the protection of fundamental rights in the context of the various components of border control in particular as regards the identification, the provision of immediate assistance to and the referral to protection services of vulnerable persons, in particular women, children and unaccompanied minors;***

**Amendment 143**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 2 – point a**

*Text proposed by the Commission*

(a) infrastructures and buildings required for the processing of visa applications and consular cooperation, including security measures, as well as other actions aimed at improving the quality of service for visa applicants;

*Amendment*

(a) infrastructures and buildings required for the processing of visa applications and consular cooperation, including security measures, as well as other actions aimed at improving the quality of service for visa applicants, ***including as regards the upholding of fundamental rights;***

Or. fr

**Amendment 144**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 2 – point d**

*Text proposed by the Commission*

(d) the exchange of best practices and experts, including the secondment of experts, as well as boosting the capacity of European networks to assess, promote, support and further develop Union policies and objectives;

*Amendment*

(d) the exchange of best practices and experts, including the secondment of experts, as well as boosting the capacity of European networks, to assess, promote, support and further develop Union policies and objectives, ***as regards the protection of fundamental rights in the context of the various components of border control, in particular as regards the identification, the provision of immediate assistance to and the referral to protection services of vulnerable persons, in particular women, children and unaccompanied minors;***

Or. fr

**Amendment 145**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex III – point 3**

*Text proposed by the Commission*

*Amendment*

- 3.      *Within the policy objective referred to in Article 3(1), the instrument shall in particular support the following:*** *deleted*
- (a)      *infrastructures and buildings required for the hosting of large-scale IT systems and associated communication infrastructure components;***
- (b)      *equipment and communication systems necessary to ensure the proper functioning of large-scale IT systems;***
- (c)      *training and communication activities in relation to large-scale IT systems;***
- (d)      *development and upgrading of large-scale IT systems;***
- (e)      *studies, proof of concepts, pilot projects and other relevant actions related to the implementation of large-scale IT systems including their interoperability;***
- (f)      *actions developing innovative methods or deploying new technologies with a potential for transferability to other Member States, especially projects aiming at testing and validating the outcome of Union-funded research projects;***
- (g)      *development of statistical tools, methods and indicators for large-scale IT systems in the field of visa and borders;***
- (h)      *operating support for the implementation of large-scale IT systems.***

Or. fr

**Amendment 146**

**Marie-Christine Vergiat**

**Proposal for a regulation  
Annex IV – point 2**

*Text proposed by the Commission*

*Amendment*

**(2) Measures supporting inter-agency cooperation between a Member State and a neighbouring third country with which the EU shares a common land or maritime border.** *deleted*

Or. fr

**Amendment 147  
Marie-Christine Vergiat**

**Proposal for a regulation  
Annex IV – point 3**

*Text proposed by the Commission*

*Amendment*

**(3) Further development of the European Border and Coast Guard, through common capacity building, joint procurement, establishment of common standards and any other measures streamlining the cooperation and coordination between the Member States and the European Border and Coast Guard Agency, as outlined in paragraph 1(b) of Annex II.** *deleted*

Or. fr

**Amendment 148  
Marie-Christine Vergiat**

**Proposal for a regulation  
Annex IV – point 6**

*Text proposed by the Commission*

*Amendment*

**(6) Measures deploying, transferring, testing and validating new methodology or** *deleted*

*technology, including pilot projects and follow-up measures to Union-funded security research projects, as referred to in Annex III.*

Or. fr

**Amendment 149**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex IV – point 7**

*Text proposed by the Commission*

*Amendment*

**(7) Measures for setting up and running hotspot areas in Member States facing existing or potential exceptional and disproportionate migratory pressure.**

**deleted**

Or. fr

**Amendment 150**  
**Urmas Paet**

**Proposal for a regulation**  
**Annex IV a (new)**

*Text proposed by the Commission*

*Amendment*

***Measures which aim at improving the interoperability of IT systems and communication networks.***

Or. en

**Amendment 151**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex V – point a – introductory part**

*Text proposed by the Commission*

(a) Specific objective 1: supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent ***and detect illegal immigration and*** cross-border crime and to effectively manage migratory flows;

*Amendment*

(a) Specific objective 1: supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent cross-border crime and to effectively manage migratory flows;

Or. fr

**Amendment 152**

**Raffaele Fitto**

**Proposal for a regulation**

**Annex V – point a – introductory part**

*Text proposed by the Commission*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard ***as a shared responsibility of*** the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively manage migratory flows:

*Amendment*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard ***by means of close cooperation and coordination between*** the European Border and Coast Guard Agency and the national authorities responsible for border management ***and protection***, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively manage migratory flows:

Or. it

**Amendment 153**

**Anders Primdahl Vistisen**

**Proposal for a regulation**

**Annex V – point a – introductory part**



*Text proposed by the Commission*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively **manage** migratory flows:

*Amendment*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively **curb** migratory flows:

Or. en

**Amendment 154**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex V – point a – point 1**

*Text proposed by the Commission*

**(1) Number of irregular border crossings detected at the EU external borders a) between the border crossing points; and b) at the border crossing points**

**Data sources: European Border and Coast Guard Agency**

*Amendment*

**deleted**

Or. fr

**Amendment 155**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex VII – point a – point 3**

*Text proposed by the Commission*

(3) service costs, **including at hotspot areas** within the scope of this Regulation;

*Amendment*

(3) service costs within the scope of this Regulation;

**Amendment 156**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex VIII – point a – introductory part**

*Text proposed by the Commission*

(a) Specific objective 1: supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent ***and detect illegal immigration and*** cross-border crime and to effectively manage migratory flows;

*Amendment*

(a) Specific objective 1: supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent cross-border crime and to effectively manage migratory flows;

**Amendment 157**  
**Anders Primdahl Vistisen**

**Proposal for a regulation**  
**Annex VIII – point a – introductory part**

*Text proposed by the Commission*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively ***manage*** migratory flows;

*Amendment*

(a) Specific objective 1: Supporting effective European integrated border management at the external borders implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and of the national authorities responsible for border management, to facilitate legitimate border crossings, to prevent and detect illegal immigration and cross-border crime and to effectively ***curb*** migratory flows;

**Amendment 158**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex VIII – point a – point 7 – introductory part**

*Text proposed by the Commission*

*Amendment*

(7) Number of IT functionalities developed, implemented, maintained or upgraded with the support of the instrument, ***including for interoperability purposes***:

(7) Number of IT functionalities developed, implemented, maintained or upgraded with the support of the instrument:

Or. fr

**Amendment 159**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Annex VIII – point b – point 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

(3) Number of IT functionalities developed, implemented, maintained or upgraded with the support of the instrument, ***including for interoperability purposes***:

(3) Number of IT functionalities developed, implemented, maintained or upgraded with the support of the instrument:

Or. fr