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*Committee on Civil Liberties, Justice and Home Affairs*

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**2011/0368(COD)**

20.9.2012

# **AMENDMENTS**

## **33 - 90**

**Draft report**  
**Salvatore Iacolino**  
(PE491.240v01-00)

on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management

Proposal for a regulation  
(COM(2011)0753 – C7-0445/2011 – 2011/0368(COD))

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**EN**

*United in diversity*

**EN**

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**Amendment 33**  
**Marie-Christine Vergiat**

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

*Text proposed by the Commission*

(1) The Union's objective of ensuring a high level of security within an area of Freedom, Security and Justice (Article 67(3) of the Treaty on the Functioning of the Union) should be achieved, inter alia, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities of Member States and with relevant third-countries.

*Amendment*

(1) The Union's objective of ensuring a high level of security within an area of Freedom, Security and Justice (Article 67(3) of the Treaty on the Functioning of the Union) should be achieved, inter alia, through measures to prevent and combat crime as well as through measures for coordination and cooperation between law enforcement authorities of Member States and with relevant third-countries. ***This objective should be achieved while ensuring respect for human rights (Article 67(1) of the Treaty on the Functioning of the European Union) in accordance with the provisions of the Charter of Fundamental Rights and with the international obligations and internal provisions of the Union and its Member States***

Or. fr

*Justification*

*It should be specified that a high level of security is an objective which must be achieved while ensuring respect for democratic principles and values and the rule of law, as well as fundamental freedoms and human rights.*

**Amendment 34**  
**Alexander Alvaro**

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

*Text proposed by the Commission*

(2) To achieve this objective, enhanced actions at Union level should be taken to protect people and goods from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism and organised crime, drug trafficking, corruption, cyber crime, trafficking in human beings and arms, inter alia, continue to challenge the internal security of the Union.

*Amendment*

(2) To achieve this objective, enhanced actions at Union level should be taken to protect people and goods from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism and organised crime, drug trafficking, corruption, cyber crime, **cyber security**, trafficking in human beings and arms, inter alia, continue to challenge the internal security of the Union.

Or. en

**Amendment 35**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The Internal Security Strategy for the European Union, adopted by the Council in February 2010, constitutes a shared agenda for tackling these common security challenges. The Commission's Communication of November 2010 "The EU Internal Security Strategy in Action" translates the strategy's principles and guidelines into concrete actions by identifying five strategic objectives: to disrupt international crime networks, to prevent terrorism and address **radicalisation and recruitment**, to raise levels of security for citizens and businesses in cyberspace, to strengthen security through border management and to increase Europe's resilience to crises and disasters.

*Amendment*

(3) The Internal Security Strategy for the European Union, adopted by the Council in February 2010, constitutes a shared agenda for tackling these common security challenges. The Commission's Communication of November 2010 "The EU Internal Security Strategy in Action" translates the strategy's principles and guidelines into concrete actions by identifying five strategic objectives: to disrupt international crime networks, to prevent terrorism and address **the threat arising from the resurgence of violent political radicalism**, to raise levels of security for citizens and businesses in cyberspace, to strengthen security through border management and to increase Europe's resilience to crises and disasters. **Prevention is essential in combating these developments and the threat they represent and is therefore a core**

*component of this instrument in contributing to the achievement of Union objectives.*

Or. fr

*Justification*

*It is essential to add reference to prevention here, since it is included among the objectives of Article 3 of this proposal.*

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

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

*Text proposed by the Commission*

(4) Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights and the rule of law as well as a strong focus on the global perspective and *the inextricable link* with external security should be key principles guiding the implementation of the Internal Security Strategy.

*Amendment*

(4) Solidarity among Member States, clarity about the division of tasks, respect for fundamental rights *and freedoms* and the rule of law as well as a strong focus on the global perspective and *its interaction* with external security should be key principles guiding the implementation of the Internal Security Strategy.

Or. fr

**Amendment 37**  
**Timothy Kirkhope**  
on behalf of the ECR Group

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

*Text proposed by the Commission*

(9) Within the comprehensive framework of the Internal Security Fund, the financial assistance provided under this Instrument should support police cooperation, exchange of and access to information,

*Amendment*

(9) Within the comprehensive framework of the Internal Security Fund, the financial assistance provided under this Instrument should support police cooperation, exchange of and access to information,

crime prevention, the fight against cross-border, serious and organised crime including terrorism, the protection of people and critical infrastructure against security related incidents and the effective management of security related risks and crisis, taking into account common policies (strategies, programmes and action plans), legislation and practical co-operation.

crime prevention, the fight against cross-border, serious and organised crime including terrorism, ***trafficking in human beings and child sexual exploitation and distribution of child abuse images***, the protection of people and critical infrastructure against security related incidents and the effective management of security related risks and crisis, taking into account common policies (strategies, programmes and action plans), legislation and practical co-operation.

Or. en

### *Justification*

*Trafficking in human beings and child sexual exploitation are among the worst forms of serious and organized crime. They should be mentioned specifically in this Recital.*

### **Amendment 38** **Monika Hohlmeier**

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

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

(10) Financial assistance in these areas should in particular support actions ***promoting*** cross-border joint operations, access to and exchange of information, exchange of best practices, facilitated and secure communication and coordination, training and exchange of staff, analytical, monitoring and evaluation activities, comprehensive threat and risk assessments, awareness raising activities, testing and validation of new technology, forensic science research and the acquisition of technical interoperable equipment.

##### *Amendment*

(10) Financial assistance in these areas should in particular support ***action aimed at improving the cooperation between the Member States and the European Police Office (EUROPOL)***. ***These*** actions ***should promote*** cross-border joint operations, access to and exchange of information, exchange of best practices, facilitated and secure communication and coordination, training and exchange of staff, analytical, monitoring and evaluation activities, comprehensive threat and risk assessments, awareness raising activities, testing and validation of new technology, forensic science research and the acquisition of technical interoperable equipment.

Or. en

**Amendment 39**  
**Rui Tavares**

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

*Text proposed by the Commission*

(10) Financial assistance in these areas should in particular support actions promoting cross-border joint operations, access to and exchange of information, exchange of best practices, facilitated and secure communication and coordination, training and exchange of staff, analytical, monitoring and evaluation activities, comprehensive threat and risk assessments, awareness raising activities, testing and validation of new technology, forensic science research and the acquisition of technical interoperable equipment.

*Amendment*

(10) Financial assistance in these areas should in particular support actions promoting cross-border joint operations, access to and exchange of information, exchange of best practices, facilitated and secure communication and coordination, training and exchange of staff, analytical, monitoring and evaluation activities, comprehensive threat and risk assessments, awareness raising activities, testing and validation of new technology, forensic science research and the acquisition of technical interoperable equipment.

***Financial assistance in these areas should only support actions, which are in line with Union priorities and initiatives that have been endorsed by the European Parliament and the Council.***

Or. en

*Justification*

*No funds should be used as conduits for the financing of measures or practices that have not first been approved by a political agreement at the level of the European Parliament and Council.*

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

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

*Text proposed by the Commission*

(11) Measures in and in relation to third

*Amendment*

(11) Measures in and in relation to third

countries supported through this Instrument should be taken in synergy and coherence with other actions outside the Union supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question. They should not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency measures.

countries supported through this Instrument should be taken in synergy and coherence with other actions outside the Union supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question, ***democratic principles and values, fundamental liberties and rights, the rule of law and the sovereignty of third countries***. They should not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency measures.

Or. fr

**Amendment 41**  
**Sylvie Guillaume**

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

*Text proposed by the Commission*

(11) Measures in and in relation to third countries supported through this Instrument should be taken in synergy and coherence with other actions outside the Union supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question. They should

*Amendment*

(11) Measures in and in relation to third countries supported through this Instrument should be taken in synergy and coherence with other actions outside the Union supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question. They should



not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency measures.

not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency measures. ***To this end, a working group should be set up by the Commission in accordance with Regulation (EU) No .../2012 [horizontal regulation] to ensure optimum coordination between the various European services and stakeholders.***

Or. fr

**Amendment 42**  
**Rui Tavares**

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

*Text proposed by the Commission*

(11) Measures in and in relation to third countries ***supported through this Instrument*** should be ***taken in synergy and coherence with other actions outside the Union*** supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question. They should not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency

*Amendment*

(11) Measures in and in relation to third countries should be supported through Union external assistance instruments, both geographic and thematic. In particular, in implementing such actions full coherence should be sought with the principles and general objectives of the Union external action and foreign policy related to the country or region in question. They should not be intended to support actions directly development-oriented and they should complement, when appropriate, the financial assistance provided through external aid instruments. Coherence will also be sought with the Union humanitarian policy, in particular as regards the implementation of emergency measures.

measures.

Or. en

*Justification*

*Measures and actions in relation to the external dimension of the internal security should be supervised by the External Action Service and consistent with the principles and general objectives of the Union external action, fundamental right in accordance with articles 2, 6, 21 EU.*

**Amendment 43**

**Timothy Kirkhope**

on behalf of the ECR Group

**Proposal for a regulation**

**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) Pursuant to Article 3 of the Treaty on European Union, the Instrument should aim to ensure the protection of the rights of the child, including the protection of children against violence, abuse, exploitation and neglect.***

***The Instrument should support in particular safeguards and assistance of child witnesses and victims, and special protection and support for unaccompanied children or children otherwise in need of guardianship.***

***Regular monitoring and evaluation, including monitoring of expenditure should be carried out to assess the way in which the protection of children is addressed in the Instrument's activities.***

Or. en

*Justification*

*The EU has committed itself to protecting the rights of the child. These efforts need to be made visible in the implementation and execution of this Regulation.*

**Amendment 44**  
**Alexander Alvaro**

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

*Text proposed by the Commission*

(15) To reinforce *solidarity and* responsibility sharing for common Union policies, strategies and programmes, Member States should be encouraged to use the part of the global resources available for the national programmes to address the strategic Union priorities set out in the annex to this Regulation. For projects addressing these priorities, the Union contribution to their total eligible cost should be increased to 90%, in accordance with Regulation (EU) No XXX/2012 [Horizontal Regulation].

*Amendment*

(15) To reinforce responsibility sharing for common Union policies, strategies and programmes, Member States should be encouraged to use the part of the global resources available for the national programmes to address the strategic Union priorities set out in the annex to this Regulation. For projects addressing these priorities, the Union contribution to their total eligible cost should be increased to 90%, in accordance with Regulation (EU) No XXX/2012 [Horizontal Regulation].

Or. en

**Amendment 45**  
**Alexander Alvaro**

**Proposal for a regulation**  
**Recital 16**

*Text proposed by the Commission*

(16) The ceiling for resources which remain at the disposal of the Union should be equal to the resources allocated to Member States for the implementation of their national programmes. This will ensure that the Union is able, in a given budget year, to support actions which are of particular interest to the Union, such as studies, testing and validation of new technologies, transnational projects, networking and exchange of best practices, monitoring of the implementation of

*Amendment*

(16) The ceiling for resources which remain at the disposal of the Union should be equal to the resources allocated to Member States for the implementation of their national programmes. This will ensure that the Union is able, in a given budget year, to support actions which are of particular interest to the Union, such as studies, testing and validation of new technologies, transnational projects, networking and exchange of best practices, monitoring of the implementation of

relevant Union law and Union policies and actions in relation to and in third-countries. The actions supported should be in line with the priorities identified in relevant Union strategies, programmes, action plans and risk and threat assessments.

relevant Union law and Union policies and actions in relation to and in third-countries. The actions supported should be in line with the priorities identified in relevant Union strategies, ***including a cyber security strategy***, programmes, action plans and risk and threat assessments.

Or. en

**Amendment 46**  
**Monika Hohlmeier**

**Proposal for a regulation**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) The Lisbon Treaty provides for delegated acts only as non-legislative acts of general application relating to non-essential elements of a legislative act. Any essential element should be laid down in the legislative act in question.***

Or. en

**Amendment 47**  
**Alexander Alvaro**

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

*Text proposed by the Commission*

*Amendment*

(b) ‘exchange of and access to information’ means the collection, storage, processing, analysis and exchange of information relevant to law enforcement authorities in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border, serious and organised crimes.

(b) ‘exchange of and access to information’ means the ***secure*** collection, storage, processing, analysis and exchange of information relevant to law enforcement authorities ***in the Union*** in relation to the prevention, detection, investigation, and prosecution of criminal offences, in particular cross-border, serious and organised crimes.

**Amendment 48**  
**Jan Mulder**

**Proposal for a regulation**  
**Article 2 – point d**

*Text proposed by the Commission*

(d) ‘organised crime’ means a punishable conduct committed by a structured group of **three or** more persons, existing for a period of time and acting in concert in order to obtain, directly or indirectly, a financial or other material benefit.

*Amendment*

(d) ‘organised crime’ means a punishable conduct committed **with a view to committing offences which are punishable by deprivation of liberty or a detention order of a maximum of at least four years or a more serious penalty, committed by a** structured group of more **than two** persons, existing for a period of time and acting in concert in order to obtain, directly or indirectly, a financial or other material benefit.

**Amendment 49**  
**Marian-Jean Marinescu**

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

*Text proposed by the Commission*

(f) ‘risk and crisis management’ means any measure relating to the assessment, prevention, preparedness and consequence management of terrorism and other security-related risks.

*Amendment*

(f) ‘risk and crisis management’ means any measure relating to the assessment, prevention, preparedness and consequence management of terrorism, **organised crime** and other security-related risks.

**Amendment 50**  
**Georgios Papanikolaou**

**Proposal for a regulation**  
**Article 2 – point i**

*Text proposed by the Commission*

(i) ‘critical infrastructure’ means any physical resources, services, information technology facilities, **networks** and infrastructure assets which, if disrupted or destroyed, would have a serious impact on critical societal functions, including the supply chain, health, safety, security, economic or social well-being of people or of the functioning of the Union or its Member States.

*Amendment*

(i) ‘critical infrastructure’ means any physical resources, services, information technology facilities, **network** and infrastructure assets which, if disrupted or destroyed, would have a serious impact on critical societal functions, including the supply chain, health, safety, security, economic or social well-being of people or of the functioning of the Union or its Member States.

Or. el

**Amendment 51**  
**Alexander Alvaro**

**Proposal for a regulation**  
**Article 2 – point i**

*Text proposed by the Commission*

(i) ‘critical infrastructure’ means any physical resources, services, information technology facilities, networks and infrastructure assets which, if disrupted or destroyed, would have a serious impact on critical societal functions, including the supply chain, health, safety, security, economic or social well-being of people or of the functioning of the Union or its Member States.

*Amendment*

(i) ‘critical infrastructure’ means any physical resources, services, information technology facilities, networks and infrastructure assets which, if disrupted, **breached** or destroyed, would have a serious impact on critical societal functions, including the supply chain, health, safety, security, economic or social well-being of people or of the functioning of the Union or its Member States.

Or. en

**Amendment 52**  
**Marie-Christine Vergiat**

**Proposal for a regulation**  
**Article 2 – point j**

*Text proposed by the Commission*

(j) ‘emergency situation’ means any security-related incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States.

*Amendment*

(j) ‘emergency situation’ means any security-related incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States, ***excluding any measure for the management of migrant flows.***

Or. fr

**Amendment 53**  
**Monika Hohlmeier**

**Proposal for a regulation**  
**Article 3 – paragraph 2 – point - a (new)**

*Text proposed by the Commission*

*Amendment*

***(-a) enhancing the capacity of Member States to cooperate with Europol and to make a better use of Europol's products and services.***

***The achievement of this objective shall be measured against indicators such as, inter alia, the number of contributions sent to Europol databases and the number of cases initiated.***

Or. en

**Amendment 54**  
**Timothy Kirkhope**  
on behalf of the ECR Group

**Proposal for a regulation**  
**Article 3 – paragraph 2 – point a – paragraph 1**

*Text proposed by the Commission*

*Amendment*

(a) preventing and combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities of Member States and with relevant third-countries.

(a) preventing and combating cross-border, serious and organised crime including terrorism, ***trafficking in human beings, child sexual exploitation and distribution of child abuse images***, and reinforcing coordination and cooperation between law enforcement authorities of Member States and with relevant third-countries.

Or. en

*Justification*

*Trafficking in human beings and child sexual exploitation are among the worst forms of serious and organized crime. They should be specifically mentioned in the list of objectives of this Regulation.*

**Amendment 55**

**Rui Tavares**

**Proposal for a regulation**

**Article 3 – paragraph 2 – point a – paragraph 1**

*Text proposed by the Commission*

*Amendment*

(a) preventing and combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities of Member States ***and with relevant third-countries***.

(a) preventing and combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities of Member States.

Or. en

*Justification*

*Measures and actions in relation to the external dimension of the internal security should be supervised by the External Action Service and consistent with the principles and general objectives of the Union external action, fundamental right in accordance with articles 2, 6, 21 EU.*



**Amendment 56**  
**Jan Mulder**

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

*Text proposed by the Commission*

The achievement of this objective shall be measured against indicators such as, inter alia, the number of cross-border-joint operations and the number of best practice documents and events organised.

*Amendment*

The achievement of this objective shall be measured **by the Commission** against indicators such as, inter alia, the number of cross-border-joint operations and the number **and quality** of best practice documents and events organised.

Or. en

**Amendment 57**  
**Jan Mulder**

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

*Text proposed by the Commission*

The achievement of this objective shall be measured against indicators such as, inter alia, the number of tools put in place and/or further upgraded to facilitate the protection of critical infrastructure by Member States in all sectors of the economy and the number of threat and risk assessments produced at the level of the Union.

*Amendment*

The achievement of this objective shall be measured **by the Commission** against indicators such as, inter alia, the number of tools put in place and/or further upgraded to facilitate the protection of critical infrastructure by Member States in all sectors of the economy and the number of threat and risk assessments produced at the level of the Union.

Or. en

**Amendment 58**  
**Jan Mulder**

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

*Text proposed by the Commission*

*Amendment*

***Member States shall provide the Commission with the necessary information that is required for the assessment of the achievements, as measured against the indicators.***

Or. en

**Amendment 59**  
**Hubert Pirker**

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

*Text proposed by the Commission*

*Amendment*

***(ba) enhancing the capacity of Member States to cooperate with Europol and to make a better use of Europol's products and services.***

***The achievement of this objective shall be measured against indicators such as, inter alia, the number of contributions sent to Europol databases and the number of cases initiated.***

Or. en

**Amendment 60**  
**Alexander Alvaro**

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

*Text proposed by the Commission*

*Amendment*

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime,

*including* terrorism, in particular through public-private partnerships, the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

*cybercrime or* terrorism, in particular through public-private partnerships, the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

Or. en

**Amendment 61**  
**Rui Tavares**

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

*Text proposed by the Commission*

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime including terrorism, in particular through **public-private partnerships**, the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

*Amendment*

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime including terrorism, in particular through the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

Or. en

*Justification*

*Ensuring public safety is an essential responsibility of the state, not to be outsourced to private actors interested in creating a security industry.*

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

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

*Text proposed by the Commission*

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime including terrorism, in particular through **public-private partnerships**, the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

*Amendment*

(a) measures (methodologies, tools, structures) strengthening Member States' capability to prevent and combat cross-border, serious and organised crime including terrorism, in particular through the exchange of information and best practices, access to data, interoperable technologies, comparable statistics, applied criminology, public communication and awareness raising.

Or. fr

**Amendment 63**

**Rui Tavares**

**Proposal for a regulation**

**Article 3 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) administrative and operational coordination, cooperation, mutual understanding and the exchange of information among Member States' law enforcement authorities, other national authorities, relevant Union bodies **and, where appropriate, with third-countries.**

*Amendment*

(b) administrative and operational coordination, cooperation, mutual understanding and the exchange of information among Member States' law enforcement authorities, other national authorities, relevant Union bodies.

Or. en

*Justification*

*Measures and actions in relation to the external dimension of the internal security should be supervised by the External Action Service and consistent with the principles and general objectives of the Union external action, fundamental right in accordance with articles 2, 6, 21 EU.*

**Amendment 64**

**Véronique Mathieu**

**Proposal for a regulation**  
**Article 3 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) measures enhancing Member States' capacity to cooperate with Europol and make better use of Europol's products and services;***

Or. fr

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

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

*Text proposed by the Commission*

*Amendment*

***(c) training schemes in implementation of European training policies, including through specific Union law enforcement exchange programmes, in order to foster a genuine European judicial and law enforcement culture.***

***(c) training schemes regarding knowledge of obligations relating to respect for human rights and fundamental freedoms and the implementation of European policies, including through specific Union law enforcement exchange programmes.***

Or. fr

**Amendment 66**  
**Timothy Kirkhope**  
on behalf of the ECR Group

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

*Text proposed by the Commission*

*Amendment*

***(d) measures and best practices for the protection and support of witnesses and victims of crime.***

***(d) measures, mechanisms and best practices for early identification, protection and support of witnesses and victims of crime, in particular safeguards and assistance of child witnesses and***

***victims, and special protection and support for unaccompanied children or children otherwise in need of guardianship.***

Or. en

*Justification*

*Witnesses and victims of crime do not only need protection and support but also need to be identified as early as possible. The EU has committed itself to protecting the rights of the child. These efforts need to be made visible in the implementation and execution of this Regulation.*

**Amendment 67**  
**Rui Tavares**

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

*Text proposed by the Commission*

(e) measures strengthening Member States' administrative and operational capability to protect critical infrastructure in all sectors of economic activity, including through ***public-private partnerships and*** improved coordination, cooperation, exchange and dissemination of know how and experience within the Union and with relevant third-countries.

*Amendment*

(e) measures strengthening Member States' administrative and operational capability to protect critical infrastructure in all sectors of economic activity, including through improved coordination, cooperation, exchange and dissemination of know how and experience within the Union and with relevant third-countries.

Or. en

*Justification*

*Ensuring public safety is an essential responsibility of the state, not to be outsourced to private actors interested in creating a security industry.*

**Amendment 68**  
**Rui Tavares**

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

*Text proposed by the Commission*

(g) measures (methodologies, tools and structures) strengthening the administrative and operational capacity of the Member States and the Union to develop comprehensive threat and risk assessments in order to enable the Union to develop integrated approaches based on common and shared appreciations in crisis situations and to enhance mutual understanding of Member States' and partner countries' various definitions of threat levels.

*Amendment*

(g) measures (methodologies, tools and structures) strengthening the administrative and operational capacity of the Member States and the Union to develop comprehensive threat and risk assessments, ***which are evidence based and in line with Union priorities and initiatives that have been endorsed by the European Parliament and the Council***, in order to enable the Union to develop integrated approaches based on common and shared appreciations in crisis situations and to enhance mutual understanding of Member States' and partner countries' various definitions of threat levels.

Or. en

*Justification*

*No funds should be used as conduits for the financing of measures or practices that have not first been approved by a political agreement at the level of the European Parliament and Council.*

**Amendment 69**  
**Hubert Pirker**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;

*Amendment*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies ***such as the extension of Europol Secure Information Exchange Network Application (SIENA) or the implementation of data loaders for the Europol information system***;

**Amendment 70**  
**Monika Hohlmeier**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;

*Amendment*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies, ***such as the extension of Europol Secure Information Exchange Network Application (SIENA) or the implementation of data loaders for the Europol information system;***

**Amendment 71**  
**Véronique Mathieu**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;

*Amendment*

(a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies, ***such as the extension of Europol Secure Information Exchange Network Application (SIENA) or the implementation of data loaders for the Europol information system;***



**Amendment 72**  
**Timothy Kirkhope**  
on behalf of the ECR Group

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) actions improving police cooperation **and** coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;

*Amendment*

(a) actions improving police cooperation, coordination between law enforcement authorities **and inter-agency collaboration**, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;

Or. en

*Justification*

*Inter-agency collaboration is another action that could provide EU added value and achieve the objectives of the Internal Security Fund.*

**Amendment 73**  
**Rui Tavares**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) analytical, monitoring and evaluation activities, including studies and threat, risk and impact assessments;

*Amendment*

(c) analytical, monitoring and evaluation activities, including studies and threat, risk and impact assessments **which are evidence based and in line with Union priorities and initiatives that have been endorsed by the European Parliament and the Council**;

Or. en

## *Justification*

*No funds should be used as conduits for the financing of measures or practices that have not first been approved by a political agreement at the level of the European Parliament and the Council.*

### **Amendment 74**

**Rui Tavares**

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

#### **Article 4 – paragraph 1 – point e**

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

(e) acquisition and/or further upgrading of technical equipment, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components, including for the purpose of European cooperation on cyber crime, ***notably with the European Cybercrime Centre;***

##### *Amendment*

(e) acquisition and/or further upgrading of technical equipment, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components, including for the purpose of European cooperation on cyber crime;

Or. en

### **Amendment 75**

**Rui Tavares**

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

#### **Article 4 – paragraph 1 – point g**

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

(g) measures deploying, transferring, testing and validating new methodology or technology, including pilot projects and follow-up measures to Union funded security research projects.

##### *Amendment*

(g) measures deploying, transferring, testing and validating new methodology or technology, including pilot projects and follow-up measures to Union funded security research projects ***subject to a prior fundamental rights (including privacy) impact assessment.***

Or. en

**Amendment 76**  
**Rui Tavares**

**Proposal for a regulation**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

- 2. Within the objectives referred to in Article 3, the Instrument shall also support actions in relation to and in third-countries, and in particular the following:**
- (a) actions improving police cooperation and coordination between law enforcement authorities, including joint investigation teams and any other form of cross-border joint operation, the access to and exchange of information and interoperable technologies;**
  - (b) networking, mutual confidence, understanding and learning, the identification, exchange and dissemination of know-how, experience and good practices, information sharing, shared situation awareness and foresight, contingency planning and interoperability;**
  - (c) acquisition and/or further upgrading of technical equipment, including ICT systems and their components;**
  - (d) exchange, training and education of staff and experts of relevant authorities, including language training;**
  - (e) awareness raising, dissemination and communication activities**
  - (f) threat, risk and impact assessments;**
  - (g) studies and pilot projects.**

**deleted**

Or. en

*Justification*

*Measures and actions in relation to the external dimension of the internal security should be supervised by the External Action Service and consistent with the principles and general objectives of the Union external action, fundamental right in accordance with articles 2, 6, 21*

EU.

**Amendment 77**  
**Marian-Jean Marinescu**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) acquisition and/or further upgrading of technical equipment, including ICT systems and their components;

*Amendment*

(c) acquisition and/or further upgrading of technical equipment, including ICT systems and their components, ***able to interoperate and share data with the other IT systems in the field of border management;***

Or. en

**Amendment 78**  
**Sylvie Guillaume**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The working group set up by the Commission under Article 6a of Regulation (EU) No ..../2012 [horizontal regulation] shall ensure coherence between actions regarding third countries or being carried out there and funded under this instrument and measures being implemented in the context of EU external action,***

Or. fr

*Justification*

*Activities implemented in third countries are only eligible for funding under specific regulations following consultation of a working group referred to in Article 6a of Regulation (EU) No ..../2012 [horizontal regulation]. Regarding measures in or concerning third countries, the Commission and Member States and the European External Action Service, each within their respective remit, ensure coordination between this regulation and the*

*specific regulations and with other Union instruments and policies, for example those forming part of the EU's external action.*

**Amendment 79**  
**Rui Tavares**

**Proposal for a regulation**  
**Article 7 – paragraph 1**

*Text proposed by the Commission*

1. At the Commission's initiative, this Instrument may be used to finance transnational actions or actions of particular interest to the Union ('Union actions') concerning the general, specific and operational objectives set out in Article 3.

*Amendment*

1. At the Commission's initiative, this Instrument may be used to finance transnational actions or actions of particular interest to the Union ('Union actions') concerning the general, specific and operational objectives set out in Article 3. ***All such actions shall be in compliance with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, as well as with the Union legal provisions on data protection and privacy. The European Data Protection Supervisor, the Fundamental Rights Agency and other relevant supervisory agencies and bodies may assess these actions to ensure compliance.***

Or. en

*Justification*

*Independent supervision ought to guarantee the compliance of all actions with fundamental rights including privacy rights and compliance to data protection standards.*

**Amendment 80**  
**Rui Tavares**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. To be eligible for funding, Union actions

*Amendment*

2. To be eligible for funding, Union actions

shall be in line with the priorities identified in relevant Union strategies, programmes, **threat and risk assessments**, and support in particular:

shall be in line with the priorities identified **and agreed by the European Parliament and the Council** in relevant Union strategies, programmes and support in particular:

Or. en

*Justification*

*No funds should be used as conduits for the financing of measures or practices that have not first been approved by a political agreement at the level of the European Parliament and the Council.*

**Amendment 81**  
**Georgios Papanikolaou**

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

*Text proposed by the Commission*

(f) the acquisition and/or further upgrading of technical equipment, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components at the Union level, including for the purpose of European cooperation on cyber crime, notably a European Cybercrime Centre;

*Amendment*

(f) the acquisition and/or further upgrading of technical equipment, **know-how**, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components at the Union level, including for the purpose of European cooperation on cyber crime, notably a European Cybercrime Centre;

Or. el

**Amendment 82**  
**Rui Tavares**

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

*Text proposed by the Commission*

(b) transnational projects involving two or more Member States **or at least one**

*Amendment*

(b) transnational projects involving two or more Member States;

**Member State and one third-country;**

Or. en

*Justification*

*Measures and actions in relation to the external dimension of the internal security should be supervised by the External Action Service and consistent with the principles and general objectives of the Union external action, fundamental right in accordance with articles 2, 6, 21 EU.*

**Amendment 83**

**Rui Tavares**

**Proposal for a regulation**

**Article 7 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) analytical, monitoring and evaluation activities, including threat, risk and impact assessments and projects monitoring the implementation of Union law and Union policy objectives in the Member States;

*Amendment*

(c) analytical, monitoring and evaluation activities, including threat, risk and impact assessments ***which are evidence based and in line with Union priorities and initiatives that have been endorsed by the European Parliament and the Council,*** and projects monitoring the implementation of Union law and Union policy objectives in the Member States;

Or. en

*Justification*

*No funds should be used as conduits for the financing of measures or practices that have not first been approved by a political agreement at the level of the European Parliament and the Council.*

**Amendment 84**

**Rui Tavares**

**Proposal for a regulation**

**Article 7 – paragraph 2 – point f**

*Text proposed by the Commission*

(f) the acquisition and/or further upgrading of technical equipment, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components at the Union level, including for the purpose of European cooperation on cyber crime, ***notably a European Cybercrime Centre***;

*Amendment*

(f) the acquisition and/or further upgrading of technical equipment, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components at the Union level, including for the purpose of European cooperation on cyber crime;

Or. en

**Amendment 85**

**Rui Tavares**

**Proposal for a regulation**

**Article 7 – paragraph 2 – point j**

*Text proposed by the Commission*

***(j) actions in relation to and in third-countries, as referred to in Article 4(2).***

*Amendment*

***deleted***

Or. en

**Amendment 86**

**Hubert Pirker**

**Proposal for a regulation**

**Article 11 – paragraph 2**

*Text proposed by the Commission*

2. The delegation of powers referred to in this Regulation shall be conferred on the Commission for a period of 7 years from *[date of entry into force of this Regulation]*. ***The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of***

*Amendment*

2. The delegation of powers referred to in this Regulation shall be conferred on the Commission for a period of 7 years from *[date of entry into force of this Regulation]*.



*each period.*

Or. de

**Amendment 87**  
**Hubert Pirker**

**Proposal for a regulation**  
**Article 11 – paragraph 5**

*Text proposed by the Commission*

5. A delegated act adopted pursuant to this Regulation shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **2** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **2** months at the initiative of the European Parliament or the Council.

*Amendment*

5. A delegated act adopted pursuant to this Regulation shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **3** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **3** months at the initiative of the European Parliament or the Council.

Or. de

**Amendment 88**  
**Alexander Alvaro**

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

*Text proposed by the Commission*

On the basis of a proposal from the Commission, the European Parliament and the Council shall review this Regulation by **30** June 2020 at the latest.

*Amendment*

On the basis of a proposal from the Commission, the European Parliament and the Council shall review this Regulation by **1** June 2020 at the latest.

Or. en

**Amendment 89**  
**Timothy Kirkhope**  
on behalf of the ECR Group

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

*Text proposed by the Commission*

Measures preventing and fighting cross-border, serious and organised crime, in particular drug trafficking, trafficking in human beings, sexual exploitation of children and projects identifying and dismantling criminal networks, protecting the economy against criminal infiltration and reducing financial incentives by seizing, freezing and confiscating criminal assets.

*Amendment*

Measures preventing and fighting cross-border, serious and organised crime, in particular drug trafficking, trafficking in human beings, sexual exploitation of children and ***distribution of child abuse images and*** projects identifying and dismantling criminal networks, protecting the economy against criminal infiltration and reducing financial incentives by seizing, freezing and confiscating criminal assets.

Or. en

**Amendment 90**  
**Georgios Papanikolaou**

**Proposal for a regulation**  
**Annex 1 - new point after last point**

*Text proposed by the Commission*

*Amendment*

***Measures seeking to achieve a closer partnership between the Union and third countries (in particular countries situated on its external borders) and the drawing up and implementation of operational programmes of action for achievement of the above EU strategic priorities.***

Or. el