

Internal Security Fund: instrument for financial support for police cooperation, preventing and combating crime, and crisis management 2014-2020

2011/0368(COD) - 16/04/2014 - Final act

PURPOSE: to establish, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management. This Fund takes over from the Specific Programme ['Prevention of and Fight against Crime'](#) which it repeals.

LEGISLATIVE ACT: Regulation (EU) N° 513/2014 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 and repealing Council Decision 2007/125/JHA.

CONTENT: the Regulation establishes the instrument for financial support for police cooperation, preventing and combating crime, and crisis management, as part of the Internal Security Fund.

Structure of the Fund: due to the legal particularities applicable to Title V of the Treaty on the Functioning of the European Union (TFEU), it is not legally possible to establish the Fund as a single financial instrument. The Fund is therefore established as a comprehensive framework for Union financial support in the field of internal security comprising the [instrument for financial support for external borders and visa](#) as well as the instrument for financial support for police cooperation, preventing and combating crime (this Regulation). The new two-pillar structure of funding in the field of home affairs should contribute to the simplification, rationalisation, consolidation and transparency of funding in that field. Synergies, consistency and complementarity should be sought with other funds and programmes, but overlap between the different funding instruments should be avoided.

Purpose and scope: the Regulation stresses the need to seek synergies, consistency and complementarity with other relevant financial instruments of the Union, such as the Union Civil Protection Mechanism, Horizon 2020, the third multiannual programme of Union action in the field of health, the Solidarity Fund and the external aid instruments.

The Instrument shall not apply to matters that are covered by the Justice programme, as set out in [Regulation \(EU\) No 1382/2013](#) of the European Parliament and of the Council. However the Instrument may cover actions that aim at encouraging cooperation between judicial authorities and law enforcement authorities.

Objectives: the Regulation aims to contribute to ensuring a high level of security in the Union. Specific objectives include:

- crime prevention, combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with Europol or other relevant Union bodies, and with relevant third countries and international organisations;
- enhancing the capacity of Member States and the Union for managing effectively security-related risks and crises, and preparing for and protecting people and critical infrastructure against terrorist attacks and other security-related incidents.

The achievement of the specific objectives of the Instrument shall be evaluated using common indicators, as set out in Annex II to the Regulation.

The following operational objectives will contribute to the general objectives :

- develop measures strengthening Member States capability to prevent crime and combat cross-border, serious and organised crime, in particular through public-private partnerships, exchange of information and best practices, and awareness raising;
- promote cooperation among Member States law enforcement authorities, and, where appropriate, with third countries;
- develop training schemes, including regarding technical and professional skills and knowledge of obligations relating to respect for human rights and fundamental freedoms;
- develop measures, safeguards, mechanisms and best practices for early identification, protection and support of witnesses and victims of crime,
- measures strengthening Member States administrative and operational capability to protect critical infrastructure;
- enable the quick production of comprehensive and accurate overviews in crisis situations, and share classified information;
- 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.

Fundamental rights: actions funded under the Instrument shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental Rights of the European Union, Union data protection law and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

In particular, wherever possible, special attention shall be given by Member States when implementing actions to the assistance and protection of vulnerable persons, in particular children and unaccompanied minors.

Financial framework: the global resources for the implementation of the Instrument shall be EUR 1 004 million in current prices from 2014 to 2020 allocated as follows:

- EUR 662 million for the national programmes of Member States;

· EUR 342 million for Union actions, emergency assistance and technical assistance at the initiative of the Commission.

The amount of EUR 662 million shall be allocated to the Member States as follows: (a) 30 % in proportion to the size of their total population; (b) 10 % in proportion to the size of their territory; (c) 15 % in proportion to the number of passengers and 10 % to the tons of cargo processed through their international air and sea ports; (d) 35 % in inverse proportion to their gross domestic product (purchasing power standard per inhabitant).

The allocations for national programmes calculated on the basis of these criteria are set out in Annex III.

Resources for Member States and national programmes: the Regulation sets out the resources for eligible actions in Member States as well as the types of action eligible (national programmes). The list of strategic Union priorities is set out in Annex I.

Member States shall not use more than 8 % of their total allocation under the national programme for the maintenance of Union and national IT systems and not more than 8 % for actions in relation to third countries.

In general terms, Member States should ensure that their national programmes address the specific objectives of the Instrument and that the allocation of resources between objectives is proportionate to the challenges and needs and ensures that the objectives can be met. Where a national programme does not address one of the specific objectives or the allocation is below the minimum percentages for some objectives of the national programmes set in the Regulation, the Member State concerned should provide a justification within the programme.

Union actions: financing will also be provided for:

- EU action: transnational actions or actions of particular interest to the Union, supporting preparatory, and monitoring activities;
- emergency assistance as provided in the Regulation (particularly 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);
- technical assistance, up to EUR 800 000 annually.

Implementation: the provisions of [Regulation \(EU\) No 514/2014](#) of the European Parliament and the Council will apply to the Instrument, particularly with regard to programming, financial management, management and control, clearance of accounts, closure of programmes and reporting and evaluation.

Review: the European Parliament and the Council shall, on the basis of a proposal of the Commission, review this Regulation by 30 June 2020.

Transitional provisions will ensure funding of actions undertaken during the course of the preceding programme.

ENTRY INTO FORCE: 21.05.2014. The Regulation is applicable from 01.01.2014. Transitional provisions will ensure funding of actions undertaken during the course of the preceding programme.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of amending, adding or deleting strategic Union priorities listed in the Regulation. The power to adopt delegated acts is conferred on the Commission for a period of seven years from 21.05.2014.

The European Parliament or the Council may raise objections to a delegated act within a period of two months from the date of notification (this may be extended by two months.) If the European Parliament or Council express objections, the delegated act will not enter into force.