**DRAFT REPORT**


Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Monika Hohlmeier
Symbols for procedures

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

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

Amendments to a draft act

Amendments by Parliament set out in two columns

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

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

Amendments by Parliament in the form of a consolidated text

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

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

on the proposal for a regulation of the European Parliament and of the Council establishing the Internal Security Fund

(Ordinary legislative procedure: first reading)

The European Parliament,

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

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

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

– having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Spanish Parliament and the Portuguese Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,

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

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Budgets (A8-0000/2018),

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

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

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

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

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Amendment 2
Proposal for a regulation
Recital 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 3
Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) The European Council of 15 December 2016 called for continued delivery on the interoperability of EU information systems and databases. The European Council of 23 June 2017 underlined the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration)13.

Amendment

(3) In light of the terrorist attacks that have hit Europe since 2015, the European Council of 18 December 2015 affirmed the urgency of enhancing relevant information sharing and stressed the importance of ensuring the interoperability of the relevant databases with regard to security checks. The European Council of 23 June 2017 reiterated the need to improve the interoperability between databases and on 12 December 2017, the Commission adopted a proposal for a Regulation on establishing a framework for interoperability between EU information systems (Police and judicial cooperation, asylum and migration)13 with a view to
introducing greater consistency, effectiveness and attention to operational needs.

Amendment 4
Proposal for a regulation
Recital 5

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 5
Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In line with the shared priorities identified at Union level to ensure a high level of security in the Union, the Fund will support actions aimed at addressing the main security threats and in particular tackling terrorism and radicalisation,

Amendment

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

radicalisation, serious and organised crime and cybercrime and assisting and protecting victims of crime. The Fund will ensure that the Union and its Member States are well equipped also to address evolving and emerging threats, including hybrid threats, with a view to implementing a genuine security union. This should be pursued through financial assistance to support better information exchange, to increase operational cooperation and improve national and collective capabilities.

Amendment 6

Proposal for a regulation
Recital 12

Text proposed by the Commission

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

Amendment

(12) Within the comprehensive framework of the Fund, the financial assistance provided through the Fund should in particular support police and judicial cooperation and prevention in the fields of serious and organised crime, illicit arms trafficking, corruption, money laundering, drug trafficking, environmental crime, exchange of and access to information, terrorism, trafficking in human beings, exploitation of irregular immigration, child sexual exploitation, distribution of child abuse images and child pornography, and cybercrime. The Fund should also support the protection of people, public spaces and critical infrastructure against security-related incidents and the effective management of security-related risks and crises, including through the development of common policies (strategies, policy cycles, programmes and action plans), legislation and practical cooperation.
**Amendment 7**

**Proposal for a regulation**

**Recital 18**

_Recital 18_

*Text proposed by the Commission*

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

*Amendment*

(18) To contribute to the achievement of the objectives of the Fund, Member States should ensure that the priorities of their programmes address the specific objectives of the Fund, that the priorities chosen are in-line with the implementing measures as set out in *Article 3a* and that the allocation of resources between objectives ensures that the overall policy objective can be met.

**Amendment 8**

**Proposal for a regulation**

**Recital 24**

*Recital 24*

*Text proposed by the Commission*

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

*Amendment*

(24) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the objectives laid down in this Regulation. The implementation of the Fund should be guided by the principles of efficiency, effectiveness and quality of spending. Furthermore, the implementation of the Fund should be as user-friendly as possible.
Amendment 9
Proposal for a regulation
Recital 26

_Text proposed by the Commission_

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

_Amendment_

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

Or. en

Amendment 10
Proposal for a regulation
Recital 27

_Text proposed by the Commission_

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

_Amendment_

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

Or. en
Amendment 11
Proposal for a regulation
Recital 37

Text proposed by the Commission

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

\[\text{________________________}\]

18 Full reference

Or. en

Amendment 12
Proposal for a regulation
Recital 38

Text proposed by the Commission

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

\[\text{________________________}\]

18 Full reference

Or. en
provisions concerning the activities that may be financed with the support of this Fund.

down specific provisions concerning the activities that may be financed with the support of this Fund.

Or. en

Amendment 13
Proposal for a regulation
Recital 40

**Text proposed by the Commission**

(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council\(^1\), Council Regulation (Euratom, EC) No 2988/95\(^2\), Council Regulation (Euratom, EC) No 2185/96\(^3\) and Council Regulation (EU) 2017/1939\(^4\), the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrate investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor’s Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council\(^5\). In accordance with the Financial Regulation, any person or entity receiving Union funds

**Amendment**

(40) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council\(^1\), Council Regulation (Euratom, EC) No 2988/95\(^2\), Council Regulation (Euratom, EC) No 2185/96\(^3\) and Council Regulation (EU) 2017/1939\(^4\), the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities and fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrate investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other criminal offences affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor’s Office may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council\(^5\). In accordance with the Financial Regulation, any person or entity receiving Union funds
is to fully cooperate in the protection of the Union’s financial interests to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

The results of investigations into irregularities or fraud in relation to the Fund should be made available to the European Parliament.

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


Amendment 14
Proposal for a regulation
Recital 43

Text proposed by the Commission

(43) Pursuant to Article 349 of the TFEU and in line with the Commission Communication "A stronger and renewed strategic partnership with the EU's outermost regions\textsuperscript{25}", endorsed by the Council in its conclusion of 12 April 2018, relevant Member States should ensure that their programmes address the specific challenges the outermost regions face. The Fund supports these Member States with adequate resources to help these regions as appropriate.

\textsuperscript{25} COM (2017)623 final.

Or. en

Justification

Irrelevant for the purposes of this regulation!

Amendment 15
Proposal for a regulation
Recital 44

Text proposed by the Commission

(44) Pursuant to paragraph 22 and 23 of the Interinstitutional Agreement for Better Law-Making of 13 April 2016\textsuperscript{26}, there is a need to evaluate this Fund on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burden, in particular on Member States. These requirements, where appropriate, can include \textit{measurable} indicators, as a basis for reporting and decision-making.

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


Amendment 16
Proposal for a regulation
Recital 45

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Given the scope of this regulation, there is not much room for climate actions...
Amendment 17
Proposal for a regulation
Recital 46

Text proposed by the Commission

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

Amendment

(46) Through these indicators and financial reporting, the Commission and the Member States should monitor the implementation of the Fund in accordance with the relevant provisions of Regulation (EU) No X [CPR] and this Regulation. The Commission should present a summary of the accepted annual performance reports to the European Parliament and the Council every year. Upon request, the Commission should make the full text of the annual performance reports available to the European Parliament and the Council.

Or. en

Amendment 18
Proposal for a regulation
Recital 47

Text proposed by the Commission

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

Amendment

(47) In order to supplement and amend non-essential elements in this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of work programmes for the thematic facility, the list of actions eligible for higher co-financing as listed in Annex IV, operating support and in order to further develop the monitoring and evaluation framework. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the
Amendment 19
Proposal for a regulation
Recital 48

**Text proposed by the Commission**

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

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**Amendment**

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

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Or. en

Amendment 20
Proposal for a regulation
Article 1 – paragraph 1
1. This Regulation establishes the Internal Security Fund (‘the Fund’).

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

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

and Home Affairs agencies and where relevant third countries and organisations;

Or. en

Amendment 23
Proposal for a regulation
Article 2 – paragraph 1 – point g

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 24
Proposal for a regulation
Article 2 – paragraph 1 – point h

Text proposed by the Commission

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

Amendment

deleted

Justification

Not needed as no further reference is made throughout the text; police cooperation is not included either.
Amendment 25

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

Text proposed by the Commission

(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat cross-border crime effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS and further referred to in the CEPOL Regulation; 31

Amendment

(i) ‘LETS’ means the European Law Enforcement Training Scheme, aimed at equipping law enforcement officers with the knowledge and skills they need to prevent and combat organised and serious cross-border crime and terrorism effectively through efficient cooperation, as outlined in the Commission Communication of 27 March 2013 on establishing a European LETS and further referred to in the CEPOL Regulation; 31

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


Amendment 26

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

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

Amendment

1. The policy objective of the Fund shall be to contribute to ensuring a high level of security in the Union through increased cooperation, in particular by preventing and combating terrorism and radicalisation, serious and organised crime and cybercrime and by assisting and protecting victims of crime.
Amendment 27
Proposal for a regulation
Article 3 – paragraph 2 – point a

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

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

Or. en

Amendment 28
Proposal for a regulation
Article 3 – paragraph 3

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

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

Or. en

Amendment 29
Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission
4. Actions funded shall be implemented in full respect for fundamental rights and human dignity. In particular, actions shall comply with the provisions of the Charter of Fundamental

Amendment
4. Operations funded shall be implemented in full respect for fundamental rights and human dignity. In particular, operations shall comply with the provisions of the Charter of
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.

Amendment 30

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Implementation measures

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

(a) ensure the uniform application of the Union acquis on security, supporting information exchange, for example via Prüm, EUPNR and SIS II, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;

(b) set up, adapt and maintain security-relevant Union IT systems and communication networks, including ensuring their interoperability, and develop appropriate tools to address identified gaps;

(c) increase the active use of Union security-relevant information exchange tools, systems and databases, improve the
interconnection of security-relevant national databases as well as their connection to Union databases, and ensure that those databases are fed with high quality data;

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

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

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

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

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

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

(a) to increase law enforcement training, exercises, mutual learning, specialised exchange programmes and sharing of best practice including in and with third
countries and other relevant actors;
(b) to exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence, the development of joint risk assessments, or common operational support centres for jointly conducted operations;
(c) to promote and develop measures, safeguards, mechanisms and best practices for the early identification, protection and support of witnesses, whistle-blowers and victims of crime and to develop partnerships between public authorities and other relevant actors to this effect;
(d) to acquire relevant equipment and to set up or upgrade specialised training facilities and other essential security relevant infrastructure to increase preparedness, resilience, public awareness and adequate response to security threats.

Or. en

Amendment 31

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

The list in Annex III is illustrative; actions to be funded “in particular” are the ones listed in
Annex IV for which a higher cofinancing rate applies.

Amendment 32

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

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

Amendment

2. To achieve the objectives referred to in Article 3 of this Regulation, the Fund may support actions in-line with Union priorities, including those referred to in Annex III, in relation to and in third countries, where appropriate, in accordance with Article 5.

Or. en

Amendment 33

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 34

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

Amendment

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

relevant activities, policies and priorities of the Union and is complementary to other Union and national instruments.

Amendment 35
Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Funding from the thematic facility shall address priorities with a high added value to the Union be used to respond to urgent needs, in line with agreed Union priorities as outlined in Article 3a or support measures in accordance with Article 19.

Or. en

Justification

Technical assistance at the initiative of the COM.

Amendment 36
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 at under the annual appropriations of the Union budget. The Commission shall adopt financing decisions as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for each of its components as referred to paragraph 1. Financing decisions shall set out, where applicable,

Amendment

5. The Commission shall establish the overall amount made available for the thematic facility at under the annual appropriations of the Union budget. The Commission shall be empowered to adopt delegated acts in accordance with Article 28 in order to supplement this Regulation by laying down work programmes as referred to in Article [110] of the Financial Regulation for the thematic facility identifying the objectives and actions to be supported and specifying the amounts for
the overall amount reserved for blending operations.

Each of its components as referred to paragraph 1. \textit{Work programmes} shall set out, where applicable, the overall amount reserved for blending operations. \textit{To ensure a timely availability of resources, the Commission may separately adopt a work programme for emergency assistance.}

Amendment 37

Proposal for a regulation
Article 8 – paragraph 6

\textit{Text proposed by the Commission}

6. Following the \textit{adoption} of the \textit{financing decision} as referred to in paragraph 3, the Commission may amend the programmes implemented under shared management accordingly.

\textit{Amendment}

6. Following the \textit{adoption} of the \textit{work programme} as referred to in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly.

Amendment 38

Proposal for a regulation
Article 8 – paragraph 7

\textit{Text proposed by the Commission}

7. These \textit{financing decisions} may be annual or multiannual and may cover one or more components of the thematic facility.

\textit{Amendment}

7. These \textit{work programmes} may be annual or multiannual and may cover one or more components of the thematic facility.

Or. en
Amendment 39

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

Amendment

1. Each Member State and the *Commission* shall ensure that the priorities addressed in *the* programmes are consistent with and respond to Union priorities and challenges in the area of security and are fully in line with the relevant Union acquis and agreed Union priorities. In defining these priorities of their programmes, Member States shall ensure that the implementing measures as set out in *Article 3a* are adequately addressed in the programme.

Or. en

Amendment 40

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. en
Amendment 41

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

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

Amendment

4. Member State programme may use an adequate part of their national allocation for the purchase of equipment, means of transport or the construction of security-relevant facilities.

Or. en

Amendment 42

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 43

Proposal for a regulation
Article 12 – paragraph 9
Text proposed by the Commission

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

Amendment

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

Amendment 44

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 the programme referred to in paragraph 1.

Amendment

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

Amendment 45

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

Amendment

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

Or. en

Amendment 46
Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 47
Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Many Member States will need to use EU funding support for the operation of equipment/IT

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to ensure connection to the European IT systems.

Amendment 48
Proposal for a regulation
Article 15 – paragraph 5

Text proposed by the Commission

5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.

Amendment

5. Operating support shall be concentrated on actions as laid down in Annex VII.

Or. en

Amendment 49
Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 50
Proposal for a regulation
Article 21 – paragraph 1
Text proposed by the Commission

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

Amendment

1. The recipient of Union funding shall **promote** the actions and their results by providing coherent, effective and proportionate targeted information to multiple **relevant** audiences, including media and the public. **To ensure the visibility of Union funding, recipients of Union funding shall make reference to its origin when communicating on the action.**

Or. en

Amendment 51

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

*It is necessary to clarify who takes the decisions. To ensure transparency, EP and Council need to be informed.*
Amendment 52
Proposal for a regulation
Article 22 – paragraph 4 a (new)

Text proposed by the Commission

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

Amendment

Amendment 53
Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission

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

Amendment

1. An operation that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the operation and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
Amendment 54

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

Text proposed by the Commission  
Amendment

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

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

Or. en

Amendment 55

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

Text proposed by the Commission  
Amendment

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

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

Or. en

Amendment 56

Proposal for a regulation  
Article 26 – paragraph 3 a (new)
3 a. The Commission shall submit a summary of the annual performance reports to the European Parliament and the Council on an annual basis. The full text of the annual performance reports shall be made available to the European Parliament and the Council upon request.

Amendment 57

Proposal for a regulation
Article 28 – paragraph 2

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

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

Amendment 58

Proposal for a regulation
Article 28 – paragraph 3

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

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

Or. en

Amendment 59

Proposal for a regulation
Article 28 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 60

Proposal for a regulation
Article 29 – paragraph 3

Text proposed by the Commission

3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 26(4).

Amendment

deleted

Or. en
Amendment 61
Proposal for a regulation
Annex II

Text proposed by the Commission

[...]

deleted

Or. en

Amendment 62
Proposal for a regulation
Annex III – title

Text proposed by the Commission

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

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

Or. en

Amendment 63
Proposal for a regulation
Annex III – introductory part

Text proposed by the Commission

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

Or. en

Amendment 64
Proposal for a regulation
Annex III – indent 1
Text proposed by the Commission

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

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

Or. en

Amendment 65

Proposal for a regulation
Annex IV – indent 1

Text proposed by the Commission

— Projects which aim to prevent and counter radicalisation.

— Projects which aim to prevent and counter radicalisation, in particular measures to prevent radicalisation in prisons and projects providing specific training for law-enforcement authorities.

Or. en

Amendment 66

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

Text proposed by the Commission

— Projects which aim to fight cybercrime

Or. en

Amendment 67

Proposal for a regulation
Annex IV – indent 2 b (new)
Text proposed by the Commission

Amendment

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

Or. en

Amendment 68

Proposal for a regulation
Annex V – part 2 – point 3 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 69

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

Text proposed by the Commission

Amendment

10a          OC - Laundering of the proceeds of crime

Or. en
Amendment 70

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 71

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 72

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

Text proposed by the Commission

Amendment

data source: Europol, EU-LISA, Council, Member States
data source: Europol, EU-LISA, Member States

Or. en
### Amendment 73

#### Proposal for a regulation

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

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
</table>
| Number of *active* users of EU and where relevant national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total users. | Number of users of EU and where relevant national security relevant information exchange tools, systems and databases added with support from the Fund, as compared to number of total *eligible* users. |}

**Or. en**

#### Justification

*To be meaningful, the indicator should measure the additional users in comparison to all users (either all active or eligible).*