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**NOTE**

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From:	Presidency
To:	Delegations
No. prev. doc.:	ST 12484/24 + ST 13345/24
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Subject:	Proposal for a Directive of the European Parliament and of the Council laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA - Presidency discussion paper with a revised text

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On page 23, recital 14a concerning instrumentalisation should read as follows:

**(14a) The notion of ‘instrumentalisation’ should be understood as a situation where a third country or hostile non-state actor, encourages or facilitates the movement of third country nationals and stateless persons to the external borders or to a Member State, with the aim of destabilising the Union or a Member State where such actions are liable to put at risk essential functions of a Member State, including the maintenance of law and order or the safeguard of its national security, as referred to in Article 1(4) point (b) and recitals 14, 15, 16 and 19 of Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum and amending Regulation (EU) 2021/1147.**