

Draft
Regulation of the European Parliament and of the Council establishing
the Neighbourhood, Development and International Cooperation Instrument
(NDICI)*

Investment (EFSD+ and EAG)

- *version of 24 September 2020*

- Article 2 (7)–(8a)
- Articles 26-30
 - *Article 26a - Objectives for the EFSD+ (EP)*
 - *Article 26 bis - Structure of the EFSD+ (CNS)*
 - *Article 27a - Governance and structure of the EFSD + (EP) (re annex VI)*
 - *Article 26 ter - Strategic board of the EFSD+ (CNS)*
 - *Article 26 quater - Regional operational boards*
 - *Article 27 bis - Role of the European Investment Bank (CNS)*
 - *Article 29a - Grievance and redress mechanism (EP)*
 - *Article 29b - Excluded activities and noncooperative jurisdictions (EP)*
- Article 31 (6a)
- Article 32 (3)
- Annexes V and VI

The proposed Regulation is part of the package of proposals linked to the MFF 2021-2027 and therefore dependent on the outcome of the horizontal negotiations. Pending these, the reference amounts in Article 6 are put within square brackets. Other provisions of the draft NDICI Regulation appear in square brackets due to their inclusion in the draft Negotiating Box set out in ST 10010/19. All provisions which appear between square brackets are excluded from the Council negotiating mandate at this stage. Moreover, other provisions, on which the discussions are ongoing have been deleted, as they do not form part of the Council partial negotiating mandate. Provisions related to the participation of non-EU countries have not been amended due to the horizontal nature of such provisions.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council negotiating mandate</i>	<i>Compromise proposal</i>	<i>Comments</i>
			FROM CLUSTER 9		
74.	(7) “investment window” shall mean a targeted area for support by the EFSD+ Guarantee to portfolios of investments in specific regions, countries or sectors;	(7) “investment window” shall mean a targeted area for support by the EFSD+ Guarantee to portfolios of investments in specific regions, countries or sectors;	(7) “investment window” shall mean a targeted area for support by the EFSD+ Guarantee to portfolios of investments in specific regions, countries or sectors;	(7) “investment window” shall mean a targeted area for support by the EFSD+ Guarantee to portfolios of investments in specific regions, countries or sectors;	<i>Provisionally closed</i>
74. bis			<i>(7 bis) “additionality” shall have the meaning prescribed to it in Article 209(2) of the Financial Regulation and shall ensure that the External Action Guarantee support under the EFSD+ contributes to sustainable development by operations which could not have been carried out without that Guarantee, or which achieve positive results above and beyond what could have been achieved without it. Additionality also</i>	<i>(7 bis) “additionality” as referred to in Article 209(2) of the Financial Regulation, shall mean the principle according to which, in the context of this regulation and the IPA regulation, the External Action Guarantee support under the EFSD+ contributes to sustainable development by operations which could not have been carried out without that Guarantee, or which achieve positive results above and beyond what could have been</i>	<i>Provisionally closed</i>

			<p><i>means crowding in private sector funding and addressing market failures or sub-optimal investment situations as well as improving the quality, sustainability, impact or scale of an investment. The principle also ensures that External Action Guarantee operations do not replace the support of a Member State, private funding or another Union or international financial intervention, and avoid crowding out other public or private investments unless duly justified in accordance with the strategic objectives of this Regulation. Projects supported by the External Action Guarantee typically have a higher risk profile than the portfolio of investments supported by the eligible counterparts under</i></p>	<p><i>achieved without it. The principle of additionality also means that the operations supported by the External Action Guarantee shall crowd in private sector funding and address market failures or sub-optimal investment situations as well as improving the quality, sustainability, impact or scale of an investment. The principle also ensures that External Action Guarantee operations do not replace the support of a Member State, private funding or another Union or international financial intervention, and avoid crowding out other public or private investments unless duly justified in accordance with the objectives and principles of this Regulation. Projects supported by the</i></p>	
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			<i>their normal investment policies without the External Action Guarantee;</i>	<i>External Action Guarantee typically have a higher risk profile than the portfolio of investments supported by the eligible counterparts under their normal investment policies without the External Action Guarantee;</i>	
74. ter			<i>(7 ter) “operations with sovereign counterparts and non-commercial sub-sovereign counterparts” shall mean any operation where the counterpart is either directly a State or a public entity fully backed by an explicit guarantee of the State because it does not have the legal capacity and/or the financial autonomy/ability to benefit from necessary direct financing;</i>	<i>(7 ter) “operations with sovereign counterparts and non-commercial sub-sovereign counterparts” shall mean any operation where the counterpart is either directly a State or a public entity fully backed by an explicit guarantee of the State because it does not have the legal capacity and/or the financial autonomy/ability to benefit from necessary direct financing;</i>	<i>Provisionally closed</i>
74. quater			<i>(7 quater) “operations with commercial sub-sovereign counterparts” shall mean any</i>	<i>(7 quater) “operations with commercial sub-sovereign counterparts” shall</i>	{1} <i>CL:</i>

			<i>operation where the counterpart is a public entity not backed by an explicit guarantee of a State and that is financially able to borrow at its own risk and has the legal capacity to do so;</i>	<i>mean any operation where the counterpart is a public entity {1} that is financially able to borrow at its own risk and has the legal capacity to do so;</i>	<i>not backed by an explicit guarantee of a State and</i> <i>EP:</i> <i>No text</i>
75.	(8) “contributor” shall mean a Member State, an international finance institution, or a public institution of a Member State, a public agency or other entities contributing in cash or in guarantees to the common provisioning fund.	(8) “contributor” shall mean <i>means</i> a Member State, an international finance institution, or a public institution of a Member State, a public agency or other public or private entities contributing in cash or in guarantees to the common provisioning fund;	(8) “contributor” shall mean a Member State, an international finance institution, or a public institution of a Member State, a public agency, or other entities contributing in cash or in guarantees to the common provisioning fund.;	(8) “contributor” shall mean a Member State, an international finance institution, or a public institution of a Member State, a public agency or other public or private entities contributing in cash or in guarantees to the common provisioning fund.	<i>Provisionally closed</i>
75.bis		<i>(8a) ‘additionality’ means the principle which ensures that the External Action Guarantee contributes to sustainable development by operations which could not have been carried out without it, or which achieve positive results</i>			<i>Provisionally closed</i>

		<p><i>above and beyond what could have been achieved without it, as well as crowding in private sector funding and addressing market failures or sub-optimal investment situations as well as improving the quality, sustainability, impact or scale of an investment. The principle also ensures that investment and financing operations covered by the External Action Guarantee do not replace the support of a Member State, private funding or another Union or international financial intervention, and avoid crowding out other public or private investments. Projects supported by the External Action Guarantee typically have a higher risk profile than the portfolio of investments supported by the eligible</i></p>			
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		<i>counterparts under their normal investment policies without the External Action Guarantee;</i>			
			CLUSTER 4		
336.	Chapter IV EFSD+, budgetary guarantees and financial assistance to third countries	Chapter IV EFSD+, budgetary guarantees and financial assistance to third countries	Chapter IV EFSD+, budgetary guarantees and financial assistance to third countries	Chapter IV EFSD+, budgetary guarantees and financial assistance to third countries	<i>Provisionally closed</i>
337.	Article 26 Scope and financing	Article 26 Scope and financing	Article 26 Scope and financing	Article 26 Scope and financing	<i>Provisionally closed</i>
338.	1. The financial envelope referred to in Article (6)(2)(a) shall finance the European Fund for Sustainable Development Plus (EFSD+) and the External Action Guarantee.	1. The financial envelope referred to in Article (6)(2)(a) shall finance The European Fund for Sustainable Development Plus (EFSD+) and the External Action Guarantee <i>shall be financed through the financial envelopes for geographic programmes referred to in point (a) of Article 6(2), whilst ensuring that this financing is not to the detriment of other actions supported by geographic</i>	1. The financial envelope referred to in Article (6)(2)(a) shall finance the European Fund for Sustainable Development Plus (EFSD+) and the External Action Guarantee.	1. The financial envelope referred to in Article (6)(2)(a) shall finance the European Fund for Sustainable Development Plus (EFSD+) and the External Action Guarantee.	<i>Provisionally closed</i>

339.	<p>The purpose of the EFSD+ as an integrated financial package supplying financial capacity drawing on the methods of implementation set up in Article 23(1)(a), (e), (f) and (g), shall be to support investments and increase access to financing, in order to foster sustainable and inclusive economic and social development and promote the socio-economic resilience in partner countries with a particular focus on the, eradication of poverty, sustainable and inclusive growth, the creation of decent jobs, economic opportunities, skills and entrepreneurship, socioeconomic sectors, micro, small and medium-sized enterprises as well as addressing specific socioeconomic root</p>	<p><i>programmes.</i></p> <p>The purpose of the EFSD+ as an integrated financial package supplying financial capacity drawing on the methods of implementation set up in the form of grants, guarantees and other financial instruments as set out in Article 23(1)(a), (e), (f) and (g), shall be to support investments and increase access to financing, while maximising additionality, delivering innovative products and crowding in private sector, in order to foster sustainable and inclusive economic, environmental and social development, and industrialisation and a stable investment environment, in order to promote the socio-economic and environmental resilience in partner countries with a particular focus on the,</p>	<p>The purpose of the EFSD+ as an integrated financial package supplying financial capacity drawing on the methods of implementation set up in the form of grants, technical assistance, financial instruments, budgetary guarantees and blending operations referred to in Article 23(1)(a), (e), (f) and (g), shall be to support investments and increase access to financing, in order to as a means of contributing to the achievement of the objectives and principles referred to in Articles 3 and 8 of this Regulation, and, where relevant, with the objectives of [IPA III]. The EFSD+ shall in particular foster sustainable and inclusive economic and social development and promote the socio-</p>	<p>The purpose of the EFSD+ as an integrated financial package supplying financial capacity drawing on the methods of implementation set up in the form of grants, technical assistance, financial instruments, budgetary guarantees and blending operations referred to in Article 23(1)(a), (e), (f) and (g), shall be to support investments and increase access to financing, as a means of contributing to the achievement of the objectives and principles referred to in Articles 3 and 8 of this Regulation, and, where relevant, the objectives of [IPA III] while maximising additionality and development impact and delivering innovative products,</p>	<p><i>Provisionally closed pending migration and climate discussions</i></p> <p>{1}</p> <p>To be discussed under migration debate</p> <p>EP: as well as addressing specific socioeconomic root causes of irregular migration and forced displacement, and contributing to the sustainable reintegration of returned migrants in</p>
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	<p>causes of irregular migration, in accordance with the relevant indicative programming documents. Special attention shall be given to countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries.</p>	<p>eradication of poverty, sustainable and inclusive growth, <i>climate change adaptation and mitigation, environmental protection and management</i>, the creation of decent jobs <i>in compliance with relevant ILO standards, in particular for vulnerable groups, including women and young people</i>, economic opportunities, skills and entrepreneurship, socioeconomic sectors, <i>with a focus on social enterprises and cooperatives in view of their potential to reduce poverty, inequalities, and promote human rights and livelihoods, supporting</i> micro, small and medium-sized enterprises as well as addressing specific socioeconomic root causes of irregular migration <i>and forced displacement, and</i></p>	<p>economic resilience in partner countries with a particular focus on the; eradication of poverty, sustainable and inclusive growth, the creation of decent jobs, economic opportunities, skills and entrepreneurship, socioeconomic sectors, micro, small and medium-sized enterprises, <i>sustainable connectivity, the fight against climate change and the management and protection of the environment, gender equality and the empowerment of women and young people</i>, as well as addressing specific socioeconomic root causes of irregular migration <i>and root causes of forced displacement</i>, in accordance with the relevant indicative programming documents <i>and while maximising additionality and</i></p>	<p><i>including to micro, small and medium-sized enterprises. The EFSD+ shall in particular</i> foster sustainable and inclusive economic, <i>environmental</i> and social development, <i>transition into sustainable value-added economy, a stable investment environment, in order to</i> and promote the socio-economic <i>and environmental</i> resilience in partner countries with a particular focus on the; eradication of poverty, <i>contributing to the reduction of socio-economic inequalities,</i> sustainable and inclusive growth, <i>climate change adaptation and mitigation, environmental protection and management,</i> the</p>	<p><i>their countries of origin,</i></p> <p>CL: as well as addressing specific socioeconomic root causes of irregular migration <i>and root causes of forced displacement,</i></p> <p>{2} Part of the targets discussion</p> <p>EP: <i>45 % of the financing shall be allocated to investments that contribute to climate objectives, environmental management and protection, biodiversity and combatting desertification, of which 30 % of the overall financial envelope shall be dedicated to climate change mitigation and</i></p>
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		<p><i>contributing to the sustainable reintegration of returned migrants in their countries of origin</i>, in accordance with the relevant indicative programming documents. 45 % of the financing shall be allocated to investments that contribute to climate objectives, environmental management and protection, biodiversity and combatting desertification, of which 30 % of the overall financial envelope shall be dedicated to climate change mitigation and adaptation. Special attention, and additional support for institutional capacity building, economic governance, and technical assistance, shall be given to countries identified as experiencing fragility or conflict, Least</p>	<p>development impact, delivering innovative products and crowding in private sector funds, including micro, small and medium-sized enterprises. Special attention shall be given to countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries.</p>	<p>creation of decent jobs on the basis of the core ILO labour standards, economic opportunities, skills and entrepreneurship, socioeconomic sectors, including social enterprises and cooperatives, micro, small and medium-sized enterprises, sustainable connectivity, the support to vulnerable groups, the promotion of human rights, gender equality and the empowerment of women and young people, {1} in accordance with the relevant indicative programming documents. {2} Special attention shall be given to countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries, including by providing support for institutional</p>	<p>adaptation.</p> <p>CL: No text</p>
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		Developed Countries and heavily indebted poor countries. <i>The External Action Guarantee shall be used in addition to the government's investment in essential public services, which remain a governmental responsibility.</i>		<i>capacity building, economic governance and technical assistance.</i>	
340.	2. The External Action Guarantee shall support the EFSD+ operations covered by budgetary guarantees in accordance with Articles 27, 28 and 29 of this Regulation, macro-financial assistance and loans to third countries referred to in Article 10(2) of Regulation EINS.	2. The External Action Guarantee shall support the EFSD+ operations covered by budgetary guarantees in accordance with Articles 27, 28 and 29 of this Regulation, macro-financial assistance and loans to third countries referred to in Article 10(2) of Regulation EINS.	2. The External Action Guarantee shall support the EFSD+ operations covered by budgetary guarantees in accordance with Articles 27, 28 and 29 of this Regulation;. <i>The External Action Guarantee shall also support</i> macro-financial assistance and loans to third countries referred to in Article 10(2) of Regulation EINS.	2. The External Action Guarantee shall support the EFSD+ operations covered by budgetary guarantees in accordance with Articles 27, 28 and 29 of this Regulation. <i>The External Action Guarantee shall also support</i> macro-financial assistance and loans to third countries referred to in Article 10(2) of Regulation EINS.	<i>Provisionally closed</i>
341.	3. Under the External Action Guarantee, the Union may guarantee operations, signed between 1 January 2021 and 31 December 2027,	3. Under the External Action Guarantee, the Union may guarantee operations, signed between 1 January 2021 and 31 December 2027,	3. Under the External Action Guarantee, the Union may guarantee operations, signed <i>under Guarantee Agreements approved</i> between	3. Under the External Action Guarantee, the Union may guarantee operations, signed <i>under Guarantee Agreements signed</i>	<i>Provisionally closed pending overall agreement on the budget</i>

	up to [EUR 60 000 000 000].	up to EUR 60 000 000 000. <i>That ceiling shall be reviewed in the context of the mid-term evaluation report pursuant to Article 32.</i>	1 January 2021 and 31 December 2027, up to EUR 60 000 53 449 000 000 million.	between 1 January 2021 and 31 December 2027, up to {1}.	Reference to mid-term review included in Article 32 {1} CL: EUR 53 449 million EP: EUR 60 000 million
342.	4. The provisioning rate shall range between 9% and 50% depending on the type of operations.	4. The provisioning rate shall range between 9 % and 50 % depending on the type of operations. <i>A maximum amount of EUR 10 billion shall be provisioned from the Union budget through a specific budget line in the framework of the annual budgetary procedure or through a budget transfer. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to amend this maximum amount if the need arises.</i>	4. The provisioning rate shall range between 9 % and 50 % depending on the type of operations.	4. The provisioning rate shall range between 9 % and 50 % depending on the type of operations. {1}	{1} EP: <i>A maximum amount of EUR 10 billion shall be provisioned from the Union budget. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to amend this maximum amount if the need arises.</i> CL: No text
343.	The provisioning rate	The provisioning rate for	The provisioning rate for	The provisioning rate	<i>Provisionally closed</i>

	for the External Action Guarantee shall be 9% for the Union's macro-financial assistance and for budgetary guarantees covering sovereign risks associated with lending operations.	the External Action Guarantee shall be 9 % for the Union's macro-financial assistance and for budgetary guarantees covering sovereign risks associated with lending operations.	the External Action Guarantee shall be 9 % for the Union's macro-financial assistance and for budgetary guarantees covering sovereign risks associated with lending operations.	for the External Action Guarantee shall be 9 % for the Union's macro-financial assistance and for budgetary guarantees covering sovereign risks associated with lending operations.	
344.	The provisioning rates shall be reviewed every three years from the date of application of this Regulation laid down in Article 40. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend these rates.	The provisioning rates shall be reviewed every three two years starting from the date of application of this Regulation laid down in Article 40. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend these rates, and the financial amounts involved.	The provisioning rates shall be reviewed every three years from the date of application of this Regulation laid down in Article 40. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend these rates.	The provisioning rates shall be reviewed at least every three years from the date of application of this Regulation laid down in Article 40. {1}	<i>Provisionally closed pending governance discussion (cluster 8)</i> {1} EP: The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend these rates. CL: no text
345.	5. The External Action Guarantee shall be considered as a single guarantee in the common provisioning	5. The External Action Guarantee shall be considered as a single guarantee in the common provisioning	5. The External Action Guarantee shall be considered as a single guarantee in the common provisioning	5. The External Action Guarantee shall be considered as a single guarantee in the common provisioning	<i>Provisionally closed</i>

	fund established by Article 212 of the Financial Regulation.	fund established by Article 212 of the Financial Regulation.	fund established by Article 212 of the Financial Regulation.	fund established by Article 212 of the Financial Regulation.	
346.	6. The EFSD+ and the External Action Guarantee may support financing and investment operations in partner countries in the geographical areas referred to in Article 4(2). The provisioning of the External Action Guarantee shall be financed from the budget of the relevant geographic programmes established by Article 6(2)(a) and shall be transferred into the common provisioning fund. The EFSD+ and the External Action Guarantee may also support operations in beneficiaries listed in Annex I of Regulation IPA III. The funding for these operations under the EFSD+ and for the provisioning of the External Action Guarantee shall be	6. The EFSD+ and the External Action Guarantee may support financing and investment operations in partner countries in the geographical areas referred to in Article 4(2). The provisioning of the External Action Guarantee shall be financed from the budget of the relevant geographic programmes established by Article 6(2)(a) and shall be transferred into the common provisioning fund. <i>The geographic distribution of EFSD+ operations shall, to the maximum extent possible, also reflect the relative weight of the financial allocations for the different regions as outlined in point (a) of Article 6(2).</i> The EFSD+ and the External Action Guarantee may also	6. The EFSD+ and the External Action Guarantee may support financing and investment operations in partner countries in the geographical areas referred to in Article 4(2). The provisioning of the External Action Guarantee shall be financed from the budget of the relevant geographic programmes established by Article 6(2)(a) and shall be transferred into the common provisioning fund. The EFSD+ and the External Action Guarantee may also support operations in beneficiaries listed in Annex I of Regulation [IPA III]. The funding for these operations under the EFSD+ and for the provisioning of the External Action Guarantee shall be	6. The EFSD+ and the External Action Guarantee may support financing and investment operations in partner countries in the geographical areas referred to in Article 4(2). The provisioning of the External Action Guarantee shall be financed from the budget of the relevant geographic programmes established by Article 6(2)(a) and shall be transferred into the common provisioning fund. The EFSD+ and the External Action Guarantee may also support operations in beneficiaries listed in Annex I of Regulation [IPA III]. The funding for these operations under the EFSD+ and for the provisioning of the External Action Guarantee shall be	<i>Provisionally closed</i>

	financed from the Regulation IPA. The provisioning of the External Action Guarantee for loans to third countries referred to in Article 10 (2) of Regulation EINS shall be financed from Regulation EINS.	support operations in beneficiaries listed in Annex I of the IPA III Regulation. The funding for these operations under the EFSD+ and for the provisioning of the External Action Guarantee shall be financed from the Regulation IPA. The provisioning of the External Action Guarantee for loans to third countries referred to in Article 10 (2) of Regulation EINS shall be financed from Regulation EINS.	financed from the Regulation IPA. The provisioning of the External Action Guarantee for loans to third countries referred to in Article 10 (2) of Regulation EINS shall be financed from Regulation EINS.	financed from the Regulation IPA. The provisioning of the External Action Guarantee for loans to third countries referred to in Article 10 (2) of Regulation EINS shall be financed from Regulation EINS.	
347.	7. The provisioning referred to in Article 211(2) of the Financial Regulation shall be constituted on the basis of the Union's total outstanding liabilities arising from each operation, including operations signed before 2021 and guaranteed by the Union. The annual amount of provisioning required may be	7. The provisioning referred to in Article 211(2) of the Financial Regulation shall be constituted on the basis of the Union's total outstanding liabilities arising from each operation, including operations signed before 2021 and guaranteed by the Union. The annual amount of provisioning required may be	7. The provisioning referred to in Article 211(2) of the Financial Regulation shall be constituted on the basis of the Union's total outstanding liabilities arising from each operation, including operations signed before 2021 and guaranteed by the Union. The annual amount of provisioning required may be	7. The provisioning referred to in Article 211(2) of the Financial Regulation shall be constituted on the basis of the Union's total <i>outstanding</i> liabilities <i>authorised under the present Regulation arising from each operation, including operations signed before 2021 and</i>	<i>Provisionally closed</i>

	constituted during a period of up to seven years.	constituted during a period of up to seven years.	constituted during a period of up to seven years.	<i>guaranteed by the Union.</i> The annual amount of provisioning required may be constituted during a period of up to seven years. <i>The provisioning of guarantees authorised under Regulation (EU) 2017/1601 and of guarantees, financial assistance and Euratom loans to third countries authorised under basic acts whose provisioning is governed by Regulation (EC, Euratom) No 480/2009 shall continue to follow the provisions of those Regulations.</i>	
348.	8. The balance of assets by 31 December 2020 in the EFSD Guarantee Fund and in the Guarantee fund for external actions established respectively by Regulation EU 2017/1601 of the	8. The balance of assets by 31 December 2020 in the EFSD Guarantee Fund and in the Guarantee fund for external actions established respectively by Regulation EU 2017/1601 of the	8. The balance of assets by 31 December 2020 in the EFSD Guarantee Fund and in the Guarantee fund for external actions established respectively by Regulation EU 2017/1601 of the	8. The balance of assets by 31 December 2020 in the EFSD Guarantee Fund and in the Guarantee fund for external actions established respectively by Regulation EU 2017/1601 of the	<i>Provisionally closed</i>

	European Parliament and the Council and Council Regulation (EC, Euratom) No 480/2009 shall be transferred into the common provisioning fund for the purpose of provisioning its respective operations under the same single guarantee provided for in paragraph 4 of this Article.	European Parliament and the Council and Council Regulation (EC, Euratom) No 480/2009 shall be transferred into the common provisioning fund for the purpose of provisioning its respective operations under the same single guarantee provided for in paragraph 4 of this Article.	European Parliament and the Council and Council Regulation (EC, Euratom) No 480/2009 shall be transferred into the common provisioning fund for the purpose of provisioning its respective operations under the same single guarantee provided for in paragraph 4 of this Article.	European Parliament and the Council and Council Regulation (EC, Euratom) No 480/2009 shall be transferred into the common provisioning fund for the purpose of provisioning its respective operations under the same single guarantee provided for in paragraph 4 of this Article.	
				{1}	{1} EP: Article 26a Priority Areas for the EFSD+ Request for article on priority areas, in line with Annex V priorities. Part of governance cluster.
348. bis		Article 26a Objectives for the EFSD+	Article 26 bis Structure of the EFSD+	Article 26 bis Structure of the EFSD+	<i>Provisionally closed</i>
348. ter		1. The EFSD+ operations eligible for support through the External Action Guarantee shall contribute to the	1. The EFSD+ shall be composed of regional investment platforms within the regional areas laid down in Article 4(2) and	1. The EFSD+ shall be composed of regional investment platforms within the regional areas laid down in Article 4(2) and the	<i>Provisionally closed</i>

		<i>following priority areas:</i>	<i>established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External Action Guarantee operations under the EFSD+.</i>	<i>IPA Regulation and established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External Action Guarantee operations under the EFSD+.</i>	
348. quater		<i>(a) providing finance and support to private, cooperative and social enterprise sector development to contribute to sustainable development in its economic, social and environmental dimensions with a particular focus on the eradication of poverty and, where appropriate, the European Neighbourhood Policy and the objectives set out in Article 3 of the of Regulation EU.../... [IPA III];</i>			<i>Provisionally closed</i>

348. quin- quies		<i>(b) addressing bottlenecks to private investments, in particular by ensuring the legal security of investments;</i>			<i>Provisionally closed</i>
348. sexies		<i>(c) leveraging private sector financing, with a particular focus on micro, small and medium-sized enterprises;</i>			<i>Provisionally closed</i>
348. septies		<i>(d) strengthening socio-economic sectors and areas and related public and private infrastructure and sustainable connectivity and sustainable production, with the objective of promoting an inclusive and sustainable socio-economic development that respects human rights and the environment;</i>			<i>Provisionally closed</i>
348. octies		<i>(e) contributing to climate action and environmental protection and management;</i>			<i>Provisionally closed</i>

348. nonies		<i>(f) contributing, by promoting sustainable development, to addressing specific root causes of migration, including irregular migration and forced displacement, and contribute to safe, orderly and regular migration and mobility.</i>			<i>Provisionally closed</i>
348. decies			<i>2. The management of the EFSD+ shall be ensured by the Commission.</i>	<i>2. The management of the EFSD+ shall be ensured by the Commission.</i>	<i>Provisionally closed</i>
348. un- decies			<i>Article 26 ter Strategic board of the EFSD+</i>	<i>Article 26 ter Strategic board of the EFSD+</i>	<i>Provisionally closed</i>
348. duo- decies			<i>1. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the Western Balkans' beneficiaries of [IPA III], which shall have its specific strategic board.</i>	<i>1. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the Western Balkans' beneficiaries of [IPA III], which shall have its specific strategic board.</i>	<i>Provisionally closed pending IPA agreement</i>
348. ter- decies			<i>2. The strategic board shall advise the Commission on the</i>	<i>2. The EFSD+ strategic board shall advise the Commission on the</i>	<i>Provisionally closed pending overall agreement on number of</i>

			<p><i>strategic orientation and priorities of External Action Guarantee investments under the EFSD+, including for the windows defined in article 27bis(1) and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood Policy, as well as with the objectives set out in Articles 3 of this Regulation and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate and diversified geographical and thematic coverage for</i></p>	<p><i>strategic orientation and priorities of External Action Guarantee investments under the EFSD+{1} and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood policy, as well as with the objectives set out in Articles 3 of this Regulation and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate and diversified geographical and thematic coverage for investment windows.</i></p>	<p><i>windows in Article 27 bis</i> {1} CL: <i>, including for the windows defined in article 27bis(1)</i> EP: No text</p>
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			<i>investment windows.</i>		
348. quater-decies			<i>3. The strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the External Investment Plan, between the External Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, including the fight against climate change, as well as with other programmes set out in this Regulation.</i>	<i>3. The EFSD+ strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the External Investment Plan, between the External Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, including the fight against climate change, as well as with Union external programmes and financing instruments.</i>	<i>Provisionally closed</i>
348. quin-decies			<i>4. The strategic board shall be composed of representatives of the Commission and of the High Representative, of all Member States and of the EIB. The European Parliament</i>	<i>4. The EFSD+ strategic board shall be composed of representatives of the Commission and of the High Representative, of all Member States and of the European</i>	<i>Provisionally closed</i>

			<p><i>shall have observer status. Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The strategic board shall be consulted prior to the inclusion of any new observer. The strategic board shall be co-chaired by the Commission and the High Representative.</i></p>	<p><i>Investment Bank. The European Parliament shall have observer status. Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The EFSD+ strategic board shall be consulted prior to the inclusion of any new observer. The EFSD+ strategic board shall be co-chaired by the Commission and the High Representative.</i></p>	
348. sex-decies			<p><i>5. The strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed during</i></p>	<p><i>5. The EFSD+ strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed</i></p>	<i>Provisionally closed</i>

			<p><i>the first meeting of the strategic board and laid down in its rules of procedure shall apply. The rules of procedure shall set out the framework regarding the role of observers. The minutes and agendas of the meetings of the strategic board shall, following their adoption, be made public.</i></p>	<p><i>during the first meeting of the EFSD+ strategic board and laid down in its rules of procedure shall apply. The rules of procedure shall set out the framework regarding the role of observers. The minutes and agendas of the meetings of the EFSD+ strategic board shall, following their adoption, be made public.</i></p>	
348. sept-decies			<p><i>6. The strategic board shall examine the annual report submitted by the Commission on progress made in respect of the implementation of the EFSD+. The strategic board covering the Western Balkans shall inform on progress made on the implementation of the guarantee instrument for the Western Balkans region to complement the above-mentioned reporting. The strategic</i></p>	<p><i>6. The Commission shall report annually to the EFSD+ strategic board about the progress made in respect of the implementation of the EFSD+. The strategic board covering the Western Balkans shall inform on progress made on the implementation of the guarantee instrument for that region to complement the above mentioned reporting. The strategic board</i></p>	<p><i>Provisionally closed pending IPA agreement</i></p>

			<i>board shall examine the evaluations referred to in Article 31(5) and shall take them into account.</i>	<i>shall examine the evaluations referred to in Article 31(5) and shall take them into account.</i>	
348. octo-decies			<i>The strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and implementation of the EFSD+.</i>	<i>The EFSD+ strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and implementation of the EFSD+.</i>	<i>Provisionally closed</i>
348. novo-decies			<i>7. The existence of the two strategic boards does not bear influence on the need to have a single, unified EFSD+ risk management framework.</i>	<i>7. The existence of the EFSD+ strategic board and the strategic board covering the Western Balkans does not bear influence on the need to have a single, unified EFSD+ risk management framework.</i>	<i>Provisionally closed pending IPA agreement</i>
348. vicies			<i>8. The risk management function for guarantees under EFSD+ shall take into account the objectives and principles of this Regulation. Risk assessment and remuneration</i>	<i>8. The risk management function for guarantees under EFSD+ shall take into account the objectives and principles of this Regulation. Risk assessment and remuneration</i>	<i>Provisionally closed pending overall agreement on number of windows in Article 27 bis</i> {1} CL: <i>, including those</i>

			<p><i>methodologies under EFSD+ shall be consistently applied to all investment windows, including those defined in Article 27bis(1). The Commission shall ensure an independent, impartial and inclusive high-quality function of the technical assessment group and that information and analysis are shared in a timely, transparent and inclusive manner with all Member States, with due regard to confidentiality issues. The composition, rules of procedure and working methods of the technical assessment group shall be inclusive, open to experts from the EIB, other eligible counterparts and interested Member States, and shall be presented to the strategic board. The Commission shall</i></p>	<p><i>methodologies under EFSD+ shall be consistently applied to all investment windows {1}. A technical assessment group shall be established. The Commission shall ensure an independent, impartial and inclusive high-quality function of the technical assessment group and that information and analysis are shared in a timely, transparent and inclusive manner with all Member States, with due regard to confidentiality issues. The composition, rules of procedure and working methods of the technical assessment group shall be inclusive, open to experts from the EIB, other eligible counterparts and interested Member States, and shall be presented to the EFSD+ strategic board.</i></p>	<p><i>defined in Article 27bis(1).</i></p> <p>EP: No text</p>
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			<i>disclose to the Council and the European Parliament the composition, terms of reference and rules of procedure of the technical assessment group and ensure the impartiality and absence of conflict of interest of its members.</i>	<i>The Commission shall disclose to the Council and the European Parliament the composition, terms of reference and rules of procedure of the technical assessment group and ensure the impartiality and absence of conflict of interest of its members.</i>	
				<i>9. During the application period of the EFSD+, the strategic board shall, as soon as possible, adopt and publish guidelines setting out how conformity of EFSD+ operations with the purpose, objectives and eligibility criteria set out in Articles 26 and 27 is to be ensured.</i>	<i>Provisionally closed</i>
348. un-vicies			<i>Article 26 quater Regional operational boards</i>	<i>Article 26 quater Regional operational boards</i>	<i>Provisionally closed</i>
348. duo-vicies			<i>The operational boards of regional investment platforms, taking into</i>	<i>The operational boards of regional investment platforms, taking into</i>	<i>Provisionally closed</i>

			<i>account the advice of the strategic board and relevant risk assessments, shall support the Commission at the implementation level in defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on the blending operations and on the use of the External Action Guarantee covering EFSD+ operations.</i>	<i>account the advice of the strategic board and relevant risk assessments, shall support the Commission at the implementation level in defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on blending operations and on the use of the External Action Guarantee covering EFSD+ proposed investment programmes.</i>	
349.	Article 27 Eligibility and selection of operations and counterparts	Article 27 Eligibility and selection of operations and counterparts	Article 27 Eligibility and selection of operations and counterparts <i>for the External Action Guarantee under the EFSD+</i>	Article 27 Eligibility and selection of operations and counterparts <i>for the External Action Guarantee under the EFSD+</i>	<i>Provisionally closed</i>
350.	1. The financing and investment operations eligible for support through the External Action Guarantee shall	1. The financing and investment operations eligible for support through the External Action Guarantee shall	1. The financing and investment operations eligible for support through the External Action Guarantee shall	1. The financing and investment operations eligible for support through the External Action Guarantee shall	<i>Provisionally closed pending agreement on new article 26 a</i> {1}

	<p>be consistent and aligned with Union policies, as well as with the partner countries' strategies and policies. They shall in particular support the objectives, general principles and policy framework of this Regulation and the relevant indicative programming documents, with due regard to the priority areas laid down in Annex V.</p>	<p>be consistent and aligned with Union policies, <i>in particular its development policy and the European Neighbourhood Policy</i>, as well as with the partner countries' strategies and policies <i>and address local market failures or sub-optimal investment operations and without unfairly competing with local economic actors</i>. They shall in particular support the objectives, general principles and policy framework of this Regulation and the relevant indicative programming documents, with due regard to the priority areas laid down in <i>Article 26 a and further described in</i> Annex V.</p>	<p>be consistent and aligned with Union policies, <i>the relevant programming documents</i>, as well as with the partner countries' strategies and policies. They shall in particular support the objectives, general principles and policy framework of this Regulation and, <i>where relevant, Regulation [IPA III]</i>, the relevant indicative programming documents, with due regard to the priority areas laid down in Annex V.</p>	<p>be consistent and aligned with Union policies, <i>the relevant programming documents</i>, as well as with the partner countries' strategies and policies. They shall in particular support the objectives, general principles and policy framework of this Regulation <i>and, where relevant, Regulation [IPA III]</i> and the relevant indicative programming documents, with due regard to the priority areas laid down in {1} Annex V.</p>	<p>EP: <i>Article 26 a and further described in</i></p> <p>CL: No text</p>
350. bis		<p><i>1a. The granting of the External Action Guarantee shall be subject to the conclusion of the respective EFSD</i></p>			<p><i>Provisionally closed</i></p>

		<i>guarantee agreements between the Commission on behalf of the Union and the eligible counterpart.</i>			
351.	2. The External Action Guarantee shall support financing and investment operations compliant with the conditions set out in points (a) to (c) of Article 209(2) of the Financial Regulation and that:	2. The External Action Guarantee shall support financing and investment operations <i>which address market failures or sub-optimal investment situations. Operations shall also be</i> compliant with the conditions set out in points (a) to (e) <i>(d)</i> of Article 209(2) of the Financial Regulation and that:	2. The External Action Guarantee shall support financing and investment operations compliant with the conditions set out in points (a) to (ee) of Article 209(2) of the Financial Regulation <i>concerning notably the need to address market failures or sub-optimal investment situations, achieve additionality, avoid distorting competition, alignment of interest of the eligible counterparts and, where appropriate, maximise private investment,</i> and that:	2. The External Action Guarantee shall support financing and investment operations compliant with the conditions set out in points (a) to (ee) of Article 209(2) of the Financial Regulation <i>concerning notably the need to achieve additionality, including by addressing market failures or sub-optimal investment situations, avoid distorting competition, alignment of interest of the eligible counterparts and, where appropriate, maximise private investment,</i> and that:	<i>Provisionally closed</i>
351. bis		<i>(-aa) provide financial and development additionality;</i>			<i>Provisionally closed</i>
351. ter		<i>(-ab) undergo a publicly available participatory</i>		<i>(ab) undergo, in line with article 34 of the</i>	<i>Provisionally closed</i>

		<i>ex ante human rights, social, labour and environmental impact assessment identifying and addressing risks in those fields and taking due account of the principle of free and prior informed consent (FPIC) of affected communities in land related investments;</i>		<i>Financial Regulation, ex ante evaluations which shall be proportionate to the objectives and amounts of the envisaged operations to determine the possible implications and risks of these operations with regard to human rights, environmental, labour and social standards including in the form of impact assessments for major programmes that are expected to have a significant impact on these areas, in line with the purpose of the EFSD+ laid down in article 26(1) and taking due account of the principle of free and prior informed consent (FPIC) of affected communities in land related investments;</i>	
352.	(a) ensure complementarity with other initiatives;	(a) ensure complementarity with other initiatives;	(a) ensure complementarity <i>within the different pillars of the External Investment Plan as well as</i> with	(a) ensure complementarity <i>within the different pillars of the External Investment Plan as well</i>	<i>Provisionally closed</i>

			other initiatives;	<i>as</i> with other initiatives;	
353.	(b) are economically and financially viable, with due regard to the possible support from, and co-financing by, private and public partners to the project, while taking into account the specific operating environment and capacities of countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries which may benefit from concessional terms;	(b) are economically and financially viable, with due regard to the possible support from, and co-financing by, private and public partners to the project, while taking into account the specific operating environment and capacities of countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries which may benefit from concessional terms;	(b) are economically and financially viable, with due regard to the possible support from, and co-financing by, private and public partners to the project, while taking into account the specific operating environment and capacities of countries identified as experiencing fragility or conflict, Least Developed Countries, <i>small island developing states, landlocked developing countries</i> and heavily indebted poor countries which may benefit from <i>more</i> concessional terms;	(b) are economically and financially viable, with due regard to the possible support from, and co-financing by, private and public partners to the project, while taking into account the specific operating environment and capacities of countries identified as experiencing fragility or conflict, Least Developed Countries, <i>small island developing states, landlocked developing countries</i> and heavily indebted poor countries which may benefit from <i>more</i> concessional terms;	<i>Provisionally closed</i>
354.	(c) are technically viable and are sustainable from an environmental and social point of view.	(c) are technically viable and are sustainable from an environmental and social <i>socio-economic</i> point of view;	(c) are technically viable and are sustainable from an environmental and social point of view <i>and maximise development impact.</i>	(c) are technically viable and are sustainable from an environmental and social point of view <i>and maximise development impact.</i>	<i>Provisionally closed</i>
354. bis		<i>(ca) target sectors and issues where there are clear market or</i>			<i>Provisionally closed</i>

		<i>institutional failures inhibiting private sector financing;</i>			
354. ter		<i>(cb) are structured in a manner which contributes to catalysing market development and to mobilising private sector resources towards investment gaps;</i>			<i>Provisionally closed</i>
354. quater		<i>(cc) focus on projects involving greater risks than private lenders are prepared to undertake on a commercial basis alone;</i>			<i>Provisionally closed</i>
354. quin-ques		<i>(cd) do not distort markets in partner countries and regions.</i>		<i>(d) do not distort markets in partner countries and regions and without unfairly competing with local actors.</i>	<i>Provisionally closed</i>
354. sexes		<i>(ce) maximise, where possible, the mobilisation of local private sector capital;</i>			<i>Provisionally closed</i>
354. septies		<i>(cf) respect the development effectiveness principles as set out in the Busan Partnership for</i>			<i>Provisionally closed</i>

		<i>Effective Development Cooperation and reaffirmed in Nairobi in 2016, including ownership, alignment, focus on results, transparency and mutual accountability, as well as the objective of untying aid;</i>			
354. octies		<i>(cg) are designed to fulfil the criteria for ODA established by the OECD-DAC, taking into account the specificities of private sector development, except for operations in industrialised countries non eligible for ODA;</i>		{1}	To be discussed as part of the overall targets discussion {1} EP: <i>(cg) are designed to fulfil the criteria for ODA established by the OECD-DAC, taking into account the specificities of private sector development, except for operations in industrialised countries non eligible for ODA;</i> CL: No text
354.		<i>(ch) are applied with</i>			<i>Provisionally closed</i>

nonies		<p><i>full respect for international human rights law as well as internationally agreed guidelines, principles and conventions, including the Principles for Responsible Investment, UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, the UN Food and Agriculture Organization's (FAO) Principles for Responsible Investment in Agriculture and Food Systems and International Labour Organization conventions and standards, the UN Convention on the Elimination of All Forms of Discrimination Against Women, the Maastricht Principles on the Extraterritorial Obligations of States in</i></p>			
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		<i>the Area of Economic, Social and Cultural Rights and the FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.</i>			
354. decies			<i>(d) are implemented in accordance with the policy framework referred to in Article 7, applicable environmental, social and labour law obligations and standards, agreed guidelines, principles and conventions on investments, as well as in accordance with the objectives and general principles laid down in Articles 3 and 8.</i>	(d) are implemented in accordance with the policy framework referred to in Article 7, applicable environmental, social and labour law obligations and standards and with full respect for international human rights law as well internationally agreed guidelines, principles and conventions on investments, <i>in particular those adopted by the UN and the OECD, with full respect for international human rights law</i> as well as in accordance with the	<i>Provisionally closed</i> Longer reference to the agreements to be incorporated in recitals

				objectives and general principles laid down in Articles 3 and 8.	
355.	3. The External Action Guarantee shall be used to cover the risks for the following instruments:	3. The External Action Guarantee shall be used to cover the risks for the following instruments:	3. The External Action Guarantee shall be used to cover the risks for the following instruments:	3. The External Action Guarantee shall be used to cover the risks for the following instruments:	<i>Provisionally closed</i>
356.	(a) loans, including local currency loans and macro-financial assistance loans;	(a) loans, including local currency loans and macro-financial assistance loans;	(a) loans, including local currency loans and macro-financial assistance loans;	(a) loans, including local currency loans and macro-financial assistance loans;	<i>Provisionally closed</i>
357.	(b) guarantees;	(b) guarantees;	(b) guarantees;	(b) guarantees;	<i>Provisionally closed</i>
358.	(c) counter-guarantees;	(c) counter-guarantees;	(c) counter-guarantees;	(c) counter-guarantees;	<i>Provisionally closed</i>
359.	(d) capital market instruments;	(d) capital market instruments;	(d) capital market instruments;	(d) capital market instruments;	<i>Provisionally closed</i>
360.	(e) any other form of funding or credit enhancement, insurance, and equity or quasi-equity participations.	(e) any other form of funding or credit enhancement, insurance, and equity or quasi-equity participations.	(e) any other form of funding or credit enhancement, insurance, and equity or quasi-equity participations.	(e) any other form of funding or credit enhancement, insurance, and equity or quasi-equity participations.	<i>Provisionally closed</i>
361.	4. The eligible counterparts for the purposes of the External Action Guarantee shall be the ones identified in Article 208(4) of the Financial Regulation, including those from third countries contributing to the	4. The eligible counterparts for the purposes of the External Action Guarantee shall be the ones identified in Article 208(4) of the Financial Regulation, including those from third countries contributing to the	4. The eligible counterparts for the purposes of the External Action Guarantee shall be the ones identified in Article 208(4) of the Financial Regulation, including those from partner countries and third countries	4. The eligible counterparts for the purposes of the External Action Guarantee shall be the ones identified in Article 208(4) of the Financial Regulation, including those from partner countries and third countries	<i>Provisionally closed</i>

	External Action Guarantee, subject to approval by the Commission in accordance with Article 28 of this Regulation. In addition, and by derogation to Article 62(2)(c) of the Financial Regulation, bodies governed by the private law of a Member State or a third country which has contributed to the External Action Guarantee in accordance with Article 28, and which provide adequate assurance of their financial capacity shall be eligible for the purpose of the Guarantee.	External Action Guarantee, subject to approval by the Commission in accordance with Article 28 of this Regulation, and the opinion of the strategic board. In addition, and by derogation to Article 62(2)(c) of the Financial Regulation, bodies governed by the private law of a Member State or a third country which has contributed to the External Action Guarantee in accordance with Article 28, and which provide adequate assurance of their financial capacity shall be eligible for the purpose of the Guarantee.	contributing to the External Action Guarantee, subject to approval by the Commission in accordance with Article 28 of this Regulation. In addition, and by derogation to Article 62(2)(c) of the Financial Regulation, bodies governed by the private law of a Member State, a partner country or a third country which has contributed to the External Action Guarantee in accordance with Article 28, and which provide adequate assurance of their financial capacity shall be eligible for the purpose of the Guarantee.	contributing to the External Action Guarantee, subject to approval by the Commission in accordance with Article 28 of this Regulation. In addition, and by derogation to Article 62(2)(c) of the Financial Regulation, bodies governed by the private law of a Member State, a partner country or a third country which has contributed to the External Action Guarantee in accordance with Article 28, and which provide adequate assurance of their financial capacity shall be eligible for the purpose of the Guarantee.	
361. bis		4a. The European Investment Bank group, shall, inter alia:			<i>Provisionally closed</i> Dedicated Article on EIB: 27 bis.
361. ter		(a) participate, together with other European financial institutions, in			<i>Provisionally closed</i>

		<i>the risk management of the EFSD+, having due regard to the need to avoid possible conflict of interest;</i>			
361. quater		<i>(b) exclusively implement part of an investment window covering sovereign lending to be provisioned with at least EUR 1 000 000 000 from the financial envelopes of the geographic programmes, in accordance with the procedures laid down in chapters 1 and 3 of this title;</i>			<i>Provisionally closed</i>
361. quin-ques		<i>(c) be an eligible counterpart of implementing activities under other investment windows.</i>			<i>Provisionally closed</i>
362.	5. Eligible counterparts shall comply with the rules and conditions provided for in Article 62(2)(c) of the Financial Regulation. In the case of bodies governed by	5. Eligible counterparts shall comply with the rules and conditions provided for in Article 62(2)(c) of the Financial Regulation. In the case of bodies governed by	5. Eligible counterparts shall comply with the rules and conditions provided for in Article 62(2I)(c) of the Financial Regulation. In the case of bodies	5. Eligible counterparts shall comply with the rules and conditions provided for in Article 62(2I)(c) of the Financial Regulation. In the case of bodies	<i>Provisionally closed</i>

	the private law of a Member State or a third country which have contributed to the External Action Guarantee in accordance with Article 28 of this Regulation, preference shall be given to those bodies that disclose information related to environment, social and corporate governance criteria.	the private law of a Member State or a third country which have contributed to the External Action Guarantee in accordance with Article 28 of this Regulation, preference shall be given to those bodies that disclose information related to environment, social, tax and corporate governance criteria.	governed by the private law of a Member State, a partner country or a third country which have contributed to the External Action Guarantee in accordance with Article 28 of this Regulation, preference shall be given to those bodies that disclose information related to environment, social and corporate governance criteria.	governed by the private law of a Member State, a partner country or a third country which have contributed to the External Action Guarantee in accordance with Article 28 of this Regulation, preference shall be given to those bodies that disclose information related to environment, social, tax and corporate governance criteria.	
363.	The Commission shall ensure an effective, efficient and fair use of available resources among eligible counterparts, while promoting cooperation between them.	The Commission shall ensure an effective, efficient and fair use of available resources among eligible counterparts, while promoting cooperation between them.	The Commission shall ensure an effective, efficient and fair use of available resources among eligible counterparts, including small and medium-sized counterparts , while promoting cooperation between them and taking due account of their capacities, added value and experience.	The Commission shall ensure an effective, efficient and fair use of available resources among eligible counterparts, including small and medium-sized counterparts , while promoting cooperation between them and taking due account of their capacities, added value and experience.	<i>Provisionally closed</i>
364.	The Commission shall ensure fair treatment for all eligible counterparts	The Commission shall ensure fair treatment and equal access to funding	The Commission shall ensure fair treatment for all eligible counterparts,	The Commission shall ensure fair treatment for all eligible counterparts,	<i>Provisionally closed</i>

	and shall ensure that conflicts of interest are avoided throughout the implementation period of the EFSD+. In order to ensure complementarity, the Commission may request any relevant information from eligible counterparts about their non-EFSD+ operations.	for all eligible counterparts and shall ensure that conflicts of interest are avoided throughout the implementation application period of the EFSD+. In order to ensure complementarity, the Commission may request any relevant information from eligible counterparts about their non-EFSD+ operations.	<i>in accordance with Article 23(6)</i> , and shall ensure that conflicts of interest are avoided throughout the implementation period of the EFSD+. In order to ensure complementarity, the Commission may request any relevant information from eligible counterparts about their non-EFSD+ operations.	<i>in accordance with Article 23(6)</i> , and shall ensure that conflicts of interest are avoided throughout the implementation period of the EFSD+. In order to ensure complementarity, the Commission may request any relevant information from eligible counterparts about their non-EFSD+ operations.	
364. bis		<i>5a. The European Parliament or the Council may invite eligible counterparts, CSOs and local communities to an exchange of views concerning the financing and investment operations covered by this Regulation.</i>			<i>Provisionally closed</i> Content to be put in recital

			<p>5 bis <i>The condition set out in Article 219(4) of the Financial Regulation on contributions with own resources shall apply to each eligible counterpart allocated a budgetary guarantee under this Regulation on a portfolio basis.</i></p>	<p>5 bis <i>The condition set out in Article 219(4) of the Financial Regulation on contributions with own resources shall apply to each eligible counterpart allocated a budgetary guarantee under this Regulation on a portfolio basis.</i></p>	<p><i>Provisionally closed</i></p>
<p>364. ter</p>			<p>5 ter <i>In respect of the EIB exclusive dedicated window, the own resources contribution shall be understood as the assumption of residual risk.</i></p>	<p>{1}</p>	<p>To be considered under discussion in EIB-related issues, particularly risk cover (line 374 undecies)</p> <p>{1} CL: <i>5 ter In respect of the EIB exclusive dedicated window, the own resources contribution shall be understood as the assumption of residual risk.</i></p> <p>EP: No text</p>

365.	6. The Commission shall select the eligible counterparts in accordance with Article 154 of the Financial Regulation, taking due account of:	6. The Commission shall select the eligible counterparts in accordance with Article 154 of the Financial Regulation, taking due account of:	6. The Commission shall select the eligible counterparts in accordance with Article 154 of the Financial Regulation, taking due account of:	6. The Commission shall select the eligible counterparts in accordance with Article 154 of the Financial Regulation, taking due account of:	<i>Provisionally closed</i>
366.	(a) the advice of the strategic and regional operation boards, in accordance with Annex VI;	(a) the advice of the strategic and regional operation boards, in accordance with Annex VI;	(a) the advice of the strategic and regional operational boards, in accordance with Annex VI ;	(a) the advice of the strategic and regional operational boards, in accordance with Annex VI ;	<i>Provisionally closed</i>
367.	(b) the objectives of the investment window;	(b) the objectives of the investment window;	(b) the objectives of the investment window;	(b) the objectives of the investment window;	<i>Provisionally closed</i>
368.	(c) the experience and risk management capacity of the eligible counterpart;	(c) the experience and risk management capacity of the eligible counterpart;	(c) the experience and risk management capacity of the eligible counterpart;	(c) the experience and risk management capacity of the eligible counterpart;	<i>Provisionally closed</i>
369.	(d) the amount of own resources, as well as private sector co-financing, that the eligible counterpart is ready to mobilise for the investment window.	(d) the amount of own resources, as well as private sector co-financing, that the eligible counterpart is ready to mobilise for the investment window.	(d) the amount of own and additional resources, as well as private sector co-financing, that the eligible counterpart is ready to mobilise for the investment window taking in due account the size of the investment.	(d) the amount of own and additional resources, as well as private sector co-financing, that the eligible counterpart is ready to mobilise for the investment window taking in due account the size of the investment;	<i>Provisionally closed</i>
369. bis		<i>(da) the principles of fair and open tender procedures.</i>			<i>Provisionally closed</i>

369. ter			<i>(e) The sectoral or geographic expertise of the eligible counterparts.</i>	<i>(e) The sectoral or geographic expertise of the eligible counterparts;</i>	<i>Provisionally closed</i>
369. quater			<i>(f) The benefits of promoting collaboration between eligible counterparts.</i>	<i>(f) The benefits of promoting collaboration between eligible counterparts.</i>	<i>Provisionally closed</i>
370.	7. The Commission shall set up investment windows for regions, specific partner countries or both, for specific sectors, or for specific projects, specific categories of final beneficiaries or both, which are to be funded by this Regulation, to be covered by the External action Guarantee up to a fixed amount. The Commission shall inform the European Parliament and the Council on how the investment windows comply with this Article and their detailed funding priorities. All requests for financial	7. The Commission shall set up investment windows for regions, specific partner countries or both, for specific sectors, or for specific projects, specific categories of final beneficiaries or both, which are to be funded by this Regulation, to be covered by the External action Guarantee up to a fixed amount. The Commission shall inform the European Parliament and the Council on how the investment windows comply with this Article and their detailed funding priorities. All requests for financial	<i>7. On the basis of the multi-annual indicative programmes adopted by the Commission pursuant to Article 14 after the favourable opinion of the Committee laid down in Article 35 and of the advice provided by the strategic board, the Commission shall, after consulting the operational boards and informing the European Parliament and the Council, set up investment windows for regions, specific partner countries or both, for specific projects, specific categories of final beneficiaries or</i>	<i>7. On the basis of the multi-annual indicative programmes {1} and of the advice provided by the EFSD+ strategic board and the strategic board covering the Western Balkans, the Commission shall, after consulting the operational boards and informing the European Parliament and the Council, set up investment windows for regions, specific partner countries or both, for specific projects, specific categories of final beneficiaries or both, which are to be funded by this Regulation, to be</i>	Part of the governance discussion {1} CL: <i>adopted by the Commission after the favourable opinion of the Committee laid down in Article 35</i> EP: No text IPA links: EP to check After Article 27 bis is agreed, to check if harmonization is needed

	support within investment windows shall be made to the Commission.	support within investment windows shall be made to the Commission.	both, which are to be funded by this Regulation, to be covered by the External action Guarantee up to a fixed amount. The Commission shall inform the European Parliament and the Council on how the investment windows comply with this Article and their detailed funding priorities. All requests for financial support within investment windows shall be made to the Commission.	covered by the External action Guarantee up to a fixed amount. The Commission shall inform the European Parliament and the Council on how the investment windows comply with this Article and their detailed funding priorities. All requests for financial support within investment windows shall be made to the Commission.	
371.	The choice of investment windows shall be duly justified by an analysis of the market failure or sub-optimal investment situations. That analysis shall be carried out by the Commission in cooperation with potentially eligible counterparts and stakeholders.	The choice of investment windows shall be duly justified by an analysis of the market failure or sub-optimal investment situations. That analysis shall be carried out by the Commission in cooperation with potentially eligible counterparts and stakeholders.	The choice of investment windows shall be duly justified by an analysis of the market failure or sub-optimal investment situations and an assessment of its alignment with the priorities of this Regulation and, where relevant, [IPA III] . That analysis shall be carried out by the Commission in cooperation with	The choice of investment windows shall be duly justified by an analysis of the market failure or sub-optimal investment situations and an assessment of its alignment with the priorities of this Regulation and, where relevant, [IPA III] . That analysis shall be carried out by the Commission	<i>Provisionally closed</i>

			potentially eligible counterparts and stakeholders.	in cooperation with potentially eligible counterparts and stakeholders.	
372.	Eligible counterparts may provide the instruments referred to in paragraph 3 under an investment window or individual project administered by an eligible counterpart. The instruments may be provided for the benefit of partner countries, including countries experiencing fragility or conflict or countries facing challenges in reconstruction and post-conflict recovery, for the benefit of those partner countries' institutions, including their public national and private local banks and finance institutions, as well as for the benefit of private sector entities of those partner countries.	Eligible counterparts may provide the instruments referred to in paragraph 3 under an investment window or individual project administered by an eligible counterpart. The instruments may be provided for the benefit of partner countries, including countries experiencing fragility or conflict or countries facing challenges in reconstruction and post-conflict recovery, for the benefit of those partner countries' institutions, including their public national and private local banks and finance institutions, as well as for the benefit of private sector entities of those partner countries.	Eligible counterparts may provide the instruments referred to in paragraph 3 under an investment window or individual project administered by an eligible counterpart. The instruments may be provided for the benefit of partner countries, including countries experiencing fragility or conflict or countries facing challenges in reconstruction and post-conflict recovery, for the benefit of those partner countries' institutions, including their public national and private local banks and finance institutions, as well as for the benefit of private sector entities, including micro, small and medium-sized enterprises , of those	Eligible counterparts may provide the instruments referred to in paragraph 3 under an investment window or individual project administered by an eligible counterpart. The instruments may be provided for the benefit of partner countries, including countries experiencing fragility or conflict or countries facing challenges in reconstruction and post-conflict recovery, for the benefit of those partner countries' institutions, including their public national and private local banks and finance institutions, as well as for the benefit of private sector entities, including micro, small and medium-sized enterprises , of those	<i>Provisionally closed</i>

373.	<p>8. The Commission shall assess the operations supported by the External Action Guarantee against the eligibility criteria set out in paragraphs 2 and 3, where possible drawing on the existing result measurement systems of eligible counterparts. The Commission shall publish the result of its assessment for each investment window on an annual basis.</p>	<p>8. The Commission shall assess the operations supported by the External Action Guarantee against the eligibility criteria set out in paragraphs 2 and 3, where possible drawing The Commission shall establish a scoreboard of indicators to guide project selection. Implementing partners shall fill in the scoreboard for all operations under EFSD+. The Commission shall assess all operations supported by the Guarantee against eligibility criteria listed in Article 27 and shall use the scoreboard to perform an independent quality check on the existing result measurement systems of eligible counterparts. due diligence and assessment made by implementing partners</p>	<p>partner countries.</p> <p>8. The Commission shall assess the operations supported by the External Action Guarantee against the eligibility criteria set out in paragraphs 1, 2 and 3, where possible drawing on the existing result measurement systems of eligible counterparts. The Commission shall publish the result of its assessment for each investment window broken down by country and sector on an annual basis.</p>	<p>partner countries.</p> <p>8. The Commission shall assess the operations supported by the External Action Guarantee against the eligibility criteria set out in paragraphs 1, 2 and 3, where possible drawing on the existing result measurement systems of the EU and of eligible counterparts. The Commission shall establish a checklist of the eligibility criteria listed in Articles 26, 27 (1) and 27 (2) and shall assess and select all proposals to be supported by the Guarantee against this checklist, on the basis of the information provided by the eligible counterparts. If necessary, the Commission shall ask for clarification and modifications to the eligible counterparts. The Commission shall</p>	<i>Provisionally closed</i>
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		<p><i>at project level. If necessary, the Commission shall ask for clarification and modifications to the implementing partners. The Commission shall publish the scoreboard for all projects after approval for the use of the guarantee by the Commission and implementing partners, and the result of all guarantee tools and individual projects under its assessment for each investment window on an annual basis.</i></p>		<p><i>publish these checklists and the results of its assessment for each investment window broken down by country and sector on an annual basis.</i></p>	
374.	<p>9. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend the priority areas in Annex V and the governance of the EFSD+ in Annex VI.</p>	<p>9. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend the priority areas and investment windows indicated in Annex V and the governance of the EFSD+ in Annex VI. When supplementing or amending investment windows for specific regions, specific partner</p>	<p>9. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend the priority areas in Annex V and the governance of the EFSD+ in Annex VI. The European Parliament or the Council may invite eligible counterparts to an exchange of views</p>	{1}	<p>Part of the governance discussion</p> <p>{1}</p> <p>EP: 9. The Commission shall be empowered to adopt delegated acts in accordance with Article 34 to supplement or amend the priority areas in Annex V and to</p>

		<i>countries or both, for specific sectors, or for specific projects, specific categories of final beneficiaries or both, which are to be funded by this Regulation, to be covered by the External action Guarantee up to a fixed amount, the Commission shall take due account of the advice provided by the strategic board, and consult the operational boards.</i>	<i>concerning financing and investment operations covered by this Regulation.</i>		<i>supplement this regulation with the creation of investment windows. and the governance of the EFSD+ in Annex VI.</i> CL: no text CL Amendment addressed in line 364 bis
374. bis		<i>The Commission shall inform the European Parliament and the Council on how the investment windows comply with the requirements set out in Article 26a and this Article and their detailed funding priorities. All requests for financial support within investment windows shall be made to the Commission.</i>			<i>Provisionally closed</i>

374. ter		<i>The choice of investment windows shall be duly justified by an analysis of the market failure or sub-optimal investment situations. That analysis shall be carried out by the Commission in cooperation with potentially eligible counterparts and stakeholders.</i>			<i>Provisionally closed</i>
374. quater		<i>Eligible counterparts may provide the instruments referred to in paragraph 3 under an investment window or individual project administered by an eligible counterpart. The instruments may be provided for the benefit of partner countries, including countries experiencing fragility or conflict or countries facing challenges in reconstruction and post-conflict recovery, for the benefit of those partner countries'</i>			<i>Provisionally closed</i>

		<i>institutions, including their public national and private local banks and finance institutions, as well as for the benefit of private sector entities of those partner countries. In countries experiencing fragility or conflict, and other countries, where justified, support may be provided to public sector investments that have relevant effects on private sector development.</i>			
374. quin-ques		<i>Article 27a Governance and structure of the EFSD +</i>	<i>Article 27 bis Role of the European Investment Bank</i>	<i>Article 27 bis Role of the European Investment Bank</i>	
374. sexies		<i>1. The EFSD+ shall be composed of regional investment platforms established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External</i>	<i>1. The EIB shall be entrusted with the implementation of dedicated investment windows for an indicative volume of EUR 26 725 million and covering: (a) an exclusive comprehensive risk cover for operations with sovereign and non-</i>	<i>[1. The EIB shall be entrusted with the implementation of an exclusive investment window covering a comprehensive risk cover for sovereign and non-commercial sub sovereign operations with an indicative minimum amount of [EUR 11 000 million]</i>	For political discussion at trilogue Key issues to be discussed: - Placement and definition of dedicated windows (recital or articles). - Indicative volume for EIB in total (recital or articles).

		<p><i>Action Guarantee operations under the EFSD+.</i></p>	<p><i>commercial sub-sovereign counterparts; (b) a non-exclusive comprehensive risk cover for operations with commercial sub-sovereign counterparts; and, (c) non-exclusive operations for the promotion of foreign direct investment, trade and the internationalisation of partner countries' economies, providing a political risk cover for private sector operations.</i></p>	<p><i>which shall be programmed in accordance with the procedures laid down in chapters 1 and 3 of this title.</i></p> <p><i>The EIB shall have the exclusivity for operations with sovereign and non-commercial sub-sovereign counterparts under this window, except for operations which the EIB cannot carry out or decides not to carry out. In such cases, the implementation of these operations under this window shall be open to other eligible counterparts.]</i></p>	<ul style="list-style-type: none"> - Exclusivity and its definition (opt out at country or operation level). - Timeframe of dedicated windows (3 years vs 7) - Minimum amount for sovereign window. - Amounts <p>Proposal for recitals:</p> <p><i>[The EIB should be entrusted with the implementation of an exclusive investment window covering a comprehensive risk cover for operations with sovereign and non-commercial sub-sovereign counterparts. Additional non-exclusive dedicated windows may be established for the EIB covering a comprehensive risk cover for operations with commercial sub-sovereign counterparts</i></p>
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					<p><i>to be established with a specific duration between 2021 and 2023; and operations for the promotion of foreign direct investment, trade and the internationalisation of partner countries' economies, providing a political risk cover for private sector operations to be established with a specific duration between 2021 and 2023, which should be coherent with those of the export credit agencies of Member States. These windows should apply the same rules and conditions of any other investment window under the EFSD+, including the rules of governance, and be established in accordance with the standard procedure defined in Article 27 unless otherwise provided for in this</i></p>
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					Regulation. For these three EIB-dedicated windows, the overall indicative amount should be [30 000 million].]
374. septies			<i>In implementing the dedicated investment windows referred to in Article 27bis(1) the EIB shall contribute to and comply with the relevant programming documents, the objectives of the EFSD+ and the overall objectives of this Regulation and, where relevant, of [IPA III]. The reporting of these dedicated investment windows shall comply with the reporting obligations of this Regulation.</i>	2. In implementing the {1} the EIB shall comply with this Regulation, including its overall objectives and those of the EFSD+ and, where relevant, of [IPA III], as well as with the relevant programming documents and the reporting obligations.	Will return to the reference on paragraph 1 following agreement on the number of windows Recital on EIB contribution to programming {1} EP: <i>window referred to in paragraph 1,</i> CL: <i>windows referred to in paragraph 1,</i>
374. octies	<i>2. The Commission shall be responsible for the overall management of the EFSD+ and the External Action Guarantee. Beyond</i>	<i>2. Due to the nature and policy objective, the operations under the dedicated window referred to in paragraph 1(a), in line with the</i>	<i>3. In line with the provisions of Article 209(2)(f) of the Financial Regulation, due to the nature and</i>		Will return to the reference on paragraph 1 following agreement

		<p><i>that, the Commission shall not seek to carry out general banking operations. The Commission shall inform the European Parliament regularly to ensure the highest standards of transparency and financial accountability.</i></p>	<p><i>provisions of Article 209(2)f of the Financial Regulation, may be non-remunerated. The EIB shall have the exclusivity for operations with sovereign and non-commercial sub-sovereign counterparts under this dedicated window, except where the EIB decides not to or cannot operate in a given country. In such cases, the implementation of this type of operations under this dedicated window in this country shall be open to other eligible counterparts.</i></p>	<p><i>policy objective of the {1} the relevant External Action Guarantee agreement may provide that the Union shall not be remunerated for operations under {2}.</i></p>	<p>on the number of windows.</p> <p><i>Exclusivity to be addressed in line 374 sexies.</i></p> <p>{1}</p> <p><i>EP:</i></p> <p><i>window referred to in paragraph 1,</i></p> <p><i>CL:</i></p> <p><i>windows referred to in paragraph 1,</i></p> <p>{2}</p> <p><i>EP:</i></p> <p><i>that window.</i></p> <p><i>CL:</i></p> <p><i>those windows.</i></p>
374. nonies			<p><i>For the purpose of this Article, sub-sovereign operations shall be considered commercial</i></p>	<p><i>4. For the purpose of this Article, sub-sovereign operations shall be considered</i></p>	<p>{1}</p> <p><i>CL:</i></p>

			<i>unless otherwise duly justified by the EIB.</i>	<i>commercial unless otherwise duly justified by the EIB {1} and confirmed by the Commission.</i>	No text EP: and confirmed by the Commission
374. decies			<i>The operations under the investment window defined in paragraph 1(c) shall be coherent with those of the export credit agencies of Member States.</i>	{1}	Final placement pending discussion in line 374 sexies {1} CL: <i>The operations under the investment window defined in paragraph 1(c) shall be coherent with those of the export credit agencies of Member States.</i> EP: No text
374. un-decies		<i>3. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the Union's Enlargement policy and financed by IPA III,</i>	<i>3. The dedicated windows implemented by the EIB under paragraph 1 may cover any of the countries eligible for the External Action Guarantee in particular where most needed and in</i>	{1}	<i>For trilogue discussion</i> <i>Key issues to be discussed:</i> <i>- Placement.</i> <i>- Risk cover</i> <i>- Link to 364 ter on residual risk.</i>

		<p><i>where the Commission shall be advised by a strategic board of the Western Balkans Investment Framework (WBIF). The Commission shall also work in close cooperation with all eligible counterparts as regards the operational management of the External Action Guarantee. To that end, a technical working group, composed of experts from the Commission and eligible counterparts, shall be established in order to assess the risk and the related pricing.</i></p>	<p><i>accordance with the geographical priorities of this Regulation and where relevant [IPA III]. The EU guarantee under the exclusive dedicated window referred to in paragraph 1(a) shall cover 65% of the aggregate amount disbursed and guaranteed under EIB financing operations, less amounts reimbursed, plus all related amounts. The EU guarantee under the non-exclusive dedicated windows referred to in paragraphs 1(b) and 1(c) shall cover up to 65% of the aggregate amount disbursed and guaranteed under EIB financing operations, less amounts reimbursed, plus all related amounts.</i></p>	<p>- Link to exclusivity {1} EP: Proposal for recitals:</p> <p><i>The windows implemented by the EIB may cover any of the countries eligible for the External Action Guarantee in particular where most needed and in accordance with the geographical priorities of this Regulation and where relevant [IPA III]. EFSD+ guarantees for EIB operations with commercial sub-sovereign counterparts and private sector operations should be undertaken on terms similar to guarantees provided to other implementing partners. EFSD+ guarantees for sovereign and non-commercial sub-sovereign operations and commercial sub-</i></p>
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				<p><i>sovereign operations that do not generate substantial revenues, undertaken by the EIB or other implementing partners, may be non-remunerated in order to help reduce the cost of financing for public sector investments undertaken by partner countries.</i></p> <p>CL: In this line: <i>3. The dedicated windows implemented by the EIB under paragraph 1 may cover any of the countries eligible for the External Action Guarantee in particular where most needed and in accordance with the geographical priorities of this Regulation and where relevant [IPA III]. The EU guarantee under the exclusive dedicated window referred to in</i></p>
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					<p><i>paragraph 1(a) shall cover 65% of the aggregate amount disbursed and guaranteed under EIB financing operations, less amounts reimbursed, plus all related amounts.</i></p>
<p>374. duodécies</p>		<p><i>4. The strategic board shall advise the Commission on the strategic orientation and priorities of External Action Guarantee investments under the EFSD+ and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood policy, as well as with the objectives set out in Article 3 and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals</i></p>	<p><i>4. In implementing these windows, the EIB shall be subject to the advice of the boards laid down in Article 26ter. It shall inform the relevant operational boards of planned operations, but the EIB shall not be bound by the opinions of the operational boards referred to in Article 26quater for their adoption. The eligibility assessment referred to in Article 27(8) of EIB financing operations falling under these windows shall be satisfied within the framework of the procedure provided for in Article 19 of Protocol</i></p>	<p><i>5. {1} The EIB shall timely provide all information required by the Commission for this purpose. The EIB financing operations falling under this window shall not be covered by the EU guarantee where the Commission delivers an unfavourable opinion under the procedure provided for in Article 19 of Protocol No 5 of the Treaty on the Functioning of the EU. All further modalities applicable to the EIB shall be established in the relevant External Action Guarantee agreements.</i></p>	<p><i>Further clarification on the role of the operational boards added in line 348 duovicies</i></p> <p><i>Key issue:</i></p> <ul style="list-style-type: none"> - Role of operational board for all EIB windows. <p>{1} EP:</p> <p><i>The EIB shall be subject to the opinion of the boards laid down in Articles 26ter and 26quater. During implementation, the eligibility assessment referred to in Article</i></p>

		<p><i>as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate and diversified geographical and thematic coverage for investment windows, while giving special attention to countries identified as experiencing fragility or conflict, Least Developed Countries ('LDCs') and heavily indebted poor countries.</i></p>	<p><i>No 5. The EIB shall timely provide to the Commission all information necessary for this purpose. The EIB financing operations falling under these windows shall not be covered by the EU guarantee where the Commission delivers an unfavourable opinion under the procedure provided for in Article 19 of Protocol No 5 of the Treaty on the Functioning of the EU. All further modalities applicable to the EIB dedicated windows shall be established in the relevant External Action Guarantee agreements.</i></p>		<p><i>27(8) of EIB financing operations falling under the window referred to in Article 27 bis (1) shall be satisfied within the framework of the procedure provided for in Article 19 of Protocol No 5 of the Treaty of the Functioning of the EU</i></p> <p><i>CL:</i></p> <p><i>In implementing these windows, the EIB shall be subject to the advice of the boards laid down in Article 26ter. It shall inform the relevant operational boards of planned operations, but the EIB shall not be bound by the opinions of the operational boards referred to in Article 26quater for their adoption. The eligibility assessment referred to in Article 27(8) of EIB financing operations falling under these windows</i></p>

					<p><i>shall be satisfied within the framework of the procedure provided for in Article 19 of Protocol No 5.</i></p> <p>CL to check reference to modalities applicable to EIB</p>
374. ter-decies		<p><i>5. The strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the European Investment Plan, between the European Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, as well as with other programmes set out in this Regulation, other Union funding instruments and Trust Funds.</i></p>	<p><i>5. The EIB shall be eligible for implementing activities under other investment windows established under Article 27(7).</i></p>	<p><i>6. The EIB shall be eligible for implementing activities under other investment windows established under Article 27(7).</i></p>	<p><i>Provisionally closed</i></p>
374. quater-decies		<p><i>6. The strategic board shall be composed of representatives of the</i></p>	<p><i>6. In compliance with the objectives and principles of this</i></p>	<p>{1}</p>	<p><i>Provisionally closed pending agreement on the placement of the</i></p>

		<p><i>Commission and of the High Representative, of all Member States and of the European Investment Bank. The European Parliament shall have observer status. Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The strategic board shall be consulted prior to the inclusion of any new observer. The strategic board shall be co-chaired by the Commission and the High Representative.</i></p>	<p><i>Regulation as well as Article 29(3), the relevant programming documents as well as, where relevant, Regulation [IPA III], the Commission and the EIB shall conclude dedicated guarantee agreements for the investment windows referred to in paragraph 1.</i></p>		<p><i>windows in Article 27 bis</i></p> <p><i>Key issue:</i></p> <ul style="list-style-type: none"> - <i>Placement of the dedicated windows.</i> <p>{1}</p> <p>EP:</p> <p>Proposal for recital:</p> <p><i>In compliance with this Regulation, including its objectives and principles, the relevant programming documents as well as, where relevant, Regulation [IPA III], the Commission and the EIB should conclude dedicated guarantee agreements for the EIB dedicated investment windows.</i></p> <p>CL:</p> <p><i>In compliance with the objectives and principles of this Regulation as well as Article 29(3), the</i></p>
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					<i>relevant programming documents as well as, where relevant, Regulation [IPA III], the Commission and the EIB shall conclude dedicated guarantee agreements for the investment windows referred to in paragraph 1.</i>
374. quindecies		<i>7. The strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed during the first meeting of the strategic board and laid down in its rules of procedure shall apply. Those voting rights shall take due account of the source of financing. The rules of procedure shall set out</i>			<i>Provisionally closed</i>

		<i>the framework regarding the role of observers. The minutes and agendas of the meetings of the strategic board shall, following their adoption, be made public.</i>			
374. sex-decies		<i>8. The Commission shall report annually to the strategic board about the progress made in respect of the application of the EFSD+. The strategic board of the WBIF shall provide progress made on the application of the guarantee instrument for the Enlargement region to complement that reporting. The strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and application of the EFSD+.</i>			<i>Provisionally closed</i>
374. sept-		<i>9. The existence of the two strategic boards</i>			<i>Provisionally closed</i>

decies		<i>does not bear influence on the need to have a single, unified EFSD+ risk management framework.</i>			
374. octo-decies		<i>10. During the application period of the EFSD+, the strategic board shall, as soon as possible, adopt and publish guidelines setting out how conformity of EFSD+ operations with the objectives and eligibility criteria set out in Articles 26 a and 27 is to be ensured.</i>			<i>Provisionally closed</i>
374. novo-decies		<i>11. In its strategic guidance, the strategic board shall take due account of relevant European Parliament resolutions and Council decisions and conclusions.</i>			<i>Provisionally closed</i>
374. vicies		<i>12. The operational boards of regional investment platforms shall support the Commission at the application level in</i>			<i>Provisionally closed</i>

		<i>defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on blending operations and on the use of the External Action Guarantee covering EFSD+ operations.</i>			
375.	Article 28 Contribution from other donors to the External Action Guarantee	Article 28 Contribution from other donors to the External Action Guarantee	Article 28 Contribution from other donors to the External Action Guarantee	Article 28 Contribution from other donors to the External Action Guarantee	<i>Provisionally closed</i>
376.	1. Member States, third countries and other third parties may contribute to the External Action Guarantee.	1. Member States, third countries and other third parties may contribute to the External Action Guarantee.	1. Member States, third countries and other third parties may contribute to the External Action Guarantee.	1. Member States, third countries and other third parties may contribute to the External Action Guarantee.	<i>Provisionally closed</i>
377.	By derogation from the second sub-paragraph of Article 218(2) of the Financial Regulation, the contracting parties to the Agreement on the European Economic Area may contribute in the form of guarantees or cash.	By derogation from the second sub-paragraph of Article 218(2) of the Financial Regulation, the contracting parties to the Agreement on the European Economic Area may contribute in the form of guarantees or cash.	By derogation from the second sub-paragraph of Article 218(2) of the Financial Regulation, the contracting parties to the Agreement on the European Economic Area may contribute in the form of guarantees or cash.	By derogation from the second sub-paragraph of Article 218(2) of the Financial Regulation, the contracting parties to the Agreement on the European Economic Area may contribute in the form of guarantees or cash.	<i>Provisionally closed</i>
378.	Contribution from third	Contribution from third	Contribution from third	Contribution from third	<i>Provisionally closed</i>

	countries other than the contracting parties to the Agreement on the European Economic Area and from other third parties shall be in the form of cash and subject to approval by the Commission.	countries other than the contracting parties to the Agreement on the European Economic Area and from other third parties shall be in the form of cash and subject <i>to the opinion of the Strategic Board and</i> approval by the Commission.	countries other than the contracting parties to the Agreement on the European Economic Area and from other third parties shall be in the form of cash and subject <i>to the opinion of the strategic board and</i> approval by the Commission.	countries other than the contracting parties to the Agreement on the European Economic Area and from other third parties shall be in the form of cash and subject <i>to the opinion of the EFSD+ Strategic Board and</i> approval by the Commission.	
379.	The Commission shall inform the European Parliament and the Council without delay of the contributions confirmed.	The Commission shall inform the European Parliament and the Council without delay of the contributions confirmed.	The Commission shall inform the European Parliament and the Council without delay of the contributions confirmed.	The Commission shall inform the European Parliament and the Council without delay of the contributions confirmed.	<i>Provisionally closed</i>
380.	At the request of the Member States, their contributions may be earmarked for the initiation of actions in specific regions, countries, sectors or existing investment windows.	At the request of the Member States, their contributions may be earmarked for the initiation of actions in specific regions, countries, sectors or existing investment windows.	At the request of the Member States, their contributions may be earmarked for the initiation of actions in specific regions, countries, sectors or existing investment windows.	{1}	COM to provide legal reasoning for the need to accommodate ACP IF reflows {1} EP: No text CL: At the request of the Member States, their contributions may be earmarked for the initiation of actions in

					specific regions, countries, sectors or existing investment windows.
381.	2. Contributions in the form of a guarantee shall not exceed 50% of the amount referred to in Article 26(2) of this Regulation.	2. Contributions in the form of a guarantee shall not exceed 50 % of the amount referred to in Article 26(2) of this Regulation.	2. Contributions in the form of a guarantee shall not exceed 50 % of the amount referred to in Article 26(2) of this Regulation.	2. Contributions in the form of a guarantee shall not exceed 50 % of the amount referred to in Article 26(3) of this Regulation.	<i>Provisionally closed</i>
382.	The contributions made by the Member States and the contracting parties to the Agreement on the European Economic Area in the form of a guarantee may only be called for payments of guarantee calls after the funding from the general budget of the Union increased by any other cash contributions has been used on payments of guarantee calls.	The contributions made by the Member States and the contracting parties to the Agreement on the European Economic Area in the form of a guarantee may only be called for payments of guarantee calls after the funding from the general budget of the Union increased by any other cash contributions has been used on payments of guarantee calls.	The contributions made by the Member States and the contracting parties to the Agreement on the European Economic Area in the form of a guarantee may only be called for payments of guarantee calls after the funding from the general budget of the Union increased by any other cash contributions has been used on payments of guarantee calls.	The contributions made by the Member States and the contracting parties to the Agreement on the European Economic Area in the form of a guarantee may only be called for payments of guarantee calls after the funding from the general budget of the Union increased by any other cash contributions has been used on payments of guarantee calls.	<i>Provisionally closed</i>
383.	Any contribution may be used to cover guarantee calls regardless of earmarking.	Any contribution may be used to cover guarantee calls regardless of earmarking.	Any contribution may be used to cover guarantee calls regardless of earmarking.	Any contribution may be used to cover guarantee calls {1}	{1} EP: No text CL:

					regardless of earmarking
384.	A contribution agreement shall be concluded between the Commission, on behalf of the Union, and the contributor, and shall contain, in particular, provisions concerning the payment conditions.	A contribution agreement shall be concluded between the Commission, on behalf of the Union, and the contributor, and shall contain, in particular, provisions concerning the payment conditions.	A contribution agreement shall be concluded between the Commission, on behalf of the Union, and the contributor, and shall contain, in particular, provisions concerning the payment conditions.	A contribution agreement shall be concluded between the Commission, on behalf of the Union, and the contributor, and shall contain, in particular, provisions concerning the payment conditions.	<i>Provisionally closed</i>
385.	Article 29 Implementation of External Action Guarantee agreements	Article 29 Implementation Application of External Action Guarantee agreements	Article 29 Implementation of External Action Guarantee agreements	Article 29 Implementation of External Action Guarantee agreements	<i>Provisionally closed</i>
386.	1. The Commission, on behalf of the Union, shall conclude External Action Guarantee agreements with the eligible counterparts selected pursuant to Article 27. Agreements may be concluded with a consortium of two or more eligible counterparts.	1. The Commission, on behalf of the Union, shall conclude External Action Guarantee agreements with the eligible counterparts selected pursuant to Article 27. Those agreements shall be unconditional, irrevocable, at first demand, and in favour of selected counterparts. Agreements may be concluded with a consortium of two or	1. The Commission, on behalf of the Union, shall conclude External Action Guarantee agreements with the eligible counterparts selected pursuant to Article 27. Agreements may be concluded with a consortium of two or more eligible counterparts. When concluding guarantee agreements, the Commission shall take due account of the	1. The Commission, on behalf of the Union, shall conclude External Action Guarantee agreements with the eligible counterparts selected pursuant to Article 27. Agreements may be concluded with a consortium of two or more eligible counterparts. In compliance with Article 219(1) of the Financial Regulation, budgetary guarantees shall be	<i>Provisionally closed</i>

		more eligible counterparts.	<i>advice and guidance of the boards and of the technical assessment group. In compliance with Article 219(1) of the Financial Regulation, budgetary guarantees shall be irrevocable, unconditional and on demand for the types of operations covered under the External Action Guarantee.</i>	<i>irrevocable, unconditional and on demand for the types of operations covered under the External Action Guarantee. When concluding guarantee agreements, the Commission shall take due account of the advice and guidance of the boards and of the technical assessment group.</i>	
387.	2. One or more External Action Guarantee agreements shall be concluded for each investment window between the Commission and the eligible counterpart or eligible counterparts selected. In addition, in order to address specific needs, the External Action Guarantee may be granted for individual financing or investment operations.	2. One or more External Action Guarantee agreements shall be concluded for each investment window between the Commission and the eligible counterpart or eligible counterparts selected. In addition, in order to address specific needs, the External Action Guarantee may be granted for individual financing or investment operations.	2. One or more External Action Guarantee agreements shall be concluded for each investment window between the Commission and the eligible counterpart or eligible counterparts selected. In addition, in order to address specific needs, the External Action Guarantee may be granted for individual financing or investment operations.	2. One or more External Action Guarantee agreements shall be concluded for each investment window between the Commission and the eligible counterpart or eligible counterparts selected. In addition, in order to address specific needs, the External Action Guarantee may be granted for individual financing or investment operations.	<i>Provisionally closed</i>
388.	All External Action Guarantee agreements	All External Action Guarantee agreements	All External Action Guarantee agreements	All External Action Guarantee agreements	<i>Provisionally closed</i>

	shall, upon request, be made available to the European Parliament and to the Council, taking into account the protection of confidential and commercially sensitive information.	shall, upon request , be made available to the European Parliament and to the Council, taking into account the protection of confidential and commercially sensitive information.	shall, upon request, be made available to the European Parliament and to the Council, taking into account the protection of confidential and commercially sensitive information.	shall be <i>notified</i> to the European Parliament and to the Council <i>and, upon request, be made available</i> , taking into account the protection of confidential and commercially sensitive information.	
389.	3. External Action Guarantee agreements shall contain, in particular:	3. External Action Guarantee agreements shall contain, in particular:	3. External Action Guarantee agreements shall contain, in particular:	3. External Action Guarantee agreements shall contain, in particular:	<i>Provisionally closed</i>
390.	(a) detailed rules on the coverage, requirements, eligibility, eligible counterparts, and procedures;	(a) detailed rules on the coverage, requirements, eligibility, eligible counterparts, and procedures;	(a) detailed rules on the coverage, requirements, eligibility, eligible counterparts, and procedures;	(a) detailed rules on the coverage, requirements, eligibility, eligible counterparts, and procedures;	<i>Provisionally closed</i>
391.	(b) detailed rules on the provision of the External Action Guarantee, including its arrangements on the coverage and its defined coverage of portfolios and of projects of specific types of instruments, as well as a risk analysis of projects and project portfolios, including at sectoral, regional and national	(b) detailed rules on the provision of the External Action Guarantee, including its arrangements on the coverage and its defined coverage of portfolios and of projects of specific types of instruments, as well as a risk analysis of projects and project portfolios, including at sectoral, regional and national	(b) detailed rules on the provision of the External Action Guarantee, including its arrangements on the coverage and its defined coverage of portfolios and of projects of specific types of instruments, as well as a risk analysis of projects and project portfolios, including at sectoral, regional and national	(b) detailed rules on the provision of the External Action Guarantee, including its arrangements on the coverage and its defined coverage of portfolios and of projects of specific types of instruments, as well as a risk analysis of projects and project portfolios, including at sectoral, regional and national	<i>Provisionally closed</i>

	levels;	levels;	levels;	levels;	
392.	(c) a mention of the objectives and purpose of this Regulation, a needs assessment and an indication of the expected results, taking into account the promotion of corporate social responsibility and responsible business conduct;	(c) a mention of the objectives and purpose of this Regulation, a needs assessment and an indication of the expected results, taking into account the promotion of corporate social responsibility and <i>the need to ensure a responsible business conduct, including, in particular, by respect for the internationally agreed guidelines, principles and legal instruments referred to in point (c h) of Article 27(2);</i>	(c) a mention of the objectives and purpose of this Regulation, a needs assessment and an indication of the expected results, taking into account the promotion of corporate social responsibility and responsible business conduct, <i>including in particular by respect of guidelines, principles and conventions on investment referred to in Article 27(2)(d);</i>	(c) a mention of the objectives and purpose of this Regulation, a needs assessment and an indication of the expected results, taking into account the promotion of corporate social responsibility and responsible business conduct, <i>including in particular by respect of internationally agreed guidelines, principles and conventions on investment referred to in Article 27(2)(d);</i>	<i>Provisionally closed</i>
393.	(d) the remuneration of the guarantee, which is to reflect the risk level, and the possibility for the remuneration to be partly subsidised in order to give concessional terms in duly justified cases;	(d) the remuneration of the guarantee, which is to reflect the risk level, and the possibility for the remuneration to be partly subsidised in order to give concessional terms in duly justified cases, <i>and in particular countries experiencing fragility or conflict, LDCs and</i>	(d) the remuneration of the guarantee, which is to reflect the risk level, and the possibility for the remuneration to be partly subsidised in order to give <i>more</i> concessional terms in duly justified cases, <i>in particular in the countries identified as experiencing fragility or</i>	(d) the remuneration of the guarantee, which is to reflect the risk level, and the possibility for the remuneration to be partly subsidised in order to give <i>more</i> concessional terms in duly justified cases; <i>and in particular countries experiencing fragility or conflict, LDCs and</i>	<i>Provisionally closed</i>

		<i>heavily indebted countries;</i>	<i>conflict, Least Developed Countries and heavily indebted poor countries;</i>	<i>heavily indebted poor countries;</i>	
394.	(e) requirements for the use of the External Action Guarantee, including payment conditions, such as specific time frames, interest to be paid on due amounts, expenses and recovery costs and possibly necessary liquidity arrangements;	(e) requirements for the use of the External Action Guarantee, including payment conditions, such as specific time frames, interest to be paid on due amounts, expenses and recovery costs and possibly necessary liquidity arrangements;	(e) requirements for the use of the External Action Guarantee, including payment conditions, such as specific time frames, interest to be paid on due amounts, expenses and recovery costs and possibly necessary liquidity arrangements;	(e) requirements for the use of the External Action Guarantee, including payment conditions, such as specific time frames, interest to be paid on due amounts, expenses and recovery costs and possibly necessary liquidity arrangements;	<i>Provisionally closed</i>
395.	(f) claims procedures, including, but not limited to, triggering events and waiting periods, and procedures regarding the recovery of claims;	(f) claims procedures, including, but not limited to, triggering events and waiting periods, and procedures regarding the recovery of claims;	(f) claims procedures, including, but not limited to, triggering events and waiting periods, and procedures regarding the recovery of claims;	(f) claims procedures, including, but not limited to, triggering events and waiting periods, and procedures regarding the recovery of claims;	<i>Provisionally closed</i>
396.	(g) monitoring, reporting and evaluation obligations;	(g) <i>transparent</i> monitoring, reporting and evaluation obligations;	(g) monitoring, reporting, <i>transparency</i> and evaluation obligations;	(g) monitoring, reporting, <i>transparency</i> and evaluation obligations;	<i>Provisionally closed</i>
397.	(h) clear and accessible complaints procedures for third parties that could be affected by the implementation of projects supported by	(h) clear and accessible complaints procedures for third parties that could be affected by the implementation <i>application</i> of projects	(h) clear, <i>transparent</i> and accessible complaints procedures for third parties that could be affected by the implementation of	(h) clear and accessible complaints procedures for third parties that could be affected by the implementation of projects supported by	<i>Provisionally closed</i>

	the External Action Guarantee.	supported by the External Action Guarantee.	projects supported by the External Action Guarantee.	the External Action Guarantee.	
398.	4. The eligible counterpart shall approve financing and investment operations following its own rules and procedures and in compliance with the terms of the External Action Guarantee agreement.	4. The eligible counterpart shall approve financing and investment operations following its own rules and procedures and in compliance with the terms of the External Action Guarantee agreement.	4. The eligible counterpart shall approve financing and investment operations following its own rules and procedures and in compliance with the terms of the External Action Guarantee agreement.	4. The eligible counterpart shall approve financing and investment operations following its own rules and procedures and in compliance with the terms of the External Action Guarantee agreement.	<i>Provisionally closed</i>
399.	5. The External Action Guarantee may cover:	5. The External Action Guarantee may cover:	5. The External Action Guarantee may cover:	5. The External Action Guarantee may cover:	<i>Provisionally closed</i>
400.	(a) for debt instruments, the principal and all interests and amounts due to the selected eligible counterpart, but not received by it in accordance with the terms of the financing operations after an event of default has occurred;	(a) for debt instruments, the principal and all interests and amounts due to the selected eligible counterpart, but not received by it in accordance with the terms of the financing operations after an event of default has occurred;	(a) for debt instruments, the principal and all interests and amounts due to the selected eligible counterpart, but not received by it in accordance with the terms of the financing operations after an event of default has occurred;	(a) for debt instruments, the principal and all interests and amounts due to the selected eligible counterpart, but not received by it in accordance with the terms of the financing operations after an event of default has occurred;	<i>Provisionally closed</i>
401.	(a) for equity investments, the amounts invested and their associated financing costs;	(a) for equity investments, the amounts invested and their associated financing costs;	(a b) for equity investments, the amounts invested and their associated financing costs;	(a b) for equity investments, the amounts invested and their associated financing costs;	<i>Provisionally closed</i>
402.	(b) for other financing and investment	(b) for other financing and investment	(b c) for other financing and investment	(b c) for other financing and investment	<i>Provisionally closed</i>

	operations referred to in Article 27(2), the amounts used and their associated funding costs;	operations referred to in Article 27(2), the amounts used and their associated funding costs;	operations referred to in Article 27(2), the amounts used and their associated funding costs;	operations referred to in Article 27(2), the amounts used and their associated funding costs;	
403.	(c) all relevant expenses and recovery costs related to an event of default, unless deducted from recovery proceeds.	(c) all relevant expenses and recovery costs related to an event of default, unless deducted from recovery proceeds.	(<i>ed</i>) all relevant expenses and recovery costs related to an event of default, unless deducted from recovery proceeds.	(<i>ed</i>) all relevant expenses and recovery costs related to an event of default, unless deducted from recovery proceeds.	<i>Provisionally closed</i>
403. bis		<i>5a. The Commission, when concluding External Action Guarantee agreements with eligible counterparts, shall take due account of:</i>			<i>Provisionally closed</i>
403. ter		<i>(a) the advice and guidance of the strategic and regional operational boards;</i>			<i>Provisionally closed</i>
403. quater		<i>(b) the objectives of the investment window;</i>			<i>Provisionally closed</i>
403. quin-ques		<i>(c) the experience and operational, financial and risk management capacity of the eligible counterpart;</i>			<i>Provisionally closed</i>
403. sexies		<i>(d) the amount of own resources, as well as private sector co-</i>			<i>Provisionally closed</i>

		<i>financing, that the eligible counterpart is ready to mobilise for the investment window.</i>			
404.	6. For the purposes of the Commission's accounting, its reporting of the risks covered by the External Action Guarantee and in line with Article 209(4) of the Financial Regulation, eligible counterparts with which a guarantee agreement has been concluded shall provide the Commission and the Court of Auditors annually with the financial reports on financing and investment operations covered by this Regulation, audited by an independent external auditor, containing, inter alia, information on:	6. For the purposes of the Commission's accounting, its reporting of the risks covered by the External Action Guarantee and in line with Article 209(4) of the Financial Regulation, eligible counterparts with which a guarantee agreement has been concluded shall provide the Commission and the Court of Auditors annually with the financial reports on financing and investment operations covered by this Regulation, audited by an independent external auditor, containing, inter alia, information on:	6. For the purposes of the Commission's accounting, its reporting of the risks covered by the External Action Guarantee and in line with Article 209(4) of the Financial Regulation, eligible counterparts with which a guarantee agreement has been concluded shall provide the Commission and the Court of Auditors annually with the financial reports on financing and investment operations covered by this Regulation, audited by an independent external auditor, containing, inter alia, information on:	6. For the purposes of the Commission's accounting, its reporting of the risks covered by the External Action Guarantee and in line with Article 209(4) of the Financial Regulation, eligible counterparts with which a guarantee agreement has been concluded shall provide the Commission and the Court of Auditors annually with the financial reports on financing and investment operations covered by this Regulation, audited by an independent external auditor, containing, inter alia, information on:	<i>Provisionally closed</i>
405.	(a) the risk assessment of financing and investment operations of the eligible counterparts,	(a) the risk assessment of financing and investment operations of the eligible counterparts,	(a) the risk assessment of financing and investment operations of the eligible counterparts,	(a) the risk assessment of financing and investment operations of the eligible counterparts,	<i>Provisionally closed</i>

	including information on Union liabilities measured in compliance with the accounting rules referred to in Article 80 of the Financial Regulation and IPSAS;	including information on Union liabilities measured in compliance with the accounting rules referred to in Article 80 of the Financial Regulation and IPSAS;	including information on Union liabilities measured in compliance with the accounting rules referred to in Article 80 of the Financial Regulation and IPSAS;	including information on Union liabilities measured in compliance with the accounting rules referred to in Article 80 of the Financial Regulation and IPSAS;	
406.	(b) the outstanding financial obligation for the Union arising from the EFSD+ operations provided to the eligible counterparts and their financing and investment operations, broken down by individual operations.	(b) the outstanding financial obligation for the Union arising from the EFSD+ operations provided to the eligible counterparts and their financing and investment operations, broken down by individual operations.	(b) the outstanding financial obligation for the Union arising from the EFSD+ operations provided to the eligible counterparts and their financing and investment operations, broken down by individual operations.	(b) the outstanding financial obligation for the Union arising from the EFSD+ operations provided to the eligible counterparts and their financing and investment operations, broken down by individual operations.	<i>Provisionally closed</i>
407.	7. The eligible counterparts shall, upon request, provide the Commission with any additional information necessary to fulfil the Commission's obligations in relation to this Regulation.	7. The eligible counterparts shall, upon request, provide the Commission with any additional information necessary to fulfil the Commission's obligations in relation to this Regulation, <i>in particular with regard to the implementation of recommendations from the ex-ante human rights, social, labour</i>	7. The eligible counterparts shall, upon request, provide the Commission with any additional information necessary to fulfil the Commission's obligations in relation to this Regulation.	7. The eligible counterparts shall, upon request, provide the Commission with any additional information necessary to fulfil the Commission's obligations in relation to this Regulation, <i>in particular with regard to the selection criteria listed in Article 27 including compliance with human rights,</i>	<i>Provisionally closed</i>

		<i>and environment impact assessment and other selection criteria listed in Article 27.</i>		<i>social, labour and environment standards.</i>	
408.	8. The Commission shall report on financial instruments, budgetary guarantees, financial assistance in accordance with Article 241 and 250 of the Financial Regulation. To this purpose, the eligible counterparts shall provide annually the information necessary to allow the Commission to comply with the reporting obligations.	8. The Commission shall report on financial instruments, budgetary guarantees, financial assistance in accordance with Article 241 and 250 of the Financial Regulation. To this purpose, the eligible counterparts shall provide annually the information necessary to allow the Commission to comply with the reporting obligations. <i>In addition, the Commission shall submit an annual report to the European Parliament and to the Council as set out in Article 31(6a).</i>	8. The Commission shall <i>submit an annual report to the strategic board, to the operational boards, the European Parliament and the Council</i> on financial instruments, budgetary guarantees, <i>including those implemented by the EIB</i> , financial assistance in accordance with Articles <i>41 (4 and 5)</i> , 241 and 250 of the Financial Regulation- <i>which shall include, in addition:</i> <i>(a) an assessment of the results contributing to the purpose and objectives of this Regulation and, where relevant, Regulation [IPA III];</i> <i>(b) an assessment, on the basis of indicators in line with Articles 26(1) and 27(2), of the additionality and added</i>	8. The Commission shall <i>submit an annual report to the strategic board, to the operational boards, to the European Parliament and to the Council</i> on financial instruments, budgetary guarantees, <i>including those implemented by the EIB</i> , financial assistance in accordance with Articles <i>41 (4 and 5)</i> , 241 and 250 of the Financial Regulation. To this purpose, the eligible counterparts shall provide annually the information necessary to allow the Commission to comply with the reporting obligations.	<i>Provisionally closed</i>

			<p><i>value, the mobilisation of private sector resources including micro, small and medium-size enterprises, the estimated and actual outputs and the outcomes and impact of the financing and investment operations covered by the External Action Guarantee under the EFSD+ on an aggregated basis, including the impact on decent job creation, the eradication of poverty and on the way in which the root causes of migration, including irregular migration and forced displacement, are addressed; that assessment shall include a gender analysis of the operations covered based on evidence and data broken down by gender, country and sector where possible; (c) an assessment of the</i></p>		
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			<p><i>synergies and complementarity between operations covered by the External Action Guarantee under the EFSD+ including those referred to in Article 27bis and other pillars of the External Investment Plan based on relevant existing reports;</i></p> <p><i>(d) an assessment of the compliance of the operations supported by the External Action Guarantee under the EFSD+ with the internationally agreed development effectiveness principles;</i></p> <p><i>(e) an assessment of the remuneration of the guarantees and of the implementation of Article 155(2) and 155(3) of the Financial Regulation;</i></p> <p><i>(f) an assessment of the leverage effect achieved by the operations covered;</i></p> <p><i>(g) an assessment of the</i></p>		
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			<p><i>additionality and added value of financing and investment operations;</i></p> <p><i>(h) an assessment of the contribution of the results on the implementation of the policy framework referred to in Article 7.</i></p> <p>To this purpose, the eligible counterparts shall provide annually the information necessary to allow the Commission to comply with the reporting obligations.</p>		
408. bis		<p><i>8a. The Commission or the eligible counterparts shall immediately notify OLAF when, at any stage of the preparation, implementation or closure of financing and investment operations covered by this Regulation, there are grounds for suspecting fraud, corruption, money laundering or any other illegal activity that may</i></p>			<p><i>Provisionally closed</i></p> <p>Include missing elements on notification to OLAF in recital 44</p>

		<i>affect the financial interests of the Union. The Commission or the eligible counterparts shall provide OLAF with all necessary information to enable it to carry out a full and thorough investigation.</i>			
408.ter		<i>Article 29a Grievance and redress mechanism</i>		<i>Article 29 bis Grievance and redress mechanism</i>	<i>Provisionally closed</i>
408. quater		<i>In view of possible grievances of third parties in partner countries, including communities and individuals affected by projects supported by the EFSD+ and the External Action Guarantee, the Commission and European Union Delegations shall publish on their websites direct references to the complaints mechanisms of the relevant counterparts that have</i>		<i>In view of possible grievances of third parties in partner countries, including communities and individuals affected by projects supported by the EFSD+ and the External Action Guarantee, the Commission and European Union Delegations shall publish on their websites direct references to the complaints mechanisms of the relevant counterparts that have</i>	<i>Provisionally closed</i>

		<i>concluded agreements with the Commission. The Commission shall also establish an EU centralised grievance mechanism for all projects pursuant to Chapter IV of this Regulation to provide the possibility of directly receiving complaints related to the treatment of grievances by eligible counterparts. The Commission shall take that information into account in view of future cooperation with those counterparts.</i>		<i>concluded agreements with the Commission. The Commission shall also provide the possibility of directly receiving complaints related to the treatment of grievances by eligible counterparts. The Commission shall take that information into account in view of future cooperation with those counterparts.</i>	
408. quin- quies		<i>Article 29b Excluded activities and non-cooperative jurisdictions</i>		<i>Article 29 ter Non-cooperative jurisdictions</i>	<i>Provisionally closed pending agreement on excluded activities article</i>
408. sexies		<i>1. The External Action Guarantee shall not support financing and investment operations which:</i>			<i>Provisionally closed pending agreement on excluded activities article</i>
408. septies		<i>(a) are linked to the military or state security</i>			<i>Provisionally closed pending agreement on</i>

		<i>sector.</i>			<i>excluded activities article</i>
408. octies		<i>(b) support the development of nuclear energy, except for loans provided in accordance with Regulation EINS, and fossil fuels and promote further carbon lock-in of economies and societies.</i>			<i>Provisionally closed pending agreement on excluded activities article</i>
408. nonies		<i>(c) have significant environmental external costs, such as those that involve degradation of protected areas, Critical Habitats and Heritage sites for which no sustainable development and management plan is carried out.</i>			<i>Provisionally closed pending agreement on excluded activities article</i>
408. decies		<i>(d) result in violation of human rights in partner countries, such as depriving communities from their right to access and control natural resources such as land, contribute to forced displacement of</i>			<i>Provisionally closed pending agreement on excluded activities article</i>

		<i>populations, or involve forced labour or child labour.</i>			
408. un-decies		<i>2. In their financing and investment operations, the eligible counterparts shall comply with applicable Union law and agreed international and Union standards and, therefore, shall not support projects under this Regulation that contribute to money laundering, terrorism financing, tax avoidance, tax fraud and tax evasion. In addition, the eligible counterparts shall not enter into new or renewed operations with entities incorporated or established in jurisdictions listed under the relevant Union policy on non-cooperative jurisdictions, or that are identified as high risk third countries pursuant to Article 9(2) of</i>		<i>Persons and entities implementing financial instruments and budgetary guarantees shall comply with applicable Union law and principles and agreed international and Union standards as laid down in Article 155 (2) and (3) of the Financial Regulation. The Commission shall assess whether the systems, rules and procedures of those persons and entities ensure a protection of the financial interests of the Union equivalent to the one that is provided for when the Commission implements the EU budget, with due regard to the principle of proportionality taking into account the nature of the action and the</i>	<i>Provisionally closed</i> To be complemented by corresponding recital

		<p><i>Directive (EU) 2015/849 of the European Parliament and of the Council, or that do not effectively comply with Union or internationally agreed tax standards on transparency and exchange of information. The eligible counterparts may derogate from this principle only if the project is physically implemented in one of those jurisdictions, and does not present any indication that the relevant operation falls under any of the categories listed in the first subparagraph of this paragraph. When concluding agreements with financial intermediaries, the eligible counterparts shall transpose the requirements referred to in this Article into the relevant agreements and shall request the</i></p>		<p><i>conditions under which it is implemented.</i></p>	
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		<i>financial intermediaries to report on their observance.</i>			
408. duodecies		<i>3. In its financing and investment operations, the eligible counterpart shall apply the principles and standards set out in Union law on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing and in particular Regulation (EU) 2015/847 of the European Parliament and of the Council (2) and Directive (EU) 2015/849. The eligible counterparts shall make both direct funding and funding via intermediaries under this Regulation contingent upon the disclosure of beneficial ownership information in accordance with Directive (EU) 2015/849 and publish country-by-country reporting data</i>			

		<i>in accordance with Article 89(1) of Directive 2013/36/EU of the European Parliament and of the Council.</i>			
409.	Article 30 Capital participation in a development bank	Article 30 Capital participation in a development bank	Article 30 Capital participation in a development bank	Article 30 Capital participation in a development bank	<i>Provisionally closed</i>
410.	The envelope for geographic programmes, referred to in Article 6(2)(a), may be used to contribute to the capital endowment of European and other development finance institutions.	The envelope for geographic programmes, referred to in Article 6(2)(a), may be used to contribute to the capital endowment of European and other development finance institutions.	The envelope for geographic programmes, referred to in Article 6(2)(a), may be used to contribute to the capital endowment of European and other development finance institutions.	The envelope for geographic programmes, referred to in Article 6(2)(a), may be used to contribute to the capital endowment of European and other development finance institutions.	<i>Provisionally closed</i>
			CLUSTER 3 Art 31, 32		
Art. 31 420. bis		<i>6a. The Commission shall submit as part of the annual report detailed reporting on the financing and investment operations covered by the External Action Guarantee, and the functioning of the EFSD+, its management and its effective contribution to its objectives. That part</i>		<i>6a. The Commission shall submit as part of the annual report detailed reporting on the financing and investment operations covered by the External Action Guarantee, and the functioning of the EFSD+, its management and its effective contribution to its objectives. It shall</i>	<i>Provisionally closed</i>

		<i>of the annual report shall be accompanied by an opinion of the Court of Auditors. It shall include the following elements:</i>		<i>include the following elements:</i>	
420. ter		<i>(a) an assessment of the results contributing to the purpose and objectives of the EFSD+ as set out in this Regulation;</i>		<i>(a) an assessment of the results contributing to the purpose and objectives of this Regulation and, where relevant, other funding instruments as laid down in Art 26 (6)</i>	<i>Provisionally closed</i>
420. quater		<i>(b) an assessment of current financing and investment operations and covered by the External Action Guarantee at sector, country and regional levels and their compliance with this Regulation, including the risk measures and their impact on the financial and economic stability of the partners;</i>			<i>Provisionally closed</i> AM integrated into line 420 quinques
420. quin-ques		<i>(c) an assessment of the additionality and added value, the mobilisation</i>		<i>(b) an assessment, on the basis of indicators in line with Articles</i>	<i>Provisionally closed pending migration discussion</i>

		<p><i>of private sector resources, the estimated and actual outputs and the outcomes and impact of the financing and investment operations covered by the External Action Guarantee on an aggregated basis, including the impact on decent job creation and the ability to provide a living wage, the eradication of poverty and the reduction of inequality; that assessment shall include a gender analysis of the operations covered based on evidence and data broken down by gender, where possible, and an analysis of the type of private sector supported, including cooperatives and social enterprises;</i></p>		<p><i>26(1) and 27(2), of the additionality and added value, the mobilisation of private sector resources including micro, small and medium-size enterprises, the type of private sector entities supported, the estimated and actual outputs and the outcomes and impact of the financing and investment operations covered by the External Action Guarantee under the EFSD+ on an aggregated basis, including the impact on decent job creation, and the eradication of poverty {1}; the assessment shall include an analysis of the risk measures and their impact on the financial and economic stability of the partners and a gender analysis of the operations covered based on evidence and data</i></p>	<p>{1}</p> <p>EP: No text</p> <p>CL: <i>and on the way in which the root causes of migration including irregular migration and forced displacement are addressed</i></p>
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				<i>broken down by gender, country and sector where possible;</i>	
420. sexies		<i>(d) an assessment of the compliance with the requirements concerning the use of the External Action Guarantee and of the achievement of key performance indicators established for each proposal submitted;</i>		<i>(c) an assessment of the compliance of the operations supported by the External Action Guarantee under the EFSD+ with the internationally agreed development effectiveness principles;</i>	<i>Provisionally closed</i> <i>Possible to extend to other eligibility criteria in Article 27 (2)?</i>
420. sept-ies		<i>(e) an assessment of the leverage effect achieved by the operations covered by the External Action Guarantee and the EFSD+;</i>		<i>(d) an assessment of the leverage effect achieved by the operations covered;</i>	<i>Provisionally closed</i>
420. octies		<i>(f) the financial amount transferred to beneficiaries and an assessment of financing and investment operations by each eligible counterpart on an aggregated basis;</i>			<i>Provisionally closed</i>
420. non-ies		<i>(g) an assessment of the additionality and added value of financing and investment operations of the eligible</i>			<i>Provisionally closed</i>

		<i>counterparts, and of the aggregate risk associated with those operations;</i>			
420. decies		<i>(h) detailed information on calls on the External Action Guarantee, losses, returns, amounts recovered and any other payments received, as well as overall risk exposure;</i>			<i>Provisionally closed</i>
420. un-decies		<i>(i) the financial reports on financing and investment operations of the eligible counterparts covered by this Regulation, audited by an independent external auditor;</i>			<i>Provisionally closed</i>
420. duo-decies		<i>(j) an assessment of the synergies and complementarity between operations covered by the External Action Guarantee and the second and third pillars of the EIP based on relevant existing reports, with particular regard to progress made on good governance,</i>		<i>(e) an assessment of the synergies and complementarity between operations covered by the External Action Guarantee under the EFSD+ including those referred to in Article 27 bis and other pillars of the External Investment Plan based</i>	<i>Provisionally closed</i>

		<i>including in the fight against corruption and illicit financial flows, respect for human rights, the rule of law and gender-responsive policies, as well as the boosting of entrepreneurship, the local business environment and local financial markets;</i>		<i>on relevant existing reports, with particular regard to progress made on good governance, including in the fight against corruption and illicit financial flows, respect for human rights, the rule of law and gender-responsive policies, as well as the boosting of entrepreneurship, the local business environment and local financial markets;</i>	
420. ter-decies		<i>(k) an assessment of the compliance of the External Action Guarantee operations with the internationally agreed development effectiveness principles;</i>			<i>Provisionally closed</i>
420. quater-decies		<i>(l) an assessment of the remuneration of the guarantees;</i>		<i>(f) an assessment of the remuneration of the guarantees and of the implementation of Article 155(2) and 155(3) of the Financial Regulation;</i>	<i>Provisionally closed</i>

420. quin-decies		<i>(m) an assessment of the implementation of provisions related to excluded activities and non-cooperative jurisdictions.</i>			<i>Provisionally closed pending agreement on excluded activities, including reporting</i>
Art 32 433	3. In line with the specific reporting provisions in the Financial Regulation, by 31 December 2025 and every three years thereafter, the Commission shall evaluate the use and the functioning of the External Action Guarantee. The Commission shall submit its evaluation report to the European Parliament and to the Council. That evaluation report shall be accompanied by an opinion of the Court of Auditors.	3. In line with the specific reporting provisions in the Financial Regulation, by 31 December 2025 and every three years thereafter, the Commission shall evaluate the use and the functioning of the External Action Guarantee. The Commission shall submit its evaluation report to the European Parliament and to the Council. That evaluation report shall be accompanied by an opinion of the Court of Auditors.	3. In line with the specific reporting provisions in the Financial Regulation, by 31 December 2025 2023 and every three years thereafter, the Commission shall evaluate the use and the functioning of the External Action Guarantee. The Commission shall submit its evaluation report to the European Parliament and to the Council. That evaluation report shall be accompanied by an opinion of the Court of Auditors. <i>The evaluation report and the opinion of the Court of Auditors shall be made publicly available.</i>	3. In line with the specific reporting provisions in the Financial Regulation, by 31 December 2024 and every three years thereafter, the Commission shall evaluate, <i>on the basis of an external evaluation,</i> the use and the functioning of the External Action Guarantee, <i>in particular its contribution to the overall objectives, the achieved results and additionality.</i> The Commission shall submit its evaluation report to the European Parliament and to the Council. That evaluation report shall be accompanied by an	<i>Provisionally closed</i>

			<p><i>The Commission shall conduct an independent evaluation every three years containing, inter alia, information on the contribution to the overall objectives, the achieved results and financial additionality.</i></p>	<p>opinion of the Court of Auditors. <i>The evaluation report and the opinion of the Court of Auditors shall be made publicly available.</i></p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council negotiating mandate</i>	<i>Compromise proposal</i>	<i>Comments</i>
224.	ANNEX V PRIORITY AREAS OF THE EFSD+ OPERATIONS COVERED BY THE EXTERNAL ACTION GUARANTEE	ANNEX V PRIORITY AREAS OF THE EFSD+ OPERATIONS COVERED BY THE EXTERNAL ACTION GUARANTEE	ANNEX V PRIORITY AREAS OF THE EFSD+ OPERATIONS COVERED BY THE EXTERNAL ACTION GUARANTEE	ANNEX V PRIORITY AREAS OF THE EFSD+ OPERATIONS COVERED BY THE EXTERNAL ACTION GUARANTEE	<i>Provisionally closed</i>
225.	The EFSD+ operations eligible for support through the External Action Guarantee shall in particular aim at the following priority areas:	The EFSD+ operations eligible for support through the External Action Guarantee shall in particular aim at contribute to the following priority areas:	The EFSD+ operations eligible for support through the External Action Guarantee shall in particular aim at the following priority areas:	The EFSD+ operations eligible for support through the External Action Guarantee shall in particular aim at the following priority areas:	<i>Provisionally closed</i>
226.	(a) provide finance and support to private and cooperative sector development compliant with the conditions set out in Article 209(2) of the [Financing Regulation], with a particular focus on local companies and micro, small and medium-sized enterprises, on promoting decent job creation and encouraging the contribution of European companies to the EFSD+	(a) provide finance and support to private, social enterprise and cooperative sector development compliant with the conditions set out in Article 209(2) of the [Financing Regulation], to contribute to sustainable development in its economic, social and environmental dimensions, and to the implementation of the 2030 Agenda, the Paris	(a) provide finance and support to private and cooperative sector development compliant with the conditions set out in Article 209(2) of the [Financing Financial Regulation], with a particular focus on local companies and micro, small and medium-sized enterprises, on promoting decent job creation and encouraging the contribution of European and other companies to	(a) provide finance and support to private and cooperative sector development compliant with the conditions set out in Article 209(2) of the Financial Regulation and in line with the purpose of Article 26 (1) , with a particular focus on local companies and micro, small and medium-sized enterprises, on promoting decent job creation on the basis of the core ILO	<i>Provisionally closed</i>

	purpose;	<i>Agreement and, where appropriate, the European Neighbourhood Policy and the objectives set out in Article 3 of the of Regulation EU.../... [IPA III], the eradication of poverty, promoting skills and entrepreneurship, gender equality and the empowerment of women and young people, while pursuing and strengthening the rule of law, good governance and human rights, with a particular focus on local companies, social enterprises and micro, small and medium-sized enterprises, on promoting decent job creation in compliance with relevant ILO standards, living wages, economic opportunities, and encouraging the contribution of European companies to the EFSD+ purpose;</i>	the EFSD+ purpose;	<i>labour standards</i> and encouraging the contribution of European companies to the EFSD+ purpose;	
227.	(b) address bottlenecks to private investments by	(b) address bottlenecks to private investments by	(b) address bottlenecks to private investments by	(b) address bottlenecks to private investments by	<i>Provisionally closed</i>

	providing financial instruments, which may be denominated in the local currency of the partner country concerned, including first loss guarantees to portfolios, guarantees to private sector projects such as loan guarantees for small and medium-sized enterprises, and guarantees for specific risks for infrastructure projects and other risk capital;	providing financial instruments, which may be denominated in the local currency of the partner country concerned, including first loss guarantees to portfolios, guarantees to private sector projects such as loan guarantees for small and medium-sized enterprises, and guarantees for specific risks for infrastructure projects and other risk capital;	providing financial instruments, which may be denominated in the local currency of the partner country concerned, including first loss guarantees to portfolios, guarantees to private sector projects such as loan guarantees for small and medium-sized enterprises, and guarantees for specific risks for infrastructure projects and other risk capital;	providing financial instruments, which may be denominated in the local currency of the partner country concerned, including first loss guarantees to portfolios, guarantees to private sector projects such as loan guarantees for small and medium-sized enterprises, and guarantees for specific risks for infrastructure projects and other risk capital;	
228.	(c) leverage private sector financing, with a particular focus on micro, small and medium-sized enterprises, by addressing bottlenecks and obstacles to investment;	(c) leverage private sector financing, with a particular focus on micro, small and medium-sized enterprises, by addressing bottlenecks and obstacles to investment;	(c) leverage private sector financing, with a particular focus on micro, small and medium-sized enterprises, by addressing bottlenecks and obstacles to investment;	(c) leverage private sector financing, with a particular focus on micro, small and medium-sized enterprises, by addressing bottlenecks and obstacles to investment;	<i>Provisionally closed</i>
229.	(d) strengthen socioeconomic sectors and areas and related public and private infrastructure and sustainable connectivity, including renewable and	(d) strengthen socioeconomic sectors and areas and related public and private infrastructure and sustainable connectivity, including renewable and	(d) strengthen socioeconomic sectors and areas and related public and private infrastructure and sustainable connectivity, including renewable and	(d) strengthen socioeconomic sectors and areas and related public and private infrastructure and sustainable connectivity, including renewable and	<i>Provisionally closed</i>

	sustainable energy, water and waste management, transport, information and communications technologies, as well as environment, sustainable use of natural resources, sustainable agriculture and blue economy, social infrastructure, health, and human capital, in order to improve the socioeconomic environment;	sustainable energy, water and waste management, transport, information and communications technologies, as well as environment, sustainable use of natural resources, sustainable agriculture and blue economy, social infrastructure, health, and human capital, in order to improve the socioeconomic environment;	sustainable energy, water and waste management, transport, information and communications technologies, as well as environment, sustainable use of natural resources, sustainable agriculture and blue economy, sustainable forest management and landscape restoration , social infrastructure, health, and human capital, in order to improve the socioeconomic environment;	sustainable energy, water and waste management, transport, information and communications technologies, as well as environment, sustainable use of natural resources, sustainable agriculture and blue economy, sustainable forest management and landscape restoration , social infrastructure, health, and human capital, in order to improve the socioeconomic environment;	
230.	(e) contribute to climate action and environmental protection and management;	(e) contribute to climate action and environmental protection and management, thus producing climate and environment co-benefits, allocating 45 % of the financing to investments that contribute climate objectives, environmental management and protection, biodiversity and combatting desertification, of which	(e) contribute to climate action and environmental protection and management;	(e) contribute to climate action and environmental protection and management {1};	{1} Part of the targets discussion EP: , thus producing climate and environment co-benefits, allocating 45 % of the financing to investments that contribute climate objectives, environmental management and protection, biodiversity

		<i>30 % of the overall financial envelope shall be dedicated to climate change mitigation and adaptation;</i>			<i>and combatting desertification, of which 30 % of the overall financial envelope shall be dedicated to climate change mitigation and adaptation</i> CL: No text
231.	(f) contribute by promoting sustainable development, to addressing specific root causes of irregular migration, as well as fostering the resilience of transit and host communities, and contributing to the sustainable reintegration of migrants returning to their countries of origin, with due regard to the strengthening of the rule of law, good governance and human rights.	(f) contribute by promoting sustainable development, to addressing specific root causes of <i>poverty and inequality as drivers of migration, including irregular migration, as well as and forced displacement, and contribute to safe, orderly and regular migration, by</i> fostering the resilience of transit and host communities, and contributing to the sustainable reintegration of migrants returning to their countries of origin, with due regard to the strengthening of the rule of law, good governance,	(f) contribute by promoting sustainable development, to addressing specific root causes of irregular migration <i>and forced displacement</i> , as well as fostering the resilience of transit and host communities, and contributing to the sustainable reintegration of migrants returning to their countries of origin, with due regard to the strengthening of the rule of law, good governance and human rights.]	(f) contribute by promoting sustainable development, to addressing {1} fostering the resilience of transit and host communities, and contributing to the sustainable reintegration of migrants returning to their countries of origin, with due regard to the strengthening of the rule of law, good governance and human rights.	{1} Part of migration discussion EP: specific root causes of <i>poverty and inequality as drivers of migration, including irregular migration, as well as and forced displacement, and contribute to safe, orderly and regular migration, by</i> CL: specific root causes of irregular migration <i>and forced displacement</i> , as well as

		<i>gender equality, social justice and human rights.</i>			
231. bis		<i>The following investment windows shall be created:</i>			<i>Provisionally closed</i>
231. ter		<i>– Sustainable Energy and Sustainable Connectivity</i>			<i>Provisionally closed</i>
231. quater		<i>– Micro, Small and Medium Enterprises (MSMEs) Financing</i>			<i>Provisionally closed</i>
231. quinques		<i>– Sustainable agriculture, rural entrepreneurs, including subsistence and smallholder farming, pastoralists and environmentally friendly agroindustry</i>			<i>Provisionally closed</i>
231. sexes		<i>– Sustainable cities</i>			<i>Provisionally closed</i>
231. septies		<i>– Digitalisation for Sustainable Development</i>			<i>Provisionally closed</i>
231. octies		<i>– Human Development</i>			<i>Provisionally closed</i>
232.	ANNEX VI GOVERNANCE OF THE EFSD+	ANNEX VI GOVERNANCE OF THE EFSD+	ANNEX VI GOVERNANCE OF THE EFSD+		<i>Provisionally closed</i>

233.	1. Structure of the EFSD+	1. Structure of the EFSD+	1. Structure of the EFSD+		<i>Provisionally closed</i>
234.	1. The EFSD+ shall be composed of regional investment platforms established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External Action Guarantee operations under the EFSD+.	1. The EFSD+ shall be composed of regional investment platforms established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External Action Guarantee operations under the EFSD+.	The EFSD+ shall be composed of regional investment platforms established on the basis of the working methods, procedures and structures of the existing external blending facilities of the Union, which may combine their blending operations and External Action Guarantee operations under the EFSD+.		<i>Provisionally closed</i>
235.	2. The management of the EFSD+ shall be ensured by the Commission.	2. The management of the EFSD+ shall be ensured by the Commission.	The management of the EFSD+ shall be ensured by the Commission.		<i>Provisionally closed</i>
236.	2. Strategic board of the EFSD +	2. Strategic board of the EFSD +	2. Strategic board of the EFSD +		<i>Provisionally closed</i>
237.	1. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the EU Enlargement policy and financed by [IPA III], which shall have its	1. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the EU Enlargement policy and financed by [IPA III], which shall have its	1. In the management of the EFSD+ the Commission shall be advised by a strategic board, except in the case of the operations covering the EU Enlargement policy and financed by [IPA III], which shall have its		<i>Provisionally closed</i>

	strategic board ensured under the Western Balkans Investment Framework (WBIF).	strategic board ensured under the Western Balkans Investment Framework (WBIF).	strategic board ensured under the Western Balkans Investment Framework (WBIF).		
238.	2. The strategic board shall advise the Commission on the strategic orientation and priorities of External Action Guarantee investments under the EFSD+ and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood policy, as well as with the objectives set out in Articles 3 of this Regulation and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate	2. The strategic board shall advise the Commission on the strategic orientation and priorities of External Action Guarantee investments under the EFSD+ and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood policy, as well as with the objectives set out in Articles 3 of this Regulation and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate	2. The strategic board shall advise the Commission on the strategic orientation and priorities of External Action Guarantee investments under the EFSD+ and contribute to their alignment with the guiding principles and objectives of the Union’s external action, development policy, European Neighbourhood policy, as well as with the objectives set out in Articles 3 of this Regulation and the purpose of the EFSD+ as set out in Article 26. It shall also support the Commission in setting overall investment goals as regards the use of the External Action Guarantee to support EFSD+ operations and monitor an appropriate		<i>Provisionally closed</i>

	and diversified geographical and thematic coverage for investment windows.	and diversified geographical and thematic coverage for investment windows.	and diversified geographical and thematic coverage for investment windows.		
239.	3. The strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the European Investment Plan, between the European Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, as well as with other programmes set out in this Regulation.	3. The strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the European Investment Plan, between the European Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, as well as with other programmes set out in this Regulation.	3. The strategic board shall also support overall coordination, complementarity and coherence between the regional investment platforms, between the three pillars of the European Investment Plan, between the European Investment Plan and the Union's other efforts on migration and on the implementation of the 2030 Agenda, as well as with other programmes set out in this Regulation.		<i>Provisionally closed</i>
240.	4. The strategic board shall be composed of representatives of the Commission and of the High Representative, of all Member States and of the European Investment Bank. The European Parliament shall have observer status.	4. The strategic board shall be composed of representatives of the Commission and of the High Representative, of all Member States and of the European Investment Bank. The European Parliament shall have observer status.	4. The strategic board shall be composed of representatives of the Commission and of the High Representative, of all Member States and of the European Investment Bank. The European Parliament shall have observer status.		<i>Provisionally closed</i>

	Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The strategic board shall be consulted prior to the inclusion of any new observer. The strategic board shall be co-chaired by the Commission and the High Representative.	Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The strategic board shall be consulted prior to the inclusion of any new observer. The strategic board shall be co-chaired by the Commission and the High Representative.	Contributors, eligible counterparts, partner countries, relevant regional organisations and other stakeholders may be given observer status, where appropriate. The strategic board shall be consulted prior to the inclusion of any new observer. The strategic board shall be co-chaired by the Commission and the High Representative.		
241.	5. The strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed during the first meeting of the strategic board and laid down in its rules of procedure shall apply. Those voting rights shall take due	5. The strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed during the first meeting of the strategic board and laid down in its rules of procedure shall apply. Those voting rights shall take due	5. The strategic board shall meet at least twice a year and, when possible, adopt opinions by consensus. Additional meetings may be organised at any time by the chair or at the request of one third of its members. Where consensus cannot be reached, the voting rights as agreed during the first meeting of the strategic board and laid down in its rules of procedure shall apply. Those voting rights shall take due		<i>Provisionally closed</i>

	account of the source of financing. The rules of procedure shall set out the framework regarding the role of observers. The minutes and agendas of the meetings of the strategic board shall, following their adoption, be made public.	account of the source of financing. The rules of procedure shall set out the framework regarding the role of observers. The minutes and agendas of the meetings of the strategic board shall, following their adoption, be made public.	account of the source of financing. The rules of procedure shall set out the framework regarding the role of observers. The minutes and agendas of the meetings of the strategic board shall, following their adoption, be made public.		
242.	6. The Commission shall report annually to the strategic board about the progress made in respect of the implementation of the EFSD+. The strategic board of the WBIF shall provide progress made on the implementation of the guarantee instrument for the Enlargement region to complement the above mentioned reporting. The strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and implementation of the EFSD+.	6. The Commission shall report annually to the strategic board about the progress made in respect of the implementation of the EFSD+. The strategic board of the WBIF shall provide progress made on the implementation of the guarantee instrument for the Enlargement region to complement the above mentioned reporting. The strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and implementation of the EFSD+.	6. The Commission shall report annually to the strategic board about the progress made in respect of the implementation of the EFSD+. The strategic board of the WBIF shall provide progress made on the implementation of the guarantee instrument for the Enlargement region to complement the above mentioned reporting. The strategic board shall regularly organise a consultation of relevant stakeholders on the strategic orientation and implementation of the EFSD+.		<i>Provisionally closed</i>
243.	7. The existence of the	7. The existence of the	7. The existence of the		<i>Provisionally closed</i>

	two strategic boards does not bear influence on the need to have a single, unified EFSD+ risk management framework.	two strategic boards does not bear influence on the need to have a single, unified EFSD+ risk management framework.	two strategic boards does not bear influence on the need to have a single, unified EFSD+ risk management framework.		
244.	3. Regional operational boards	3. Regional operational boards	3. Regional operational boards		<i>Provisionally closed</i>
245.	The operational boards of regional investment platforms shall support the Commission at the implementation level in defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on blending operations and on the use of the External Action Guarantee covering EFSD+ operations.	The operational boards of regional investment platforms shall support the Commission at the implementation level in defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on blending operations and on the use of the External Action Guarantee covering EFSD+ operations.	The operational boards of regional investment platforms shall support the Commission at the implementation level in defining regional and sectoral investment goals and regional, sectoral and thematic investment windows and shall formulate opinions on blending operations and on the use of the External Action Guarantee covering EFSD+ operations.		<i>Provisionally closed</i>